Message

From: Bennett.Tate@epa.gov [Bennett.Tate@epa.gov]
Sent: 8/2/2018 1:43:40 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
BCC: Edward_Cohen@hna.honda.com; SSCALES3@ford.com; Tim P [Ex. 6]; Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]
Subject: CAFE CALL W EPA @ 11 AM

Knowing of the regulated community's interest in this issue, please join EPA's Office of Air and Radiation, Office of Public Engagement, and Office of Public Affairs for an overview at 11 AM TODAY. White House and DOT staff may be participating as well.

Participant Toll Free Dial-In Number: Ex. 6
Conference ID: Ex. 6

Message

From: Bennett.Tate@epa.gov [Bennett.Tate@epa.gov]
Sent: 1/7/2018 5:52:06 PM
To: Bluey, Rob [rob.bluey@heritage.org]
CC: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Mike Thompson [mthompson@CRCPublicRelations.com]
Subject: Re: January meeting

Hey Rob- we have a griu

On Dec 21, 2017, at 5:06 PM, Bluey, Rob <rob.bluey@heritage.org> wrote:

> Could you meet at Heritage on Tuesday, Jan. 9, at noon or 12:30? It would be nice to lock in a set time for each month—maybe the second Tuesday. Please let me know.

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 3/2/2018 3:07:05 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Annie Dwyer [Annie.Dwyer@cei.org]
Subject: RE: FreedomWorks Praises EPA for Addressing Oil and Gas Regulatory Compliance Concerns | FreedomWorks

Dear Tate, I haven't and we didn't, but will send you any I see. Yours, Myron.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct: Ex. 6
Tel mobile: Ex. 6
E-mail: Myron.Ebell@cei.org
Stop continental drift!

-----Original Message-----
From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, March 2, 2018 9:53 AM
To: Myron Ebell <Myron.Ebell@cei.org>; Annie Dwyer <Annie.Dwyer@cei.org>
Subject: FreedomWorks Praises EPA for Addressing Oil and Gas Regulatory Compliance Concerns | FreedomWorks

Have you seen any other similar releases? See you all Monday!

http://www.freedomworks.org/content/freedomworks-praises-epa-addressing-oil-and-gas-regulatory-compliance-concerns-0

Message

From: Imoehl, James [James.Imoehl@heritage.org]
Sent: 2/2/2018 10:50:57 PM
To: Tanner, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=153d1b6b96fa4681a06c2868d5f8d691-Lee Tanner]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Keynote Speaker invitation

Lee,

Good talking to you today. Can you send me an overview of the event? We need details on what it is, the expected attendance, where it is, and what the Administrator would like her to do.

Also, if this event is February we will unfortunately have to decline her first scheduling availability is March 19th.

Thank you,
James

James Imoehl
Special Assistant to the President
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

From: Tanner, Lee [mailto:Tanner.Lee@epa.gov]
Sent: Friday, February 2, 2018 4:43 PM
To: Imoehl, James <James.Imoehl@heritage.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Keynote Speaker invitation

James,

Please share Mrs. James availability to join us as a keynote speaker this month.

Thank you in advance for your time and cooperation.

Regards,

Lee

Lee Tanner
Public Affairs Specialist
U.S. EPA Office of the Administrator
Office of Public Engagement
1200 Pennsylvania Ave., N.W.
Washington, DC 20460
Tel: (202) 564-4988

From: Imoehl, James [mailto:James.Imoehl@heritage.org]
Sent: Wednesday, January 17, 2018 12:54 PM

To: Bennett, Tate <Bennett.Tate@epa.gov>; Bluey, Rob <rob.bluey@heritage.org>
Cc: Tanner, Lee <Tanner.Lee@epa.gov>
Subject: RE: Follow up

Hi Tate,

Of course Rob may have other contacts at Hampton but I wanted to share with you the President's Office information. Mrs. James and Dr. Harvey are longtime friends so please be sure to mention that she sent you his way, he will appreciate that!

Main Email: presidentsoffice@hamptonu.edu
Assistant: carolyn.acklin@hamptonu.edu / Ex. 6

Best Regards,
James

James Imoehl
Special Assistant to the President
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, January 17, 2018 12:36 PM
To: Bluey, Rob <rob.bluey@heritage.org>
Cc: Tanner, Lee <Tanner.Lee@epa.gov>; Imoehl, James <James.Imoehl@heritage.org>
Subject: Follow up

Hey Rob!

James and I joined our bosses for lunch yesterday. We would love to get a good contact with Hampton University if that is something yall are able to provide? Thanks so much! -Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bluey, Rob [rob.bluey@heritage.org]
Sent: 3/12/2018 3:20:27 PM
To: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]; Spencer, Jack [Jack.Spencer@heritage.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Beach, Christopher [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6b124299bb6f46a39aa5d84519f25d5d-Beach, Chri]
Subject: RE: Questions for today

Thanks, Stephen. We'll have a few attendees from the Heritage team as well.

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

From: Gordon, Stephen [mailto:gordon.stephen@epa.gov]
Sent: Monday, March 12, 2018 11:14 AM
To: Spencer, Jack <Jack.Spencer@heritage.org>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bluey, Rob <rob.bluey@heritage.org>; Beach, Christopher <beach.christopher@epa.gov>
Subject: RE: Questions for today

Rob and Jack,

I have attached the list of RSVP's as it stands right now.

I will send over another list if it changes at all. Thanks so much.

-Stephen

Stephen L. Gordon Jr.
Deputy Director for Public Engagement
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1301
Gordon.Stephen@epa.gov

From: Spencer, Jack [mailto:Jack.Spencer@heritage.org]
Sent: Monday, March 12, 2018 10:43 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bluey, Rob <rob.bluey@heritage.org>; Beach, Christopher <beach.christopher@epa.gov>; Gordon, Stephen <gordon.stephen@epa.gov>
Subject: RE: Questions for today

We can do it!

Jack Spencer
Vice President for the Institute for Economic Freedom
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, March 12, 2018 10:38 AM
To: Spencer, Jack <Jack.Spencer@heritage.org>
Cc: Bluey, Rob <rob.bluey@heritage.org>; Beach, Christopher <beach.christopher@epa.gov>; Gordon, Stephen <gordon.stephen@epa.gov>
Subject: Questions for today
Importance: High

Hi Jack- The Administrator looks forward to seeing you later today. Thanks for agreeing to lead the discussion. We'd prefer it to take place at the table, but you sit next to the Admin and interview him on the below questions. Let us know if you need anything and Stephen Gordon (cc'd) is working with Rob to arrive early and brief you on these questions/ address any concerns on your end. Thanks! -Tate

DE-REGULATORY AGENDA- In year one, EPA appears to have finalized 22 deregulatory actions, saving Americans more than $1 B in regulatory costs. The report also says that EPA has initiated work on over 44 deregulatory actions. Can you highlight some of your big-ticket accomplishments in this space?

CLEARING BACKLOGS-

a. **AIR-** With regards to Air, you have acted on 322 State Implementation Plans. Tell me about the situation you inherited before acting on those plans?

b. **CHEMICALS-** As of January 2017, there were 600 new chemicals stuck in EPA's backlog. Obviously this type of thing stifles innovation and job creation nationwide. Has that backlog been addressed and how are you ensuring chemicals receive timely safety determinations?

c. **SUPERFUND-** Unfortunately, the actual story of the work you ARE doing often goes untold by the media. Tell me about the progress you have made on cleaning up contaminated sites in your first year?

COOPERATIVE FEDERALISM-

In your first year, you consulted with 95 bipartisan Members of Congress, 34 Governors and visited over half the states and U.S. territories. You've also met with over 350 stakeholder groups.

How has this shaped your decision making on the de-regulatory agenda we just discussed?

PROSPECTIVE-

Any big announcements coming up in the near future from the agency?

OPEN UP FOR QUESTIONS-

Message

From: Bluey, Rob [rob.bluey@heritage.org]
Sent: 1/25/2018 4:18:09 PM
To: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Mike Thompson [mthompson@CRCPublicRelations.com]
Subject: Re: January meeting

Yes, in a meeting now but will try to call soon.

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

On Jan 25, 2018, at 11:14 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Hi Rob – Do you have time to talk today? I need to give you all a heads up on something and walk you through it. My cell is **Ex. 6** Thanks – Liz
>
> **From:** Bluey, Rob [mailto:rob.bluey@heritage.org]
> **Sent:** Sunday, January 7, 2018 3:23 PM
> **To:** Bennett, Tate <Bennett.Tate@epa.gov>
> **Cc:** Mike Thompson <mthompson@CRCPublicRelations.com>; Bowman, Liz <Bowman.Liz@epa.gov>
> **Subject:** Re: January meeting
>
> It should be no problem. I'll update the calendar invite now.
>
> **Rob Bluey**
> *Vice President, Communications, and Editor-in-Chief, The Daily Signal*
> The Heritage Foundation
> 214 Massachusetts Avenue, NE
> Washington, DC 20002
> Ex. 6
> heritage.org
>
> **From:** Elizabeth Bennett <Bennett.Tate@epa.gov>
> **Date:** Sunday, January 7, 2018 at 3:18 PM
> **To:** Rob Bluey <rob.bluey@heritage.org>
> **Cc:** Mike Thompson <mthompson@CRCPublicRelations.com>, Liz Bowman <Bowman.Liz@epa.gov>
> **Subject:** Re: January meeting
>
> TUESDAY. Not Monday. Sorry- **Ex. 6**

On Jan 7, 2018, at 2:16 PM, Bluey, Rob <rob.bluey@heritage.org> wrote:

I certainly don't mind. Just so I have this correct, you would like to meet at 12:45 p.m. tomorrow or 12:45 p.m. Tuesday?

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

From: Elizabeth Bennett <Bennett.Tate@epa.gov>
Date: Sunday, January 7, 2018 at 2:08 PM
To: Mike Thompson <mthompson@CRCPublicRelations.com>
Cc: Rob Bluey <rob.bluey@heritage.org>, Liz Bowman <Bowman.Liz@epa.gov>
Subject: Re: January meeting

Apologies. Blame Pruitt! :)

On Jan 7, 2018, at 1:42 PM, Mike Thompson <mthompson@CRCPublicRelations.com> wrote:

I van. Not sure about the room.

Rob - as soon as you know, we need to let everyone else know.

On Jan 7, 2018, at 12:54 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Hey guys- any chance we can push to 12:45 even on Monday? Liz and I both now have to staff a meeting with the Admin at 11:45 that day which will wrap by 12:30 at the very latest. Sorry to be a pain here.

Also, I have to stay at EPA for a subsequent meeting but we will likely have another attendee with Liz attending.

Also, do you have a list of topics you'd like to discuss as well?

On Dec 21, 2017, at 5:06 PM, Bluey, Rob <rob.bluey@heritage.org> wrote:

Could you meet at Heritage on Tuesday, Jan. 9, at noon or 12:30? It would be nice to lock in a set time for each month—maybe the second Tuesday. Please let me know.

Rob Bluey
Vice President, Communications, and
Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org


Message

From: Diane Wood [DWood@neefusa.org]
Sent: 3/12/2018 3:16:21 PM
To: Gibson, Art (arthur_gibson@baxter.com) [arthur_gibson@baxter.com]; Ken Strassner [Ex. 6] [Ex. 6] Carlos Alcazar (calcazar@cultureoneworld.com) [calcazar@cultureoneworld.com]; David Kiser [Ex. 6]; Diane Wood [DWood@neefusa.org]; George Basile [george.basile@asu.edu]; Jeniffer Harper-Taylor [jeniffer.harper@siemens.com]; Kevin Butt [kevin.butt@toyota.com]; Megan Cayten [megan@cayten.com]; rgarcia@cityprojectca.org [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0e854c6dec4b4456a0701e041d0fe812-rgarcia@cityprojectca.org]; S. Decker Anstrom [Ex. 6]; Shannon Schuyler (shannon.schuyler@pwc.com) [shannon.schuyler@pwc.com]; Wonya Lucas [wylucas@pba.org]; Angela Hernandez-Marshall [Angela.Hernandez-Marshall@ed.gov]; Christopher Strager [christopher.strager@noaa.gov]; Clarissa Childers [Clarissa.Childers@EE.DOE.Gov]; Ericka Reid [reidel@niehs.nih.gov]; Tanner, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=153d1b6b96fa4681a06c2868d5f8d691-Lee Tanner]; Louisa Koch [Louisa.Koch@noaa.gov]; Maureen Sullivan [Maureen.sullivan18.civ@mail.mil]; Michiko Martin [michikojmartin@fs.fed.us]; Newman, Sara [sara_newman@nps.gov]; Nora Savage [nosavage@nsf.gov]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; William Cibulas Phd [wic1@cdc.gov]
CC: Sara Espinoza [SEspinoza@neefusa.org]; Sheilah Watts [sheilah.watts@pba.org]; Tim Mok [tmok@cityproject.org]; Cheryl Everhart [bqf5@cdc.gov]; Montrese Diggs [montrese.diggs@NOAA.GOV]; Nicha Jumsil [nicha.jumsil.ctr@mail.mil]; tisha.hansen@noaa.gov
Subject: NHL as promised

Dear members of the board

Please enjoy. Any questions/comments please reach out to Sara Espinoza. Congrats to Sara, her team and all at NEEF who worked on this project.

The NHL infographic page is live today: https://www.neefusa.org/nhl.

NEEF will be sharing through social media and our EE Week, NEEF Weekly emails.

My best, Diane

Diane Wood
President

National Environmental Education Foundation
4301 Connecticut Ave., NW, Suite 160
Washington, DC 20008

Direct [Ex. 6]
General 202-833-2933
Fax 202-261-6464
NEEFusa.org

Message

From: Gordon, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7C8FB4D82BFF4EEC98F5C5D00A47F554-GORDON, STE]
Sent: 3/12/2018 3:14:00 PM
To: Spencer, Jack [Jack.Spencer@heritage.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Bluey, Rob [rob.bluey@heritage.org]; Beach, Christopher [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6b124299bb6f46a39aa5d84519f25d5d-Beach, Chri]
Subject: RE: Questions for today
Attachments: RSVP List for Heritage Event on March 12 2018.xlsx

Rob and Jack,

I have attached the list of RSVP's as it stands right now.

I will send over another list if it changes at all. Thanks so much.

-Stephen

Stephen L. Gordon Jr.
Deputy Director for Public Engagement
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1301
Gordon.Stephen@epa.gov

From: Spencer, Jack [mailto:Jack.Spencer@heritage.org]
Sent: Monday, March 12, 2018 10:43 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bluey, Rob <rob.bluey@heritage.org>; Beach, Christopher <beach.christopher@epa.gov>; Gordon, Stephen <gordon.stephen@epa.gov>
Subject: RE: Questions for today

We can do it!

Jack Spencer
Vice President for the Institute for Economic Freedom
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, March 12, 2018 10:38 AM
To: Spencer, Jack <Jack.Spencer@heritage.org>
Cc: Bluey, Rob <rob.bluey@heritage.org>; Beach, Christopher <beach.christopher@epa.gov>; Gordon, Stephen <gordon.stephen@epa.gov>
Subject: Questions for today
Importance: High

Hi Jack- The Administrator looks forward to seeing you later today. Thanks for agreeing to lead the discussion. We'd prefer it to take place at the table, but you sit next to the Admin and interview him on the below questions. Let us know if you need anything and Stephen Gordon (cc'd) is working with Rob to arrive early and brief you on these questions/ address any concerns on your end. Thanks! -Tate

DE-REGULATORY AGENDA- In year one, EPA appears to have finalized 22 deregulatory actions, saving Americans more than $1 B in regulatory costs. The report also says that EPA has initiated work on over 44 deregulatory actions. Can you highlight some of your big-ticket accomplishments in this space?

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a. **AIR-** With regards to Air, you have acted on 322 State Implementation Plans. Tell me about the situation you inherited before acting on those plans?

b. **CHEMICALS-** As of January 2017, there were 600 new chemicals stuck in EPA's backlog. Obviously this type of thing stifles innovation and job creation nationwide. Has that backlog been addressed and how are you ensuring chemicals receive timely safety determinations?

c. **SUPERFUND-** Unfortunately, the actual story of the work you ARE doing often goes untold by the media. Tell me about the progress you have made on cleaning up contaminated sites in your first year?

COOPERATIVE FEDERALISM-

In your first year, you consulted with 95 bipartisan Members of Congress, 34 Governors and visited over half the states and U.S. territories. You've also met with over 350 stakeholder groups.

How has this shaped your decision making on the de-regulatory agenda we just discussed?

PROSPECTIVE-

Any big announcements coming up in the near future from the agency?

OPEN UP FOR QUESTIONS-

RSVP List for Heritage Event on 3/12/18

Name	Organization	Y/N
Steve Milloy	CEI	Y
Myron Ebell	CEI	Y
Marlo Lewis	CEI	Y
Taylor Barkley	CEI	Y
Rashid Hallaway	American Coalition for Clean Coal Technology	Y
Brian Kelly	BK Strategies	Y
Maryam Brown	Sempra	Y
Bill Koetzle	Chevron	Y
Patrick Hedger	FreedomWorks	Y
Wayne Brough	FreedomWorks	Y
Mike Thompson	CRC Public Relations	Y
Joe Verruni	Cato Institute	Y
Michael Mittelholzer	National Association of Homebuilders	Y
David Ledford	National Association of Homebuilders	Y
Jerry Howard	National Association of Homebuilders	Y
Christopher Guith	US Chamber	Y
Grover Norquist	Americans for Tax Reform	Y
Patrick Gleason	Americans for Tax Reform	Y
Paul Blair	Americans for Tax Reform	Y
Dan Byers	US Chamber	Y
Harry Alford	National Black Chamber of Commerce	Y
Charles DeBow	National Black Chamber of Commerce	Y
Kay DeBow	National Black Chamber of Commerce	Y
Melinda Tomaino	Associated General Contractors	Y
Sean O'Neill	Associated General Contractors	Y
Tim Hunt	American Forest and Paper Association	Y
Jerry Schwartz	American Forest and Paper Association	Y
Kelly Tyroler	Associated Builders and Contractors	Y
Mike Bellaman	Associated Builders and Contractors	Y
Peter Comstock	Associated Builders and Contractors	Y
Brad Viator	Edison Electric Institute	Y
Quin Shea	Edison Electric Institute	Y
Katie Shoaf	Edison Electric Institute	Y
Tom Pyle	American Energy Alliance	Y
Kenneth Stein	American Energy Alliance	Y
Jordan McGillis	American Energy Alliance	Y
Chuck Cunningham	Securing America's Future Energy	Y

Message

From: Gordon, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7C8FB4D82BFF4EEC98F5C5D00A47F554-GORDON, STE]
Sent: 3/12/2018 2:54:13 PM
To: Myron Ebell [Myron.Ebell@cei.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: EPA Event with Administrator Pruitt on Monday, March 12th at 1:30pm

Great look forward to seeing you, Taylor and Marlo at the event.

Stephen L. Gordon Jr.
Deputy Director for Public Engagement
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1301
Gordon.Stephen@epa.gov

From: Myron Ebell [mailto:Myron.Ebell@cei.org]
Sent: Monday, March 12, 2018 10:53 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: RE: EPA Event with Administrator Pruitt on Monday, March 12th at 1:30pm

Dear Tate and Stephen, Annie's e-mail reminded me that I forgot to Rsvp for Marlo Lewis and me. We will be happy to come if there is still room. Angela Logomasini is out of town. Kent should have Rsvp'd for Taylor Barkley, but I don't think Kent can make it. Yours, Myron.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct: Ex. 6
Tel mobile
E-mail: Myron.Ebell@cei.org
Stop continental drift!

From: Annie Dwyer
Sent: Monday, March 12, 2018 10:20 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Mike Thompson <mthompson@CRCPublicRelations.com>; Gordon, Stephen <gordon.stephen@epa.gov>; Taylor Barkley <Taylor.Barkley@cei.org>; Myron Ebell <Myron.Ebell@cei.org>
Subject: Re: EPA Event with Administrator Pruitt on Monday, March 12th at 1:30pm

Yes! Thanks for checking Tate. Here is who I have on my list. Not sure if they have RSVP'd yet but they should be doing so soon. Copying Taylor and Myron.

CEI attendees:
Myron Ebell
Marlo Lewis

Angela Logomasini
Taylor Barkley

Thanks for the invite!
Annie

Annie Dwyer
Vice President of Communications
Competitive Enterprise Institute
Ex. 6

On Mar 12, 2018, at 9:49 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Can CEI attend today? Didn't see yall on list.

From: "Gordon, Stephen" <gordon.stephen@epa.gov>
Date: March 9, 2018 at 12:48:13 PM EST
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: EPA Event with Administrator Pruitt on Monday, March 12th at 1:30pm

Good morning!

You and two additional guests are invited to an off-the-record discussion with EPA Administrator Scott Pruitt on "President Trump's Deregulatory Agenda at EPA - Year 1 Highlights."

Key items to discuss include:

- Restored Cooperative Federalism;
- Restoring the Rule of Law;
- WOTUS Repeal;
- CPP Repeal;
- Ending Sue-and-Settle
- Independence on Science Advisory Boards;
- CERCLA Hard Rock Mining;
- And Other Items.

Date: Monday, March 12th

Time: 1:30 PM-2:30 PM

Location: The Heritage Foundation
214 Massachusetts Ave NE
Washington, DC 20002

Please RSVP as soon as possible to Stephen Gordon at Gordon.Stephen@epa.gov

Please note that this invitation is for you specifically and two guests. Please do not distribute externally due to limited space.

Thank you, and see you soon!

Regards,

Stephen

Stephen L. Gordon Jr.
Deputy Director for Public Engagement
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1301
Gordon.Stephen@epa.gov

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 2/15/2018 4:22:14 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition next meeting 5th March and joint letter on offshore oil

The Cooler Heads Coalition will hold its next monthly strategy meeting on Monday, 5th March, 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.

ALEC and 28 other non-profit groups sent a letter this week to Members of Congress on sharing offshore oil royalties with the states, which I have pasted below. Here is a link to a much prettier pdf.

February 12, 2018

Dear Members of Congress:

On behalf of our organizations and the millions of Americans we represent across all fifty states, we urge you to reform federal government management of offshore energy development revenue, and to share it with the relevant coastal states.

The Department of Interior has proposed dramatically expanding offshore oil and gas drilling on the Outer Continental Shelf. Under the proposal, 98 percent of undiscovered, technically recoverable oil and gas offshore would be available for future development whereas under the existing policy 94 percent of this important energy source is off-limits. This expansion will increase America's energy abundance, create jobs, and generate additional royalty revenue for the federal government.

As the Department of Interior moves to expand offshore drilling, Congress should reform royalty revenue-sharing agreements for all coastal states. Currently, most states only receive revenue from off shore drilling if a federal lease falls within three miles of its coastal border. However, Alabama, Louisiana, Mississippi, and Texas receive revenue for select leases beyond three miles under the Gulf of Mexico Energy Security Act (GOMESA) of 2006.

Revenue-sharing agreements for leases beyond three miles should be expanded to all coastal states. The current policy discourages states from supporting offshore energy development. Those closest to energy development should have a greater say in how the revenue is spent. All states with drilling off their coasts should see part of the revenue, not just the four states covered under GOMESA.

Federal policy for offshore energy development should mirror that of onshore energy development. States containing federal land where drilling occurs receive half of the associated revenue. This arrangement better aligns costs and benefits of energy development, enriching the local communities and generating support for energy development.

Creating revenue sharing agreements for all coastal states would boost support for energy development and help usher in the jobs, economic activity, and royalties that it brings. We urge you to consider reforms that expand revenue sharing agreements for all coastal states.

Sincerely,

Lisa B. Nelson, CEO
American Legislative Exchange Council

Ashley N. Varner, Executive Director
ALEC Action

James L. Martin, Chairman
60 Plus Association

Phil Kerpen, President
American Commitment

Daniel Schneider, Executive Director
American Conservative Union

Chrissy Harbin, Vice President of External Affairs
Americans for Prosperity

Robert Alt, President and CEO
The Buckeye Institute

Norm Singleton, President
Campaign for Liberty

Andrew F. Quinlan, President
Center for Freedom and Prosperity

Jeffrey Mazzella, President
Center for Individual Freedom

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

Matthew Kandrach, President
Consumer Action for a Strong Economy

Thomas Schatz, President
Council for Citizens Against Government Waste

Craig Richardson, President
Energy & Environment Action Team

Alex Ayers, Executive Director
Family Businesses for Affordable Energy

Nathan Nascimento, Executive Vice President
Freedom Partners Chamber of Commerce

Patrick Hedger, Director of Policy
FreedomWorks

David Barnes, Policy Director
Generation Opportunity

Amy Cooke, Executive Vice President
Independence Institute

Carrie L. Lukas, President
Independent Women's Forum

Heather R. Higgins, President and CEO
Independent Women's Voice

Kory Swanson, President and CEO
John Locke Foundation

John Peterson, Director of Government Relations
Land Improvement Contractors of America

Daniel Garza, President
The Libre Initiative

David Ridenour, President
The National Center for Public Policy Research

Pete Sepp, President
National Taxpayers Union

Paul J. Gessing, President
Rio Grande Foundation

David Williams, President
Taxpayers Protection Alliance

Mike Thompson, Sr., Chairman and President
Thomas Jefferson Institute for Public Policy

Myron Ebell
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1310 L Street, N. W., Seventh Floor
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Tel direct:
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Ex. 6
E-mail: Myron.Ebell@cei.org
Stop continental drift!

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 2/6/2018 6:37:09 PM
To: Bluey, Rob [rob.bluey@heritage.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: Tomorrow

Sorry to miss you today. When you get a chance, would love to talk about those meetings and their organization

Sent from my iPhone

> On Feb 5, 2018, at 7:33 PM, Bluey, Rob <rob.bluey@heritage.org> wrote:
>
> Yes, we're on for 12:30 p.m. Please note we are at our 227 Pennsylvania Ave. SE building tomorrow.
>
>
>
> Rob Bluey
> Vice President, Communications, and Editor-in-Chief, The Daily Signal
> The Heritage Foundation
> 214 Massachusetts Avenue, NE
> Washington, DC 20002
> Ex. 6
> heritage.org
>
> On 2/5/18, 7:29 PM, "Bowman, Liz" <Bowman.Liz@epa.gov> wrote:
>
> I have 12:30 at Rob's?
>
> -----Original Message-----
> From: Bennett, Tate
> Sent: Monday, February 5, 2018 7:29 PM
> To: rob.bluey@heritage.org
> Cc: Bowman, Liz <Bowman.Liz@epa.gov>
> Subject: Tomorrow
>
> Are we slated to come by?
>
>
>

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 2/1/2018 5:44:31 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition meeting, Monday, 5th February, noon at CEI

Reminder: The Cooler Heads Coalition will hold its next monthly strategy meeting beginning at 12 noon on Monday, 5th February, at CEI, 1310 L Street, N. W., Seventh Floor. Please e-mail or ring me at **Ex. 6** with agenda items or questions. For new attendees, we do not serve lunch or even drinks, but you are welcome to bring your own.

Three items of interest:

1. **CEI today released a letter that two of my colleagues, Sam Kazman and Devin Watkins, have sent to the SEC.** Here are the first two paragraphs:

It has come to our attention that various municipalities expect substantial future financial harm, but have either explicitly disclaimed the ability to determine such harms or at the least omitted these potential harms when informing bond investors. We wish to notify the SEC of these potential problems so that they can be properly investigated with appropriate action taken to protect investors.

A number of California cities and counties have recently filed lawsuits against several oil and gas companies, claiming that these companies failed to disclose the alleged risks of climate change. However, in these lawsuits the plaintiff cities and counties apparently describe these climate risks in ways that are far different than how they described them in their own bond offerings. In our view, this inconsistency raises serious questions of municipal bond fraud under 15 U.S.C. § 77q(a)(2).

The letter is posted at: https://cei.org/content/sec-investigate-securities-fraud-california-climate-ri.

2. **A comment on President Trump's State of the Union.** He could have given more than two sentences to the remarkable de-regulatory actions taken in energy and climate policy during his first year. On the other hand, it's also remarkable that he didn't mention global warming, climate change, renewable energy, or alternative energy. The Washington Post did some useful research and discovered that this is the first State of the Union speech in fourteen years in which no form of alternative energy was mentioned. We have come a long way since President George W. Bush told us on 31st January 2006 that, "America is addicted to oil." Here is the link to the Post story:

https://www.washingtonpost.com/news/powerpost/paloma/the-energy-202/2018/02/01/the-energy-202-trump-says-he-has-an-all-of-the-above-energy-strategy-but-coal-gets-top-billing/5a71f62c30fb041c3c7d7550/?utm_term=.7b09b8355213

3. **The New York Times's lead story on Monday was quite astonishing,** not because of its unremarkable content, but rather because it was in the New York Times at all. I've pasted the article, which in the print edition appeared at the top of the right column with the headline, Rising Oil Prices Give U. S. an Edge in Global Energy, below. "This is a 180-degree turn for the United States and the impacts are being felt around the world," said Daniel Yergin, the economic historian and author of "The Prize: The Epic Quest for Oil, Money and Power." "This not only contributes to U.S. energy security but also contributes to world energy security by bringing new supplies to the world."

Oil Boom Gives the U.S. a New Edge in Energy and Diplomacy

By CLIFFORD KRAUSS JAN. 28, 2018

https://www.nytimes.com/2018/01/28/business/energy-environment/oil-boom.html

HOUSTON — A substantial rise in oil prices in recent months has led to a resurgence in American oil production, enabling the country to challenge the dominance of Saudi Arabia and dampen price pressures at the pump.

The success has come in the face of efforts by Saudi Arabia and its oil allies to undercut the shale drilling spree in the United States. Those strategies backfired and ultimately ended up benefiting the oil industry.

Overcoming three years of slumping prices proved the resiliency of the shale boom. Energy companies and their financial backers were able to weather market turmoil — and the maneuvers of the global oil cartel — by adjusting exploration and extraction techniques.

After a painful shakeout in the industry that included scores of bankruptcies and a significant loss of jobs, a steadier shale-drilling industry is arising, anchored by better-financed companies.

With the price of West Texas intermediate crude above $65 a barrel, a level not seen in almost three years, the United States is becoming a dominant producer. It is able to outflank competitors in supplying growing global markets, particularly China and India, while slashing imports from the Middle East and North Africa.

This year, the United States is expected to surpass Saudi Arabia and to rival Russia as the world's leader, with record output of over 10 million barrels a day, according to the International Energy Agency.

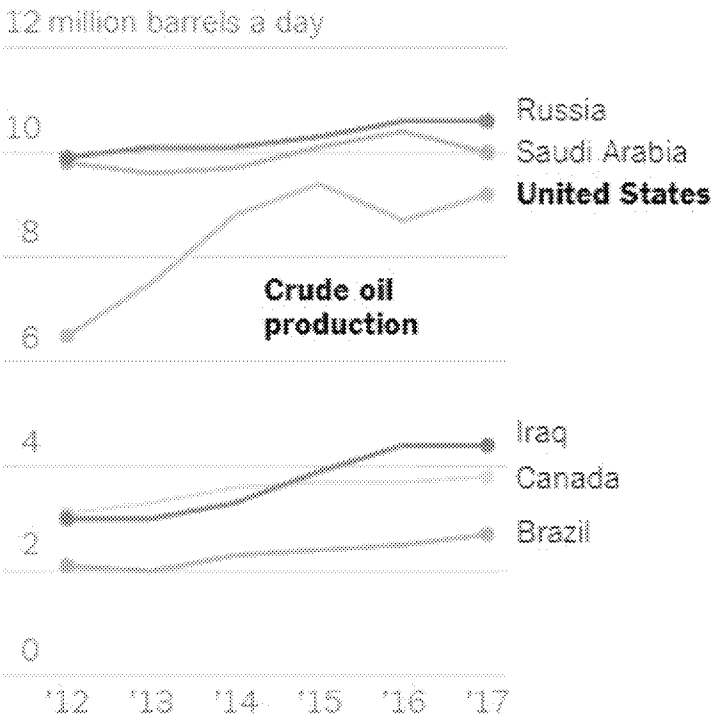
"This is a 180-degree turn for the United States and the impacts are being felt around the world," said Daniel Yergin, the economic historian and author of "The Prize: The Epic Quest for Oil, Money and Power." "This not only contributes to U.S. energy security but also contributes to world energy security by bringing new supplies to the world."

Catching Up

Forecasts show that the United States could surpass Saudi Arabia as an oil producer this year, with output exceeding 10 million barrels a day.

Catching Up

Forecasts show that the United States could surpass Saudi Arabia as an oil producer this year, with output exceeding 10 million barrels a day.



Sources: U.S. Energy Information Administration; Organization of the Petroleum Exporting Countries (OPEC) | By The New York Times

At the same time, the United States is becoming a major exporter of natural gas, another outgrowth of the shale revolution, undercutting Russian energy dominance over Eastern Europe.

The improving energy picture comes as the Trump administration is attempting to increase offshore drilling and loosen other regulations on fossil fuel development. But just as the surge in oil and gas production in shale fields during the Barack Obama administration had

little to do with Washington, the current rise is the result of private companies responding to global markets.

Shale fields can be developed relatively quickly and at modest costs relative to the giant projects, whether on land or offshore, that were once favored by big oil companies. That makes it easier to turn investment spigots on or off to adjust to market fluctuations. Companies like Exxon Mobil and Chevron are putting increasing amounts of capital in shale fields, particularly in West Texas and New Mexico.



Cars lining up for gas at a California service station in 1973, when an Arab oil embargo caused vast disruption. CreditAssociated Press

The results go far beyond the economic, offering Washington strategic weapons once unthinkable. The United States and its allies now have a supply cushion at a time when political turmoil in Venezuela, Libya and Nigeria is threatening to interrupt flows to markets.

Only a few years ago, such threats — along with a recent pipeline failure in the North Sea and storms in the Gulf of Mexico — would have sent the price of crude soaring. Instead, the rise has been muted, and gasoline at the pump remains below $2.60 a gallon across most of the United States.

The new energy power also relieves pressure on Washington to act militarily if tensions between Iran and Saudi Arabia break out into war. And it gives Washington the leeway to apply sanctions on other producers — as it has in Russia, and may in Iran or Venezuela — with far less risk to the global economy.

It is a striking contrast to the 1970s, when Arab oil boycotts forced motorists to line up for blocks to fill their tanks and the economy went into a tailspin. Even more recently, during the presidency of George W. Bush, domestic oil output was declining so rapidly that the country set a course to replace oil with biofuels like ethanol.

Many environmentalists argue that by increasing oil and gas supplies and lowering prices for consumers, shale drilling is extending the life of fossil fuels to the detriment of the environment and the development of cleaner energy.

The shale drilling revolution has remade the global energy market, with imports from members of the Organization of the Petroleum Exporting Countries plunging by 20 percent

from late 2016 to late 2017. At the same time, exports rose by hundreds of thousands of barrels a day.

Nothing like the current situation was foreseen in late 2014, when rising domestic production began weighing on global oil prices.

In response, Saudi Arabia led OPEC in a new direction. Instead of throttling back to support prices as the cartel had done so often, it left the market alone and even increased production for a time.

Prices fell below $40 a barrel, as the Saudis and their allies hoped to drive American operations out of business by making shale drilling uneconomical. American exploration quickly dropped, but the price squeeze made companies more innovative in the use of drilling technologies, robotics and sensors to maximize output and reduce costs.

While scores of smaller companies went out of business, the survivors lengthened horizontal wells to yield more oil, and used clever hedging and drilling strategies to maximize profits even when prices slumped.

The response surprised the global oil community. OPEC, Russia and allied producing countries changed course and began cutting back again in 2016.

"OPEC missed the point," said René Ortiz, a former OPEC secretary general and former Ecuadorean energy minister. "They thought they could recover the U.S. market by bringing the prices down. Now the U.S. has gained the leading position in the world oil market regardless of what OPEC does."

"This displacement of Saudi oil, Nigerian oil, Libyan oil and Venezuelan oil," Mr. Ortiz concluded, "was never anticipated."

A week ago, OPEC leaders met in Oman to discuss a probable extension of production cuts into 2019 to support prices. Their biggest obstacle is the United States.

Technological advances unlocking oil from tight rocks like shale has led to a drilling frenzy enabling a doubling of output in a decade, transforming unlikely places like North Dakota and New Mexico into world class petroleum hubs. Pipelines are being built across Texas to serve ports where oil can be pumped onto tankers headed for China, India and other markets.

Domestic production last year averaged 9.3 million barrels a day, and the Energy Department projects that the figure will climb to 10.3 million barrels a day this year, surpassing the record set in 1970. In the meantime, since a 40-year export ban was lifted in 2015, exports of American oil have risen to roughly two million barrels a day — more than many OPEC members.

The department projects an additional increase in domestic production of 500,000 barrels a day in 2019.

Concerns over climate change as well as the growing popularity of electric cars and the eventual aging of the best shale fields will probably curb production and demand over the next few decades. But in the short term, the boom has changed the landscape.

The Energy Department projects that the recent surge will hold the price of Brent crude, the global benchmark, to $60 a barrel in 2018 and $61 a barrel in 2019 — a modest increase from $54 last year. (The Brent price rose above $70 a barrel this month, but few analysts see a return to $100-a-barrel oil.)

The emerging order in the energy realm is a stable balance of power. Saudi Arabia, which essentially runs OPEC, has put a floor under the oil price — probably around $50 a barrel — with its limits on output and exports over the last four years. But now the United States, by the sheer force of its production, the supremacy of its technology, and an unmatched pipeline, refinery and storage structure, has put a ceiling to the price.

Experts note that when oil climbs to $60 a barrel and higher, as it has lately, a drilling rush commences — the national rig count has climbed by over a third in the last year — promising to refill domestic and even global energy inventories. Only a major war or other disruption is likely to send prices soaring.

"We have all suffered these depressed prices over the last two years and we are excited to see the new prices and we will respond accordingly," said Harald Jordan, vice president for engineering at Peak Energy, a Colorado-based producer. "You will see rig activity continue to increase."

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Ex. 6
Stop continental drift!

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 2/20/2018 3:58:57 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition: new supplement to Endangerment Finding Petition

Reminder: the Cooler Heads Coalition will hold its next monthly strategy meeting on Monday, 5th March, 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 is a press release from the Concerned Household Electricity Consumers Council about the latest supplement to their petition to the EPA for reconsideration of the Endangerment Finding. It has lots of useful links.

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 Ten Frequent Climate Alarmists' Claims have each been Rebutted by true experts in each Field by simply citing the most relevant and credible empirical data.**
2. **The new results invalidate 10 very frequent Alarmist Claims in recent years, and thereby also invalidate the so-called "lines of evidence" on which EPA claimed to base its 2009 CO_2 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 basis for regulation will raise U.S. energy prices thereby reducing economic growth, jobs and national security.**

February 20, 2018

On February 9, 2018, The Concerned Household Electricity Consumers Council (CHECC) submitted a fifth Supplement to their Petition to provide additional new highly relevant and credible information. (See: EF CPP Fifth Supplement to Petition for Recon FINAL020918) It relates to variables other than temperature describing the Earth's Climate System. With each of EPA's three Lines of Evidence purporting to support their 2009 Endangerment Finding already shown in the CHECC petition and its first 2 Supplements to be invalid, EPA has no proof whatsoever that CO_2 has had a statistically significant impact on global temperatures.

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 .

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 relied 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. (Wallace 2017B can be found at: https://thsresearch.files.wordpress.com/2017/05/ef-gast-data-research-report-062817.pdf) 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 knocked 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 stated: 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 -and, the willingness of more scientists to come forward with such new evidence. (See: https://thsresearch.files.wordpress.com/2017/10/pruitt-letter-press-release-1-pm-101617final-4.docx)

Perhaps recognizing this fact, Climate Alarmist have over time gone from focusing on Global Warming, to Climate Change to simply fear of Carbon. Thus, this research sought to determine the credibility of Ten (10) very frequently cited Climate Alarmists Claims.

Below are Rebuttals to each of these ten typical climate alarmists' claims. **The rebuttal authors are all recognized experts on their topic and each rebuttal demonstrates the claim fallacy by merely citing the most credible empirical data.**

Claim #1: Heat Waves are increasing at an alarming rate and heat kills
For Rebuttal and Author Credentials See: EF_RRT_AC - Heat Waves

Claim #2: Global warming is causing more hurricanes and stronger hurricanes
For Rebuttal and Author Credentials See: EF_RRT_AC - Hurricanes

Claim #3: Global warming is causing more and stronger tornadoes
For Rebuttal and Author Credentials See: EF_RRT_CA - Tornadoes

Claim #4: Global warming is increasing the magnitude and frequency of droughts and floods.
For Rebuttal and Author Credentials See: EF_RRT_AC - Droughts and Floods

Claim #5: Global Warming has increased U.S. Wildfires
For Rebuttal and Author Credentials See: EF_RRT_AC - Wildfires

Claim #6: Global warming is causing snow to disappear
For Rebuttal and Author Credentials See: EF_RRT_CA - Snow

Claim #7: Global warming is resulting in rising sea levels as seen in both tide gauge and satellite technology
For Rebuttal and Author Credentials See: EF_RRT_CA - Sea Level

Claim #8: Arctic, Antarctic and Greenland ice loss is accelerating due to global warming
For Rebuttal and Author Credentials See: EF_RRT_AC - Arctic, Antarctic, Greenland 123117

Claim #9: Rising atmospheric CO_2 concentrations are causing ocean acidification, which is catastrophically harming marine life

For Rebuttal and Author Credentials See: EF_RRT_CA - Ocean pH

Claim #10: Carbon pollution is a health hazard
For Rebuttal and Author Credentials See: EF_RRT_AC - Health

THE CONCLUSION OF THE FIFTH SUPPLEMENT

The invalidation of the three lines of evidence upon which EPA attributes global warming to human GHG emissions breaks the causal link between human GHG emissions and global warming. This in turn necessarily breaks the causal chain between human GHG emissions and the alleged knock-on effects of global warming, such as loss of Arctic ice, increased sea level, and increased heat waves, floods, droughts, hurricanes, tornadoes, etc.

Nevertheless, these alleged downstream effects are constantly cited to whip up alarm and create demands for ever tighter regulation of GHG emissions involving all fossil fuels, not just coal. EPA explicitly relied on predicted increases in such events to justify the Endangerment Finding. But there is no evidence to support such Alarmist Claims, and copious empirical evidence that refutes them. The enormous cost and essentially limitless scope of the government's regulatory authority over GHG emissions cannot lawfully rest upon a collection of scary stories that are conclusively disproven by readily available empirical data.

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 the 2009 CO_2 Endangerment Finding. The nation has been taken down a tragically foolish path of pointless GHG/CO_2 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 legal criteria for reconsidering the Endangerment Finding are clearly present in this case. The scientific foundation of the Endangerment Finding has been invalidated. The parade of horrible calamities that the Endangerment Finding predicts and that a vast program of regulation seeks to prevent have been comprehensively and conclusively refuted by empirical data. The Petition for Reconsideration should be granted.

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." But clearly CO_2 regulation does not just raise electricity prices, it raises all fossil fuel prices. America can have, and must have, the lowest possible energy costs in order to attain and maintain its energy, economic and national security.

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Stop continental drift!

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 2/2/2018 7:19:33 PM
To: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
CC: Gunasekara, Mandy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=53d1a3caa8bb4ebab8a2d28ca59b6f45-Gunasekara,]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Agenda

Terrific. Thanks. And I hope Mandy comes as well!

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Stop continental drift!

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Friday, February 2, 2018 2:11 PM
To: Myron Ebell <Myron.Ebell@cei.org>
Cc: Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Agenda

Bill will come, please add him to the Agenda. Mandy might also come, if she is available. Thanks!

Liz Bowman
U.S. Environmental Protection Agency (EPA)
Office: 202-564-3293

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 2/25/2018 7:41:55 PM
To: Hewitt, James [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=41b19dd598d340bb8032923d902d4bd1-Hewitt, Jam]
CC: Bluey, Rob [rob.bluey@heritage.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: Pruitt interview

Yes thank you for all your help

On Feb 25, 2018, at 2:32 PM, Hewitt, James <hewitt.james@epa.gov> wrote:

> Great thank you Rob!
>
> Sent from my iPhone
>
> On Feb 25, 2018, at 8:24 AM, Bluey, Rob <rob.bluey@heritage.org> wrote:
>
> > Thanks again for the opportunity! We posted this morning. Here's the link: http://dailysignal.com/2018/02/25/weaponization-epa-exclusive-interview-scott-pruitt/
> >
> > **Rob Bluey**
> > *Vice President, Communications, and Editor-in-Chief, The Daily Signal*
> > The Heritage Foundation
> > 214 Massachusetts Avenue, NE
> > Washington, DC 20002
> > Ex. 6
> > heritage.org
> > 

Message

From: Jim Lakely [JLakely@heartland.org]
Sent: 2/21/2018 3:28:08 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: Heartland at EPA Listening Session in Kansas City

Great. Looking forward to it.

Jim Lakely
Director of Communications
The Heartland Institute
3939 North Wilke Road
Arlington Heights, IL 60004
o: 312-377-4000
f: 312-377-5000
c: Ex. 6
Twitter: @HeartlandInst

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: Tuesday, February 20, 2018 at 7:20 PM
To: Jim Lakely <JLakely@heartland.org>
Subject: Re: Heartland at EPA Listening Session in Kansas City

Thanks! I'll call you at the end of the day

On Feb 20, 2018, at 6:54 PM, Jim Lakely <JLakely@heartland.org> wrote:

> Sure thing. Here's my cell: Ex. 6
>
> I land in DC at around 3 p.m. tomorrow.
>
> Jim Lakely
> Director of Communications
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> 3939 North Wilke Drive
> Arlington Heights, IL 60004
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>
> **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> **Sent:** Tuesday, February 20, 2018 4:43 PM
> **To:** Jim Lakely
> **Cc:** Konkus, John
> **Subject:** Re: Heartland at EPA Listening Session in Kansas City
>
> Hey Jim! Can I give you a call on this tomorrow? Or vice versa? Ex. 6
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Jim Lakely
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The Heartland Institute
3939 North Wilke Drive
Arlington Heights, IL 60004
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From: Jim Lakely
Sent: Thursday, February 15, 2018 4:55 PM
To: 'Konkus, John'
Cc: Bennett, Tate
Subject: RE: Heartland at EPA Listening Session in Kansas City

Great. Thanks for the introduction, John. And nice to meet you, Tate. If Administrator Pruitt is available to be the keynote of our CPAC breakout session, we'd be thrilled. Heartland is also very grateful Administrator Pruitt's recorded address for our America First Energy Conference (AFEC) in Houston last November.

BTW: We're having our second one of those, AFEC 2018, in New Orleans on August 7. If his schedule allows, he could have any of the breakfast, lunch, or dinner keynote slots he would like. As you know, Heartland and our scholars/supporters/audience are great admirers of what Administrator Pruitt has been able to accomplish in just one year, and look forward to more victories to come.

Regards,

Jim Lakely
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The Heartland Institute
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From: Konkus, John [mailto:konkus.john@epa.gov]
Sent: Thursday, February 15, 2018 4:44 PM
To: Jim Lakely
Cc: Bennett, Tate
Subject: RE: Heartland at EPA Listening Session in Kansas City

Jim: Let me introduce you to Tate Bennett (copied). Tate helps organize most of the Administrator's events.

From: Jim Lakely [mailto:JLakely@heartland.org]
Sent: Thursday, February 15, 2018 4:12 PM
To: Konkus, John <konkus.john@epa.gov>
Subject: RE: Heartland at EPA Listening Session in Kansas City

John,

Thanks, again, for making sure Heartland's Isaac Orr gets to contribute to the KC event for EPA. I have another request.

Heartland is hosting a two-hour breakout session at CPAC on energy policy. We want the second hour to feature a "keynote" speaker. Is there someone at EPA who could talk energy policy for about 30-40 minutes and take some questions from the audience?

The purpose of this breakout session, like our energy conference in Houston last November, is to promote President Trump's America First Energy Plan. So it's a great opportunity to communicate directly to the grassroots about its importance and why they should get behind it.

Best,

Jim Lakely
Director of Communications
The Heartland Institute
3939 North Wilke Drive
Arlington Heights, IL 60004
o: 312.377.4000
c: Ex. 6
Twitter: @HeartlandInst

From: Jim Lakely
Sent: Friday, February 09, 2018 5:05 PM
To: 'Konkus, John'
Subject: Heartland at EPA Listening Session in Kansas City

John,

I hope you are doing well. Keep up the great work!

I'm just dropping you a line to let you know that Heartland Research Fellow for Energy Policy Isaac Orr is going to be at the Kansas City Listening Session on February 21. Can you help us get him on the schedule for offering comments? If that can happen, what's the ideal length of such a comment?

Best,

Jim Lakely
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Message

From: Jim Lakely [JLakely@heartland.org]
Sent: 2/22/2018 11:22:51 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: Heartland at EPA Listening Session in Kansas City

Tate,

Sorry we didn't get a chance to connect yesterday. I'll be on Capitol Hill for a FDA reform briefing Heartland is hosting until we return to CPAC at 3 p.m. for our Energy Breakout Session at CPAC. I'll have my phone on me if you'd like to chat. Or we can text: Ex. 6

Best,

Jim Lakely
Director of Communications
The Heartland Institute
3939 North Wilke Road
Arlington Heights, IL 60004
o: 312-377-4000
f: 312-377-5000
c: Ex. 6
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BTW: We're having our second one of those, AFEC 2018, in New Orleans on August 7. If his schedule allows, he could have any of the breakfast, lunch, or dinner keynote slots he would like. As you know, Heartland and our scholars/supporters/audience are great admirers of what Administrator Pruitt has been able to accomplish in just one year, and look forward to more victories to come.

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Sent: Thursday, February 15, 2018 4:44 PM
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To: 'Konkus, John'
Subject: Heartland at EPA Listening Session in Kansas City

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Jim Lakely
Director of Communications
The Heartland Institute
3939 North Wilke Drive
Arlington Heights, IL 60004
o: 312.377.4000
c: Ex. 6
Twitter: @HeartlandInst

Message

From: Carlos Alcazar [calcazar@cultureoneworld.com]
Sent: 3/13/2018 12:37:23 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; William Cibulas Phd [wic1@cdc.gov]; David Kiser [Ex. 6]; Shannon Schuyler (shannon.schuyler@pwc.com) [shannon.schuyler@pwc.com]; Tanner, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=153d1b6b96fa4681a06c2868d5f8d691-Lee Tanner]; Michiko Martin [michikojmartin@fs.fed.us]; Louisa Koch [louisa.koch@noaa.gov]; Jeniffer Harper-Taylor [jeniffer.harper@siemens.com]; George Basile [george.basile@asu.edu]; Newman, Sara [sara_newman@nps.gov]; Maureen Sullivan [maureen.sullivan18.civ@mail.mil]; Angela Hernandez-Marshall [angela.hernandez-marshall@ed.gov]; rgarcia@cityprojectca.org [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0e854c6dec4b4456a0701e041d0fe812-rgarcia@cityprojectca.org]; Megan Cayten [megan@cayten.com]; Diane Wood [dwood@neefusa.org]; Kevin Butt [kevin.butt@toyota.com]; Nora Savage [nosavage@nsf.gov]; Ken Strassner [Ex. 6]; S. Decker Anstrom [Ex. 6] Ericka Reid [reidel@niehs.nih.gov]; Wonya Lucas [wylucas@pba.org]; Gibson, Art (arthur_gibson@baxter.com) [arthur_gibson@baxter.com]; Christopher Strager [christopher.strager@noaa.gov]; Clarissa Childers [clarissa.childers@ee.doe.gov]
CC: Sheilah Watts [sheilah.watts@pba.org]; Sara Espinoza [sespinoza@neefusa.org]; Montrese Diggs [montrese.diggs@noaa.gov]; Nicha Jumsil [nicha.jumsil.ctr@mail.mil]; tisha.hansen@noaa.gov; Tim Mok [tmok@cityproject.org]; Cheryl Everhart [bqf5@cdc.gov]
Subject: Re: NHL as promised
Attachments: image002.jpg@01D3B9F3.8CCA0E40

Diane,

This is another tremendous example of your leadership and vision to achieve our mission. With the NBA committing to a second campaign year, and now the NHL on board, we're taking on the biggest sports franchises. Congratulations to you and Sara for pulling this together. Great work!

Carlos

--
Carlos Alcazar
Culture ONE World
e: calcazar@cultureoneworld.com
m: Ex. 6
o: 202-796-1096; Ex. 6
www.cultureoneworld.com

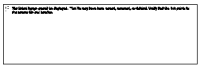
On March 12, 2018 at 11:16:24 AM, Diane Wood (dwood@neefusa.org) wrote:

> Dear members of the board
>
> Please enjoy. Any questions/comments please reach out to Sara Espinoza. Congrats to Sara, her team and all at NEEF who worked on this project.

The NHL infographic page is live today: https://www.neefusa.org/nhl.

NEEF will be sharing through social media and our EE Week, NEEF Weekly emails.

My best, Diane



Diane Wood

President

National Environmental Education Foundation

4301 Connecticut Ave., NW, Suite 160

Washington, DC 20008

Direct Ex. 6

General 202-833-2933

Fax 202-261-6464

NEEFusa.org

Message

From: Courtney Cook [ccook@alec.org]
Sent: 2/20/2018 9:48:22 PM
To: Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]
CC: Jeff Lambert [jlambert@alec.org]; Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]; Kundinger, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e3c9a5d16e2244079e222f342bf9992f-Kundinger,]; Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: ALEC Annual Meeting - New Orleans
Attachments: AM 18 - EPA Administrator Pruitt Speaker Request Form.docx; 2017 AM Agenda_Final.pdf; AM 18 - Pruitt Invite.pdf

Hi Hayley-

Thank you for the help! We totally understand on timing! We just wanted to be sure we got this over to you all as soon as possible. I have attached the updated form and our agenda from our 2017 Annual Meeting as we are still collecting the details for our 2018 agenda. Our meeting typically follows the same pattern so for the meantime, this should be able to help answer any questions. As you review, if there are any questions on either, please let me know. Happy to help!

Thank you and I look forward to working together again!

Best,
Courtney

Courtney Cook, CMP
Director of Events
Ex. 6
ccook@alec.org

2900 Crystal Drive, Sixth Floor
Arlington, VA 22202

ALEC | American Legislative Exchange Council
LIMITED GOVERNMENT • FREE MARKETS • FEDERALISM

Upcoming Meetings:
2018 Spring Task Force Summit – April 27, 2018 – Grand Rapids, Michigan
2018 Annual Meeting – August 8 - 10, 2018 – New Orleans, Louisiana
45th Anniversary Gala – September 26, 2018 – Washington, D.C.
2018 States & Nation Policy Summit – November 28 - 30, 2018 – Washington, D.C.

The American Legislative Exchange Council is a 501(c)3 nonprofit organization and is the largest nonpartisan, voluntary membership organization of state legislators in the United States dedicated to the principles of limited government, free markets and federalism. The Council is governed by state legislators who comprise the National Board of Legislators and is advised by the Private Enterprise Advisory Council, a group of private, foundation and think tank members.

Website | Facebook | Twitter | Blog

From: Ford, Hayley [mailto:ford.hayley@epa.gov]
Sent: Tuesday, February 13, 2018 1:36 PM
To: Courtney Cook <ccook@alec.org>
Cc: Jeff Lambert <jlambert@alec.org>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: ALEC Annual Meeting - New Orleans

Hi Courtney,

Thank you for the invitation to the Administrator. I've attached our standard speaking engagement request form here, which I believe you've seen in the past. Would you mind completing it for this particular event, so that we can capture additional information?

As you can imagine, we are far off from planning his summer schedule, so it will be some time before we can get back to you on this. If you can indicate on the form when you need to hear by, that would be helpful to our planning.

Thank you!

Hayley Ford
Deputy White House Liaison and Personal Aide to the Administrator
Environmental Protection Agency
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: Ex. 6

From: Courtney Cook [mailto:ccook@alec.org]
Sent: Thursday, February 8, 2018 12:27 PM
To: Ford, Hayley <ford.hayley@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Cc: Jeff Lambert <jlambert@alec.org>
Subject: ALEC Annual Meeting - New Orleans

Hi Hayley and Lincoln -

I hope this note finds you doing well and that 2018 has started off great for you!

We have started the planning process for the **ALEC Annual Meeting in New Orleans, LA** this August and wanted to be sure the attached invitation was received by your office. We would love to have Administrator Pruitt attend and keynote the **Thursday Lunch session** on **August 9, 2018**.

As you review the attached invitation, please let me know if you have any questions or feel free to pass me along if I should be working with someone else. Happy to help!

Best,
Courtney

Courtney Cook, CMP
Director of Events
Ex. 6
ccook@alec.org

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Website ¦ Facebook ¦ Twitter ¦ Blog

44th ALEC Annual Meeting

2017
JULY 19 – 21



ONLINE AGENDA
www.alec.org/meetings/



Wi-Fi Network: ALEC 44th Annual Meeting Password: ALEC2017

Track System: Innovation and Technology | Tax, Fiscal and Efficiency in Government | Restoring the Balance of Government | Training

TUESDAY, JULY 18		Room	Floor	Track
3:00 PM - 5:00 PM	Registration	Mineral Foyer	Level 3	
3:00 PM - 5:00 PM	Kids' Congress Registration	Capitol 6 - 7 Corridor	Level 4	
6:00 PM - 7:00 PM	Leadership Reception (By Invitation Only)	Denver City Terrace	Level 5	
7:00 PM - 8:30 PM	Leadership Dinner (By Invitation Only)	Centennial A - C	Level 3	
8:30 PM - 9:30 PM	Dessert with Frank Luntz: "Messages That Work" (By Invitation Only)	Centennial F - H	Level 3	

WEDNESDAY, JULY 19		Room	Floor	
7:00 AM - 8:00 AM	ALEC State Chairs Breakfast Meeting	Capitol 1 - 2	Level 4	
7:00 AM - 4:00 PM	Media Check-In	Mineral Foyer	Level 3	
7:00 AM - 5:00 PM	Registration	Mineral Foyer	Level 3	
7:30 AM - 4:00 PM	Exhibit Hall	Centennial Foyer	Level 3	
7:30 AM - 5:00 PM	Kids' Congress Registration	Capitol 6 - 7 Corridor	Level 4	
8:00 AM - 8:40 AM	Tax and Fiscal Policy: E-Commerce and Taxation Joint Working Group	Capitol 4	Level 4	
8:00 AM - 10:20 AM	Energy, Environment and Agriculture Subcommittee	Centennial A	Level 3	
8:00 AM - 11:00 AM	Federalism and International Relations Subcommittees	Mineral A	Level 3	
8:00 AM - 4:00 PM	Consumer Technology Association Hospitality Suite	Agate A	Level 3	
8:00 AM - 5:00 PM	ALEC Legislative Staff Fellowship (By Invitation Only)	Agate B - C	Level 3	
8:20 AM - 9:20 AM	Commerce, Insurance, and Economic Development: Labor and Business Regulation Subcommittee	Mineral B - C	Level 3	
8:45 AM - 9:25 AM	Tax and Fiscal Policy: Fiscal Policy Reform Working Group	Capitol 4	Level 4	
9:00 AM - 9:50 AM	Health and Human Services Subcommittee	Mineral F - G	Level 3	
9:00 AM - 9:55 AM	Communications and Technology Subcommittee: Broadband, Innovation and Information Technologies	Mineral D - E	Level 3	
9:00 AM - 10:00 AM	ALEC New State Chairs Training	Capitol 1 - 2	Level 4	
9:00 AM - 10:30 AM	ALEC CARE Training	Centennial C	Level 3	
9:00 AM - 4:00 PM	American City County Exchange (ACCE)	Granite A - B	Level 3	ACCE
9:20 AM - 10:20 AM	Commerce, Insurance, and Economic Development: Transportation and Infrastructure Subcommittee	Mineral B - C	Level 3	
9:30 AM - 10:10 AM	Education and Workforce Development: K-12 Subcommittee	Centennial B	Level 3	
9:30 AM - 10:20 AM	Tax and Fiscal Policy: Pension Reform Working Group	Capitol 4	Level 4	
10:00 AM - 10:50 AM	Health and Human Services and Criminal Justice Reform: State Specific Responses to the Opioid/Addiction Crisis Working Group	Mineral F - G	Level 3	
10:00 AM - 10:55 AM	Communications and Technology: Consumer Protection, Critical Infrastructure and Security Technologies Subcommittee	Mineral D - E	Level 3	
10:00 AM - 11:00 AM	ALEC New Member Orientation	Capitol 3	Level 4	
10:15 AM - 11:00 AM	Education and Workforce Development: Higher Education Subcommittee	Centennial B	Level 3	
10:20 AM - 11:00 AM	Commerce, Insurance, and Economic Development, Energy, Environment and Agriculture and Tax and Fiscal Policy Joint Working Group: Property-Assessed Clean Energy Programs	Centennial A	Level 3	
11:30 AM - 1:30 PM	**Opening Luncheon**	**Centennial D - H**	**Level 3**	
1:45 PM - 3:00 PM	ALEC Workshop: The State of Oil and Natural Gas Regulations: Local Governments vs. State Agencies and How the Industry Can Best Balance Transparency and Safety	Centennial A	Level 3	
1:45 PM - 3:00 PM	ALEC Workshop: Getting the Response to the Opioid Crisis Right	Centennial C	Level 3	
2:00 PM - 3:00 PM	ALEC Task Force Chairs Meeting	Mineral A	Level 3	
2:30 PM - 4:30 PM	ALEC CARE Training	Capitol 3	Level 4	
3:15 PM - 4:30 PM	ALEC Workshop: The Future of Fossil Fuels: How Innovative Technologies will Lower Costs and Solve Environmental Objectives	Centennial A	Level 3	
3:15 PM - 4:30 PM	ALEC Workshop: Expanding Access to Dental Care in Medicaid Through Market-Based Solutions	Centennial C	Level 3	
4:00 PM - 4:30 PM	Alumni Society Reception	Peak's Lounge	Level 27	
4:15 PM - 5:15 PM	American City County Exchange (ACCE) Welcome Reception	Mineral D - E	Level 3	ACCE
4:30 PM - 5:30 PM	Women's Caucus Reception (Members Only)	Denver City Terrace	Level 5	
4:45 PM - 7:30 PM	Buses Shuttling to and from Welcome Reception	Lobby	Lobby	
5:00 PM - 7:00 PM	**ALEC Colorado Welcome Reception**	**Mile High Stadium**	**Off-Site**	

For Welcome Reception – Buses will depart the Hyatt Regency starting at 4:45 PM

THURSDAY, JULY 20		Room	Floor	Track
7:00 AM - 7:50 AM	Capitol Commission Devotional Meeting	Limestone	Level 4	
7:30 AM - 4:00 PM	Media Check-In	Mineral Foyer	Level 3	
7:30 AM - 4:00 PM	Exhibit Hall	Centennial Foyer	Level 3	
7:30 AM - 5:00 PM	Registration	Mineral Foyer	Level 3	
7:30 AM - 5:00 PM	Kids' Congress Registration	Capitol 6 - 7 Corridor	Level 4	
8:00 AM - 9:15 AM	**Breakfast**	**Centennial D - H**	**Level 3**	
9:30 AM - 10:45 AM	ALEC Workshop: Why the Nation Needs YOU to Drain the Swamp With the Ultimate Tool of Federalism: 4 Perspectives on Article V	Centennial A	Level 3	
9:30 AM - 10:45 AM	ALEC Workshop: Prescription Drug Abuse: A Collective Approach to Policy Solutions Is Essential	Centennial C	Level 3	
9:30 AM - 12:00 PM	ALEC CARE Training	Capitol 5	Level 4	
9:30 AM - 5:00 PM	ALEC Legislative Staff Fellowship (By Invitation Only)	Agate B - C	Level 3	
9:30 AM - 5:00 PM	American City County Exchange (ACCE)	Granite A - B	Level 3	ACCE
9:30 AM - 5:00 PM	Consumer Technology Association Hospitality Suite	Agate A	Level 3	
11:00 AM - 12:15 PM	ALEC Workshop: Beyond the Headlines: The Data and Trends You Need to Know about School Choice	Centennial A	Level 3	
11:00 AM - 12:15 PM	ALEC Media Training Session*	Centennial C	Level 3	
12:30 PM - 2:00 PM	**Lunch**	**Centennial D - H**	**Level 3**	
2:00 PM - 2:30 PM	Ice Cream Social	Centennial D - H	Level 3	
2:00 PM - 3:30 PM	ALEC Membership Information Table	Mineral Foyer	Level 3	
2:00 PM - 3:30 PM	ALEC Membership Information Table	Capitol Foyer	Level 4	
2:00 PM - 4:30 PM	ALEC CARE Training	Centennial A	Level 3	
2:00 PM - 5:00 PM	Limiting Taxation and Spending Through the Taxpayer Bill of Rights (TABOR) Discussion	Capitol 3	Level 4	
2:30 PM - 3:30 PM	Capitol Commission Informational Meeting	Limestone	Level 4	
2:30 PM - 5:00 PM	On-Camera Training Session*	Marble	Level 4	
2:30 PM - 5:30 PM	Task Force Meeting for Communications and Technology	Capitol 1 - 2	Level 4	
2:30 PM - 5:30 PM	Task Force Meeting for Civil Justice	Mineral D - E	Level 3	
2:30 PM - 5:30 PM	Task Force Meeting for Commerce, Insurance and Economic Development	Mineral A - C	Level 3	
2:30 PM - 5:30 PM	Task Force Meeting for Health and Human Services	Capitol 4	Level 4	
5:30 PM - 6:30 PM	Task Force Reception for Commerce, Insurance and Economic Development	Mineral F - G	Level 3	
5:30 PM - 6:30 PM	Task Force Reception for Health and Human Services	Capitol Foyer South	Level 4	
5:45 PM - 6:45 PM	45th Annual Meeting: Louisiana Preview Reception	Centennial F - G	Level 3	

*To participate in an **On-Camera Training Session**, you must attend **ALEC Media Training Session** on **Thursday** at **11:00 AM - 12:15 PM.**

FRIDAY, JULY 21		Room	Floor	Track
7:00 AM - 7:50 AM	Capitol Commission Devotional Meeting	Limestone	Level 4	
7:30 AM - 2:30 PM	Exhibit Hall	Centennial Foyer	Level 3	
7:30 AM - 3:00 PM	Media Check-In	Mineral Foyer	Level 3	
7:30 AM - 3:00 PM	Registration	Mineral Foyer	Level 3	
7:30 AM - 3:00 PM	Kids' Congress Registration	Capitol 6 - 7 Corridor	Level 4	
8:00 AM - 9:15 AM	**Breakfast**	**Centennial D - H**	**Level 3**	
9:00 AM - 12:00 PM	Book Signing with Congressman Ken Buck	Mineral A	Level 3	
9:30 AM - 10:00 AM	ALEC Training Session: Successful Techniques for Data-Led Campaigning	Centennial A	Level 3	
9:30 AM - 12:00 PM	American City County Exchange (ACCE)	Granite A - B	Level 3	ACCE
9:30 AM - 3:30 PM	Consumer Technology Association Hospitality Suite	Agate A	Level 3	
9:30 AM - 12:00 PM	ALEC CARE Training	Capitol 1	Level 4	
9:30 AM - 5:00 PM	ALEC Legislative Staff Fellowship (By Invitation Only)	Agate B - C	Level 3	
9:30 AM - 5:00 PM	On-Camera Training Session*	Marble	Level 4	
10:00 AM - 12:00 PM	Task Force Meeting for Homeland Security	Mineral D - E	Level 3	
10:15 AM - 10:45 AM	ALEC Training Session: Constituent Communications and Public Speaking: How to Choose the Right Words	Centennial C	Level 3	
11:00 AM - 12:15 PM	ALEC Workshop: Marijuana: Determining the Financial Impact of Legalization and Regulation	Centennial A	Level 3	
11:00 AM - 12:15 PM	ALEC Training Session: Quorum: Leveraging Social Media to Communicate Your Impact	Centennial C	Level 3	
12:30 PM - 2:00 PM	**Lunch**	**Centennial D - H**	**Level 3**	
2:00 PM - 3:30 PM	ALEC Membership Information Table	Mineral Foyer	Level 3	
2:00 PM - 3:30 PM	ALEC Membership Information Table	Capitol Foyer	Level 4	
2:00 PM - 4:30 PM	ALEC CARE Training	Capitol 1	Level 4	
2:30 PM - 3:30 PM	Capitol Commission Informational Meeting	Limestone	Level 4	
2:30 PM - 5:30 PM	Task Force Meeting for Criminal Justice Reform	Mineral F - G	Level 3	
2:30 PM - 5:30 PM	Task Force Meeting for Education and Workforce Development	Mineral D - E	Level 3	
2:30 PM - 5:30 PM	Task Force Meeting for Energy, Environment and Agriculture	Capitol 4	Level 4	
2:30 PM - 5:30 PM	Task Force Meeting for Federalism and International Relations	Mineral B - C	Level 3	
2:30 PM - 5:30 PM	Task Force Meeting for Tax and Fiscal Policy	Centennial A - C	Level 3	
5:00 PM - 6:30 PM	Chair's Reception in Conjunction with the Western Conservative Summit, Honoring Senator Jim Buck and Senate President Wayne Niederhauser (Members Only)	Denver City Terrace	Level 5	
5:30 PM - 6:30 PM	Task Force Reception for Tax and Fiscal Policy	Centennial F	Level 3	
5:30 PM - 6:30 PM	Task Force Reception for Education and Workforce Development	Mineral A	Level 3	
5:30 PM - 6:30 PM	Task Force Reception for Energy, Environment and Agriculture	Capitol 3	Level 4	
7:00 PM - 11:00 PM	State Night: Contact Your State Chair for More Information	Various Locations	Off-Site	

ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM
U.S. Environmental Protection Agency

Deadline for Acceptance:	*June 1, 2017 however we are open to his availability*
Requesting Individual / Affiliation:	*American Legislative Exchange Council (ALEC)*
Event Title:	*2018 Annual Meeting*
Event Date:	*August 8 - 10, 2018 – Requesting him to join us on August 9, 2018.*
Is the Above Date Flexible:	*Yes*
Event Time & Duration:	*Requesting that he speak at our Thursday Lunch session which runs from 12:30PM – 2:00PM*
Type of Event:	*Conference General Session Lunch*
Purpose of the Event:	***Brief Description:*** *The ALEC Annual Meeting gathers more than 1500 state legislators, business leaders and public policy experts from across the nation to discuss major state issues.*
Role of the Administrator:	*Keynote address*
Requested Presentation Topic, if Speaking Involved:	*Insight into the future of our environmental programs.*
Requested Presentation Format:	*Keynote address*
Speech/Presentation Duration:	*40 – 60 mins*
Would You Consider a Surrogate:	*Yes*
Event Location:	*Hilton New Orleans Riverside* *2 Poydras St.* *New Orleans, LA 70130*
Event Audience:	*The ALEC Annual Meeting gathers more than 1500 state legislators, business leaders and public policy experts from across the nation to discuss major state issues.*
Event Host(s)/Organizer(s):	*List all hosts organizing the event: ALEC will be the only organizer*
Host(s)' Relationship to EPA:	

Sierra Club v. EPA 18cv3472 NDCA Tier 5 ED_002061_00057600-00001

ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM
U.S. Environmental Protection Agency

Run of Show/ Agenda:	***Please see 2017 Annual Meeting agenda attached to email. Will send updated version as available.***
Is there a Hold Room Available for the Administrator?	*Yes*
Open Press/Closed Press?	*Open – all media are registered in advance*
Dress Code:	*Business*
Teleprompter Available:	*If needed*
Microphone / Room Setup:	*The event set-up will be a large hotel ballroom with round tables. The stage will have steps onto the stage and will have a podium with microphone for speaking. We will have a reserved seat at the head table for him.*
Honorable Guests Attending:	***TBD***
Notable Federal, State or Local Appointed or Elected officials attending:	*Various Federal, State and Chamber Leadership from across the country are invited and will be in attendance*
Individual Introducing Administrator:	***TBD***
Person to contact for media purposes:	*Bill Meierling* *O:571-482-5007* *C:* **Ex. 6** *wmeierling@alec.org*
Is this event held Weekly, Monthly, Annually?	*Annually*
Day of Event Point of Contact:	*Courtney Cook* *ALEC Director of Events* *ccook@alec.org* *O:571-482-5003* *C:* **Ex. 6**
Security Contact:	*Lt. Jeff Lathan* *ALEC Director of Security* *cvlprotection@cox.net* *C:* **Ex. 6**
Suggested Entrance/ Exit to Event Venue:	***TBD***

ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM
U.S. Environmental Protection Agency

Is the host of the event a registered 501(c)(3), (4), or has a 527 Political Action Committee (PAC): *ALEC is a registered 501 (c)(3).*

Will there be a "gift" presented to the Administrator? If so, what is the US currency value of the gift? *No*

Will a meal be provided, if so what is the US currency value? *Yes, estimated to be $75*

Please return this completed form to Hayley Ford at ford.hayley@epa.gov

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2900 Crystal Drive, Suite 600
Arlington, VA 22202
TEL 703.373.0933 • FAX 703.373.0927
www.alec.org

February 2, 2018

Administrator Scott Pruitt
Environmental Protection Agency
Office of the Administrator, 1101A
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Pruitt, Scott

Thank you for your commitment to our nation's founding principles and free market ideals. Members of the American Legislative Exchange Council (ALEC) share your belief in limited government, free markets and federalism. It is my honor to invite you to deliver a keynote address at our **2018 Annual Meeting** in **New Orleans, Louisiana**. Our Annual Meeting gathers more than 1500 state legislators, business leaders and public policy experts from across the nation to discuss major state issues.

From your time at the state and federal levels, you understand the importance and influence of the partnership between state and federal leaders. I would be honored to have you address our attendees and welcome them to Louisiana during the **Thursday lunch** on **August 9, 2018.** If this time does not work, we are happy to find a time that best fits your schedule.

As you may know, ALEC is the largest nonpartisan voluntary membership organization of state legislators in the country, representing one quarter of all state lawmakers, 60 million Americans and 30 million jobs. ALEC members advance the Jeffersonian principles of limited government, free markets and federalism. Your perspective on those ideals would be influential to our members.

If you are able to share your leadership perspective with ALEC members at the 2018 Annual Meeting, or if you have additional questions, please contact Courtney Cook, Director of Events, by email at ccook@alec.org or at Ex. 6

Thank you for your consideration and service to our country.

Respectfully,

Trying again!

Lisa B. Nelson
Chief Executive Officer

Message

From: Pat Michaels [PMichaels@cato.org]
Sent: 3/1/2018 7:19:35 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Pebble Chapter Final
Attachments: PEBBLE FINAL JANUARY 2018.docx

Hi Tate

I just realized that I have not sent you the final version of the book chapter on Pebble. Here you are! Of course we are going to have to revise the end at publication time, so just consider what is in it now as a placeholder.

Cheers

Pat Michaels

Can Politics Turn Gold into Dross? The Story of Alaska's Pebble Mine

How the EPA, other federal agencies, in collusion with environmental activists corrupted the codified decision-making process regarding the largest known undeveloped copper and gold deposit on the planet.

Introduction

As noted earlier, there are several ways in which science can be corrupted. The incentive structure certainly results in a canon of knowledge that is massively littered with false positive results. But another problem might be termed "corruption by authority". In this book we showed how the National Academy of Sciences, through its National Research Council, can assemble apparently definitive panels to study a certain subject, but in fact the results of the study would largely be known beforehand because of the track records of the chosen participants. In this manner, it's very easy to suppress dissenting views even while having their proponents on the panel. That is clearly what happened with Walter Coles, Jr. and Virginia Uranium, Inc.

Here we will see how the EPA colluded with environmental organizations to create what could only be termed a science fiction report to prevent the exploitation of the largest known copper, molybdenum and gold deposit on earth.

The "Pebble Project", located in southwest Alaska, on state lands in southwest Alaska (Figure 1) that were accepted by Alaska as part of a land swap with the federal government, specifically for its mineral potential. In addition, the site has been designated through two public land-use planning processes for mineral exploration and development.[1] The deposit was discovered in 1987 by Cominco, a modest concern headquartered in Vancouver, British Columbia.

But this story is not about what will happen at the Pebble mine, if it is ever approved, but rather this is about the previous administration's policies and actions. It is a remarkable tale of

[1] Schwartz, Richard, Attorney for Northern Dynasty Minerals Ltd., Request for Investigation Concerning EPA Bristol Bay Watershed Assessment, to the Inspector General, Environmental Protection Agency, January 9 and February 18, 2014, http://www.northerndynastyminerals.com/i/pdf/ndm/bbwa/PLP_EPA_Exhibit%2012_Sep2014.pdf

agency overreach, unethical behavior, intrigue, and what can only be termed "fake science". Prior to the current administration, the Pebble story is yet another example of empowered agencies and entities bending (and sometimes creating) science with the sole purpose of executing a policy. In this case, as was the case for Virginia Uranium, it also entailed a mine

In the previous administration, the EPA, environmental non-government organizations (NGOs), and the environmental lobby managed to short-circuit the law that initially created the President's Council on Environmental Quality (CEQ) via the National Environmental Policy Act (NEPA) enacted on January 1, 1970. On December 2 of that year, President Nixon, on the advice of the CEQ, created the EPA.

NEPA is the government's main decision "tool" for the disposition of all proposed projects that could have significant environmental impact on air, land, water, and human health and welfare. The relevant question for Pebble is why did the EPA circumvent NEPA, whose process is quite clear and explicit, rooted in the law itself, from which is supposed emanate equal justice. That was hardly the case for Pebble.

The CEQ or the EPA determine what activities require a formal Environmental Impact Statement (EIS). Clearly, a substantial mine in sparsely populated country near Federal wilderness areas, such as Pebble, would (and should) be required to be reviewed under a formal EIS. Small streams that drain the Pebble property also eventually flow into Bristol Bay, home to the world's largest sockeye salmon fishery, but they contribute a very small increment compared to all the other drainages into the massive bay.

But that was not the case here. Instead of having Pebble proceed with its own EIA, the EPA substituted its own assessment of the impact of the Pebble Project on the Bristol Bay Watershed—in place of the formal and comprehensive NEPA environment impact statement (EIS) decision process.

It appeared in the form of a report. In May, 2012, the EPA issued a review draft called "An Assessment of the Potential Mining Impacts on Salmon Ecosystems of Bristol Bay, Alaska". On April

20th, shares on Northern Dynasty Minerals (NYSE:NAK) traded at $5.80, and the stock was considered a fairly conservative investment, and certainly a staple in many Canadian retirement accounts. After discovering the massive deposit, NAK acquired major financial backing from one of the world's largest mining concerns, Anglo-American, who invested over $500 million into startup expenses for NAK. By May 25, NAK sold for $2.48. The *draft* EPA report had stripped nearly 60 percent of the stock's value in a month.

Investors were aware of, and rightfully feared, the Administration's (and the previous Clinton Administration's) way of summarizing science pertaining to politicized issues. With regard to an analogous assessment of global climate change effects on the U.S., when it was in review draft form it was discovered that its core models were worse than using a table of random numbers to predict the U.S. temperature history of the 20th century. The Chair of the committee, Thomas Karl, of the then-National Climatic Data Center, and responsible for the report, knew it too, was additionally informed of the problem by an outside expert reviewer of the draft, and yet it proceeded with the bad core models anyway.[2] Surely the game plan for Pebble would be to similarly ignore any serious criticisms of any prospective negative report, too.

According to the EPA, it became involved in the permitting of the project because of petitions against the mine from Native Alaskan tribes in 2010. Verbal statements from EPA employees and official agency documents actually reveal the existence of an internal EPA "options paper" that make clear the agency opposed the mine on ideological grounds and had *already decided* to veto the proposal in the spring of 2010. The draft Bristol Bay report was not released until two years later.

Much of this information was found out through legal discovery related to a case that Pebble brought against the EPA, alleging that EPA had violated the Federal Advisory Committee Act (FACA) by colluding with anti-Pebble activists to preemptively prevent Pebble from even applying for a permit to mine, which is an integral part of the NEPA process. That discovery indicates beyond

[2] First documented in Michaels, P.J., *Alchemy of Policymaking*.

doubt that the Pebble Project was being denied entry to the well-established and accepted NEPA process.

The Pebble Project pits the environmental activist industry versus the resource industry, and if the mine is not permitted, the playbook, which includes arbitrarily circumventing the Code of the United States, bodes poorly for other proposed mines. In an ironic twist, many of the minerals and metals that could be mined at Pebble are precisely the materials needed to propel "renewable" energy like wind and solar. Hybrid and electric vehicles also require large amounts of copper.

The Importance of Pebble

The Pebble Project has the potential to supply as much as one-quarter of the United States' copper needs over more than a century of production, in addition to large quantities of gold, silver, molybdenum and other minerals.[3]

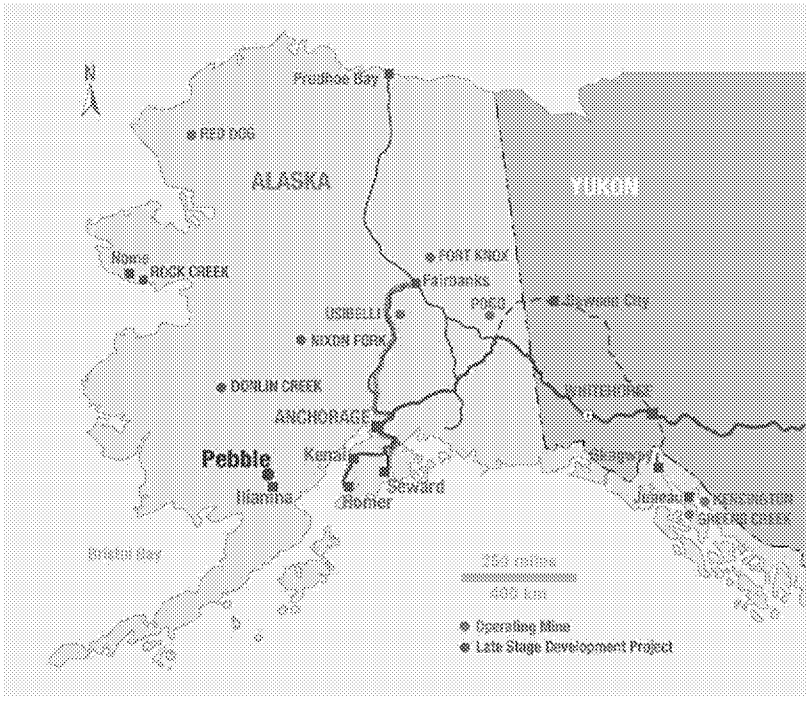


Figure 1. Location of Pebble Deposit in Southwest Alaska[1]

[3] Watson, Andrew, Mining Properties and Prospects, Geology for Investors, February 2016

There are several important stakeholders; environmentalists, sportsmen, and the fishing industry are concerned that mining the deposit will despoil Bristol Bay, home of the world's largest sockeye salmon fishery. Investors in the Pebble Partnership obviously want the site developed, which has been opened for mineral development by the State of Alaska. Additionally, there are local economic issues. Substantial unemployment in south coastal Alaska is endemic, and, according to Pebble, the original and related construction and support activity should provide around 15,000 jobs and contribute more than $2.5 billion to the country's GDP each year. The current design footprint is somewhat smaller—therefore the jobs and GDP numbers will vary accordingly.

The Pebble Mine is part of a larger "leave it in the ground" movement, and it has become a proxy for undesired mining projects. In 2014, the EPA was under pressure from a Native American tribe to veto an iron ore mine in Iron County, Wisconsin. Similarly, an environmental group in Minnesota lobbying against a nickel-platinum-palladium mine in the northeastern part of the state. EPA is also being urged to veto a planned nickel mine in Oregon near a tributary of the Smith River.[4]

However, the details of these four mining projects, including Pebble, are still on the drawing boards, and they have not gone through the normal NEPA environmental impact analysis. Writing in *The Wall Street Journal,* Daniel McGroarty noted,

"What the Wisconsin, Minnesota, and Oregon mine projects have in common is that none has put forward an actual mine plan. Neither has Pebble. Submitting a mine plan would trigger a thorough mine plan review as required under NEPA (the National Environmental Policy Act enacted by Congress in 1970). For more than 40 years NEPA has defined process by which a mine or any other resource project is evaluated. Under the law, every one of the concerns raised by the opponents to the Wisconsin, Minnesota, and Oregon mines would be aired as public comments, and examined by scientists and technical experts, before approval is granted or denied. Using the Pebble mine as precedent, anti-mining activists are urging the EPA to ignore NEPA and bar mining projects with no review necessary."[5]

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[4] McGroarty, Daniel, Miners Struggle With a Federal Cave-In, Wall Street Journal, July 24, 2014, https://www.wsj.com/articles/daniel-mcgroarty-miners-struggle-with-a-federal-cave-in-1406243847

[5] ibid

In the case of Pebble and the other projects, environmentalists are urging EPA to measure environmental impact in a way that suggests each project is a threat. As McGroarty further stated:

"...Current law requires an environmental impact statement which is an extensive assessment of the mine's potential impact weighed against mitigating safeguards. But anti-mining activists are pushing for a switch to 'cumulative effects assessments', which would take into account past, present and future actions in the project vicinity. Under such an approach, a mine could be vetoed because other proposed mines in the region could *at some point* in the future collectively contribute to deleterious environmental effects. Even the most meticulously engineered mine plan can be undone by a parade of hypothetical horribles".[6]

Indeed, the EPA designed a fictional Pebble mine in its 2014 *Bristol Bay Watershed Assessment,* which it then used to pre-empt Pebble under the Clean Water Act.

Clean Water Act Invoked to Halt Pebble

The Clean Water Act (CWA) was passed by Congress in 1972. It establishes the basic structure for regulating pollutant discharges into the waters of the United States, giving EPA the authority to implement pollution control programs such as setting wastewater standards for industry. In 2010, before Pebble even submitted an application for a mining permit, the EPA used a specific provision of the Clean Water Act known as Section 404(c), to preempt the mine permit application. According to the Act, the Pebble Partnership is entitled to apply for a permit and the Army Corps of Engineers (ACE) has the responsibility to approve or disapprove the application. However, in a clearly unintended consequence, the EPA veto called into question the legality of preempting the issuance of a permit before the permit application had been submitted for review, as required under the Act, because it was based upon a fictional, worst-case mine design that originated within the Agency itself.[7]

How was Section 404(c) used to halt the Pebble Project? According to the EPA, the Act authorizes the U.S. Army Corps of Engineers through Section 404(a) or an approved state through Section 404(h) to issue permits for discharges of dredged or fill material at specified sites in waters

[6] ibid

[7] McGroarty, Daniel, EPA's Bristol Bay Watershed Assessment: A Factual Review of a Hypothetical Scenario, Testimony presented at the U.S. House of Representatives Committee on Science, Space & Technology Subcommittee, August 1, 2013, http://americanresources.org/epas-bristol-bay-watershed-assessment-a-factual-review-of-a-hypothetical-scenario/

of the United States. Section 404(c), however, authorizes EPA to restrict, prohibit, deny, or withdraw the use of an area as a disposal site for dredged or fill material if the discharge will have unacceptable adverse effects on municipal water supplies, shellfish beds and fishery areas, wildlife, or recreational areas. EPA believes it has "veto authority" under Section 404(c), and may initiate a public process to prohibit or restrict the specification by the Army Corps or by a state, for the discharge of dredged or fill material at a particular site.[8]

According to the Clean Water Act, Section 404(c) authority may be exercised before a permit is applied for, while an application is pending, or after a permit has been issued. Because Section 404(c) actions have mostly been taken in response to unresolved Army Corps permit applications, this type of action is frequently referred to as "an EPA veto of a Corps permit." Although the Army Corps authorizes approximately 68,000 permit activities in the U.S. waters each year, EPA has used its Section 404(c) authority very sparingly, exercising it thirteen times in the forty plus year history of the Act, with only two determinations being made in the last twenty years. There are eleven instances were Section 404(c) denials were issued from 1980 to 1991, then none for almost two decades, until Pebble.[9]

Although used sparingly, EPA's authority under Section 404(c) is well-tested in the courts. District Courts have overturned (reversed) such determinations on a variety of project-specific grounds; however, those reversals of EPA's determinations did not survive the appeal process. Legal opinions vary but most agree that "...avoiding a withdrawal of the waters at issue under 404(c) may be the best plan that the Pebble Partnership has in keeping its project alive. It has been easier for Pebble to defend such a decision in court rather than challenge an adverse decision made by EPA."[10]

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[8] EPA, Clean Water Act, Section 404(c), "veto authority", https://www.epa.gov/sites/production/files/2016-03/documents/404c.pdf

[9] Steding, Doug, EPA's Initiation of a Clean Water Act Section 404(c) Review for the Mining of the Pebble Deposit: What is the History of EPA's Other 404(c) Determinations?, Science, Law, and the Environment, March 3, 2014, http://www.sciencelawenvironment.com/2014/03/epas-initiation-of-a-clean-water-act-section-404c-review-for-the-mining-of-the-pebble-deposit-what-is-the-history-of-epas-other-404c

[10] *Ibid.*

Bristol Bay Assessment Crafted to Kill Pebble

EPA claims that their 2014 veto of Pebble under Section 404(c) was based on "scientific evidence" presented in the Bristol Bay Watershed Assessment (BBWA), commissioned by the EPA in February 2011. After producing two drafts versions, (2012 and 2013), the final BBWA was published in 2014—supposedly to present the "science" behind the impacts of Pebble on Bristol Bay.[11]

However, because there was never any mining permit application, and therefore no submission of a mine plan design, EPA charged a senior biological scientist named Philip North, to design a worst case scenario, an open-pit "hypothetical mine" that would have no chance of being approved in a review by a professional mining engineer. In fact, Pebble's real intentions for mining the deposit and their mine plan design have never been completely disclosed, although very recently Northern Dynasty announced that only portion of the deposit would be exploited.[12] Nevertheless, Mr. North proceeded with his fictional mine and its fictional impacts.[13]

The Pebble Partnership knew it would be required to file a detailed environmental impact statement for the entire proposed mining operation along with any application for a permit. Consequently, it spent approximately $150 million and nearly ten years compiling a massive study of the biology, ecology, and dynamics of the Bristol Bay watershed. Incredibly, EPA and Mr. North simply ignored this comprehensive repository of information.[14] Both Mr. North and other EPA officials have admitted under oath that during the entire time that the Bristol Bay Watershed Assessment was being written (2011-2014), the study was never really intended to provide a scientific foundation for regulatory decision-making, after all.[15] One is tempted to ask the question, then, of why it proceeded to design a fictional mine.

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[11] Strassel, Kimberley, The EPA's Pebble Blame Game, Wall Street Journal, May 21, 2015, https://www.wsj.com/articles/the-epas-pebble-blame-game-1432250642

[12]

[13] Mamula, Ned and Patrick J. Michaels, Special Report; A Green Mess: Is EPA in Hot Water Over Alaska's Bristol Bay? The American Spectator, February 11, 2016, https://spectator.org/65450_green-mess-epa-hot-water-over-alaskas-bristol-bay/

[14] Pebble Partnership, Environmental Baseline Document, https://pebbleresearch.com/ and https://pebbleresearch.com/download/

[15] United States District Court for the District of Alaska, videotaped deposition of Phillip North, https://www.peer.org/assets/docs/ak/4_4_16_Day1_Pebble_depo.pdf

There is more to the story. While creating his open pit mine, Mr. North, while an EPA employee, also coached anti-Pebble activists on how to petition EPA to stop any real mine permit application. Actually, it appears he wrote the petitions. When these actions surfaced in early 2013, the U.S. House of Representatives Oversight Committee requested to speak with Mr. North about his role at EPA in the Pebble application. His response was to flee the country, which resulted in a subpoena being issued in August 2015 by a federal judge who directed Mr. North to appear before the House Committee. He was finally served subpoena papers in Australia in January 2016, and was deposed in April 2016 by attorneys for the Pebble Partnership and staff attorneys from the House Committee on Science, Space, and Technology.[16,17]

There are nearly ten years of emails and internal memos that indicate collusion between EPA officials and environmental activists opposing Pebble—much of which was produced from Freedom of Information Act (FOIA) requests from Northern Dynasty. EPA's Region 10 Administrator that covers Alaska, Mr. Dennis McLarren, was deposed by the House Committee in 2016 because he was thought to have played some role in Pebble's application denial. Much has been learned through discovery pertaining to a subsequent Northern Dynasty action with EPA about how individuals within the agency handled the Pebble Project.[18,19,20]

The weight of evidence mounting from depositions and FOIA requests about the absence of impartiality in EPA's adjudication of the Pebble Proposal over many years finally reached a critical stage. IN 2015, attorneys representing Northern Dynasty petitioned the EPA Office of the Inspector General (OIG) to conduct an investigation concerning the BBWA. Northern Dynasty's petition made

[16] U.S. House of Representatives, Committee on Science, Space and Technology, deposition of Phillip North, April 15, 2016, https://science.house.gov/sites/republicans.science.house.gov/files/documents/Deposition%20Transcript.pdf

[17] Richardson, Valerie, EPA accused of collusion after staffer admits he aided Pebble Mine foes, Washington Times, April 28, 2016, http://www.washingtontimes.com/news/2016/apr/28/epa-accused-of-collusion-after-staffer-admits-he-a/

[18] U.S. House of Representatives, Committee on Science, Space and Technology, April 28, 2016, depositon of Dennis McLerran, http://docs.house.gov/meetings/SY/SY00/20160428/104889/HHRG-114-SY00-20160428-SD002.pdf

[19] Strassel, Kimberley, The EPA's Own Email Problem, Wall Street Journal, August 27, 2015, https://www.wsj.com/articles/the-epas-own-email-problem-1440718297

[20] Sohn, Tim, The EPA Ecologist Who Became a Wanted Man, May 3, 2016, The New Yorker, http://www.newyorker.com/tech/elements/phil-north-the-e-p-a-ecologist-who-ran-away

several powerful evidence-based points that had been uncovered by FOIA requests and in House Committee proceedings.[21]

1. EPA's seeking to veto Pebble did not originate from complaints of federally recognized tribes in Alaska, but came from within the agency itself:

   This evidence, obtained under the Freedom of Information Act from EPA, suggests that EPA officials in Alaska began musing about the potential for a preemptive 404(c) veto of the project, and lining up other federal agencies to support this plan, some two years before the first petition was received from federally recognized tribes.

2. EPA's BBWA was designed to support a veto, rather than being an objective inquiry:

   The Assessment evaluates a mine scenario co-authored by Mr. North [EPA's principal early advocate for a veto of the Pebble project] who has publicly admitted that he did not include state of the art technology because he assumed that mining companies would not use what is available. This critical flaw was recognized by numerous independent peer reviewers (selected by EPA), who said precisely the opposite--that the permitting process would require much more and better technology than what EPA used for its Assessment. This Assessment uses a mine scenario that fails to meet legal *requirements* to protect against harm to salmon, by assessing a fictional mine that does not meet modern standards for environmental protection."

3. EPA biased the peer-review process:

   EPA manipulated the peer review of the Assessment itself in a way designed to minimize criticism of the Assessment. EPA violated its own standards when, during the first peer review, it unduly restricted the schedule, shielded the peer reviewers from public comments, and then held a closed-door meeting with the peer review panel. During the second peer review, EPA shut out the public entirely, completely violating its own standards for transparency.

[21] Schwartz, Richard, Attorney for Northern Dynasty Minerals Ltd., Request for Investigation Concerning EPA Bristol Bay Watershed Assessment, to the Inspector General, Environmental Protection Agency, January 9 and February 18, 2014, http://www.northerndynastyminerals.com/i/pdf/ndm/bbwa/PLP_EPA_Exhibit%2012_Sep2014.pdf

In summary, Section 404(c) of the Clean Water Act was used to halt the Pebble mine from moving forward, but the Bristol Bay Watershed Assessment was used to attempt to kill the project outright because, according to EPA, it is based on *"science"*. The mine plan fabrication is an egregious example of federal agency deception and distortion of "science" reported in a "scientific assessment". The application of this process to deny a person or a corporation of its property rights is hardly unique, as shown in the Virginia Uranium story, also in this volume.

Circumventing the NEPA Process—EPA's Most Troubling Action

The House Oversight Committee, in a November 4, 2015 letter to the EPA Administrator, characterized the agency's actions regarding Pebble's rights under NEPA as "highly questionable and lacking legal basis", and urged the administrator to "allow the project proposals to go forward under the Clean Water Act and National Environmental Policy Act (NEPA)." EPA's preemptive veto of Pebble project has a deeper meaning that should disturb environmentalists much more than the proposed mine: it preempted the NEPA process—the "Magna Carta" of environmental laws—from being triggered to study the mining proposal in detail, as thousands of proposals have been studied over the past 45 years. EPA appears to have issued their veto to avoid the "risk" of a possible NEPA-approved mining operation that they did not "want", and the discovery process has clearly borne that out. EPA has set a very negative precedent by circumventing NEPA—which is responsible for its very existence.[22]

In reality, NEPA applies whenever a proposed activity or action:[23]

- Is proposed on federal lands, or
- Requires passage across federal lands, or
- Will be funded in part or in whole by federal money, or
- Will affect the air or water quality that is regulated by federal law.

[22] U.S. Environmental Protection Agency, National Environmental Policy Act, https://www.epa.gov/nepa
[23] U.S. Environmental Protection Agency, National Environmental Policy Act—Policies and Guidance, https://www.epa.gov/nepa/national-environmental-policy-act-policies-and-guidance

Concerns about EPA side-stepping the NEPA process for the Pebble proposal were expressed by other stakeholder federal agencies, such as the U.S. Geological Survey (USGS). One of their scientist contributors to the BBWA stated the following:

"...the thing that has always bothered me about the assessment [BBWA] is that there is a mechanism in place to review mine permit applications [the NEPA process]. The process was created by EPA, yet the decision was made by EPA to short-circuit their own process and explore a 404(c) veto action."

"From my perspective, Northern Dynasty and the Pebble Limited Partnership acted in good faith and went well beyond what would be considered standard practice for a mine permitting exercise anywhere in the United States or in the world. I took their extraordinary effort to reflect their appreciation of the sensitivity of the environment where they are working."

"The NEPA process seemed to be working perfectly fine at Pebble and I see no reason why the NEPA process should not be allowed to render a final verdict rather than having this other path bar it."

Because of the irregularities noted above, a district court judge in May 2014 issued a preliminary injunction against any further efforts by EPA to deny Pebble its due process rights to develop and submit a permit application.

Based on Congressional inquiries and political pressure, the EPA decided to conduct an internal review regarding its "conduct" during the BBWA process. The EPA charged their agency with determining whether they had conducted the BBWA in a biased manner, predetermined the outcome, and followed policies and proper procedures for ecological risk assessment, peer review, and information quality. Based on available information, the EPA Office of the Inspector General claimed to have found no evidence of bias in how the agency conducted its assessment, or that the BBWA team members, or agency leadership, predetermined the assessment outcome.

EPA on January 13, 2016 published its findings of how it conducted the assessment in the three primary phases discussed in the agency's ecological risk assessment guidelines. The review indicated that EPA's work on the assessment met requirements for peer review, provided for public

involvement throughout the peer review process, and followed procedures for reviewing and verifying the quality of information in the assessment before releasing it to the public.[24]

EPA Stands by Their Bristol Bay study

EPA's OIG review was prompted by a request from the Pebble Partnership, the State of Alaska, and other parties to investigate allegations of bias, predetermination of outcomes, inappropriate collusion with special interest groups and other process abuses with respect to EPA's BBWA, and subsequent regulatory action to preemptively veto the Pebble Project under Section 404(c) of the Clean Water Act. While acknowledging significant 'scope limitations' in its (EPA) review and subsequent report, the OIG concluded that: "we found no evidence of bias in how the EPA conducted its assessment of the Bristol Bay watershed, or that the EPA pre-determined the assessment outcome," but that an EPA Region 10 employee may have been guilty of "a possible misuse of position."[25] This, of course, was the infamous Mr. North.

Several previous investigations of EPA conduct towards Pebble contradict the OIG Report. The House Committee on Oversight and Government Reform found "that EPA employees had inappropriate contact with outside groups and failed to conduct an impartial, fact-based review of the proposed Pebble mine." Former US Senator and Secretary of Defense William Cohen, who produced his own analysis as a consultant to Northern Dynasty said his investigation "raise(s) serious concerns as to whether EPA orchestrated the process to reach a pre-determined outcome; had inappropriately close relationships with anti-mine advocates, and was candid about its decision-making process."[26]

After EPA published its internal review of the BBWA process, the Pebble Partnership in January 2016 countered with a response to EPA's OIG report. It is the Pebble Partnership's view that the OIG investigation into EPA misconduct was so narrow as to materially distort the reality of the agency's actions. Further, it is Pebble's view that the 'possible misuse of position' cited by the OIG with respect to an EPA employee in Alaska underestimates the seriousness of agency misconduct,

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[24] U.S. Environmental Protection Agency, EPA's Bristol Bay Watershed Assessment: Obtainable Records From the Office of the Inspector General, Show EPA Followed Required Procedures Without Bias or Predetermination, but a Possible Misuse of Position Noted, January 13, 2016, https://www.epa.gov/sites/production/files/2016-01/documents/20160113-16-p-0082.pdf

[25] ibid

[26] U.S. House of Representative, Committee on Oversight and Government Reform, November 4, 2015, https://oversight.house.gov/wp-content/uploads/2015/11/2015-11-04-JC-CL-JJ-to-McCarthy-EPA-Bristol-Bay-due-11-18.pdf

and diminishes accountability for the misconduct to a single individual despite evidence that senior EPA staff at Region 10 (Seattle) and at headquarters in Washington, D.C., were aware of and complicit in inappropriate activities.[27]

A cursory review of the scope of the OIG investigation demonstrates why it was unable to expose EPA misconduct with respect to the BBWA and subsequent efforts to veto the Pebble Project. Despite more than 100 EPA employees playing a role in the agency's efforts to preemptively veto Pebble, the OIG only reviewed emails for three EPA officials. Despite the close collaboration of dozens of anti-mine activists in EPA's actions at Pebble, the OIG only reviewed emails from one anti-mine activist.

While the EPA's BBWA study process was initiated in February 2011 and concluded in January 2014, and the agency's Section 404(c) veto was initiated in February 2014 and suspended in November 2014 following a preliminary injunction issued by a federal court judge, the OIG only reviewed EPA emails through May 2012. During the 2½ years of activity unexamined by the OIG, EPA issued two more versions of the BBWA including its final report, conducted multiple disputed peer review processes, and initiated their preemptive 404(c) veto.[28]

Philip North was found to have no emails available for a 25-month period of time within the OIG's already limited 52-month window of investigation. The OIG did not seek to recover any emails from three key EPA officials. Indeed, their emails may have been deleted prior to the onset of its investigation. Rather than review all retrieved emails, the OIG utilized undisclosed search terms to further narrow its review. Finally, the OIG did not seek records from the private email accounts of EPA officials, despite evidence that officials used private email accounts to conduct government business, against all federal employee protocols.[29]

Despite its wide-ranging investigative authority, the OIG issued just one subpoena with respect to its Pebble review. That subpoena, issued in August 2015 by a federal judge to counsel for a former EPA official (Phillip North), who played a central role in the BBWA study and for whom 25

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[27] U.S. Environmental Protection Agency, EPA's Bristol Bay Watershed Assessment: Obtainable Records From the Office of the Inspector General show EPA Followed Required Procedures Without Bias or Predetermination, but a Possible Misuse of Position Noted, January 13, 2016, https://www.epa.gov/sites/production/files/2016-01/documents/20160113-16-p-0082.pdf

[28] ibid

[29] Hattem, Julian, *The Hill*, May 1, 2013. http://thehill.com/regulation/energy-environment/297255-former-epa-chief-under-fire-for-new-batch-of-richard-windsor-emails

months of email records are missing, was summarily ignored.[30] Meanwhile, the OIG only inspected emails with EPA from one anti-mine activist group, despite the fact there were many. In fact, to force investigation of EPA actions by the OIG, Pebble Partnership reviewed more than 50,000 documents received via Freedom of Information Act ("FOIA") requests, and submitted a total of 19 letters spanning 214 pages and appending nearly 600 exhibits.

The FOIA requests to the addressed a wide range of concerns about EPA actions, presented corresponding evidence, and called upon the OIG to utilize its subpoena powers and other authority to more fully investigate EPA actions involving Pebble. While the OIG Report finds no evidence of bias or predetermination of outcomes with respect to the BBWA, it provides no findings at all on a large number of other important matters, such as the collusion between North and the native Tribes with regard to a preemptive veto. Nor does the OIG Report comment on the evidence provided by Pebble Partnership in raising its concerns.

Important issues raised by the Pebble Partnership that are ignored by the OIG Report include the following:[23]

1. EPA actively involved anti-mine activists in preparing an internal "Options Paper" to guide decision-making on Pebble.
2. It selected authors and contributors to the BBWA who had openly expressed opposition to Pebble.
3. It also secretly peer reviewed studies by anti-mine activists and cited them prominently in the BBWA, while ignoring the enormous environmental background studies already conducted by Pebble.

When the OIG charged North with the vague 'possible misuse of position', there was nothing mentioned about his use of a private email account in 2011 to coordinate with an anti-mine activist in the preparation of a tribal petition that was cited by EPA as the sole catalyst for its BBWA study and preemptive 404(c) regulatory action.[31]

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[30] Pebble Limited Partnership, Examining The Facts: A Response to the U.S. Environmental Protection Agency's (EPA) Office of Inspector General Report Regarding EPA's Bristol Bay Watershed Assessment, letter dated February 29, 2016, https://science.house.gov/sites/republicans.science.house.gov/files/documents/02.29.16%20SST%20Letter%20to%20EPA%20OIG%20Elkins%20re%20Bristol%20Bay%20Rep

[31] U.S. Environmental Protection Agency, EPA's Bristol Bay Watershed Assessment: Obtainable Records From the Office of the Inspector General show EPA Followed Required Procedures Without Bias or Predetermination, but a Possible Misuse of Position Noted, January 13, 2016, https://www.epa.gov/sites/production/files/2016-01/documents/20160113-16-p-0082.pdf

The OIG report found that Mr. North acted alone in this collusion, and that the "employee's supervisor told us that he was not aware that the employee had taken such an action." However, the OIG fails to note the many other substantive interactions Mr. North had with anti-mine activists or the extent to which this collusion was known throughout the agency. In reality, evidence uncovered by Pebble shows that at least six EPA employees knew about the improper collusion between Mr. North and anti-mine activists. As early as 2010, at least two EPA employees alerted senior EPA staff and an EPA attorney about these inappropriate contacts, but no corrective action was taken.[32]

The Congress has authority to provide oversight for inspectors general where an inspector general fails to uncover or report clear misconduct on the part of an agency, and it should be doing so now.

Final Chapter of the Pebble Story—For Now

This history of Pebble begins in 2005, prior to both the Trump and Obama administrations. Market perception was that the incoming Trump Administration intends to reverse some of the previous Administration's opposition to the mine. Northern Dynasty stock doubled in price between the November election and the turn of the year.

But it was the Congress that intervened first. On February 22, Representative Lamar Smith (R-TX), Chair of the Science, Space and Technology Committee, wrote to EPA Administrator Pruitt, urging the agency to normalize the permitting process for Pebble:

The Committee recommends that the incoming administration rescind the EPA's proposed determination to use Section 404(c) in a preemptive fashion for the Pebble Mine in Bristol Bay, Alaska. This simple action will allow a return to the long-established Clean Water Act permitting process—along with NEPA—and stop attempts by the EPA to improperly expand its authority. Moreover, it will create regulatory certainty for future development projects that will create jobs and contribute to the American economy."[33]

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[32]Pebble Limited Partnership, Examining The Facts: A Response to the U.S. Environmental Protection Agency's (EPA) Office of Inspector General Report Regarding EPA's Bristol Bay Watershed Assessment, letter dated February 29, 2016, https://science.house.gov/sites/republicans.science.house.gov/files/documents/02.29.16%20SST%20Letter%20to%20EPA%20OIG%20Elkins%20re%20Bristol%20Bay%20Rep

[33]

President Trump signed an Executive Order on February 28 directing the Environmental Protection Agency (EPA) to revise its expansive interpretation of the "Waters of the United States" definition, where ditches and drainages would often qualify as "navigable".[34] On March 28 he signed an Executive Order lifting a ban on new mining leases on federal land.

Then, on May 11, 2017, EPA entered into an agreement with Pebble Limited Partnership that ended ongoing litigation and put Pebble squarely on the path to the standard NEPA permitting process described below. According to EPA, the out of court settlement with Pebble would be…"to resolve litigation from 2014 relating to EPA's prior work in the Bristol Bay watershed in Alaska."

EPA stated that the "settlement provides Pebble an opportunity to apply for a Clean Water Act (CWA) permit from the U.S. Army Corps of Engineers before EPA may move forward with its CWA process…". Finally, EPA affirmed "The agreement will not guarantee or prejudge a particular outcome, but will provide Pebble a fair process for their permit application and help steer EPA away from costly and time-consuming litigation.[35]

Looking back over the saga of Pebble, the original claim that EPA had manipulated the scientific integrity of its involvement in the Pebble Mine has been clearly demonstrated. However, EPA can still intervene after the Army Corps of Engineers makes its decision on Pebble's environmental impact statement. That means Pebble permitting will continue to be political, masquerading as scientific. Whether it can veto a permit that has gone through the NEPA process and been accepted by EPA is a controversial matter that would no doubt engender considerable litigation. But surely, if the approval process is not completed by the end of Trump's first term, the ultimate existence of Pebble will lie largely in the hands of voters in the other 49 states.

[34] http://www.nbcnews.com/news/us-news/trump-signs-executive-order-begin-water-rule-rollback-n726781

[35] https://www.epa.gov/bristolbay/2017-settlement-agreement-between-epa-and-pebble-limited-partnership

EPA's creation of a fictional mine to drive the BBWA is testimony to the ability of the federal government to manipulate science for political ends. But the obvious flaws in the BBWA should call into question other EPA scientific summaries. The documents supporting their 2009 "endangerment finding" from carbon dioxide emissions prominently come to mind.

1

2, https://www.epa.gov/sites/production/files/2016-01/documents/20160113-16-p-0082.pdf

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 1/25/2018 8:28:18 PM
To: Myron Ebell [Myron.Ebell@cei.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: FW: Heads Up

Wanted to give you a heads up about the following; should be of interest.

Reducing Regulatory Burdens: EPA withdraws "once-in always-in" policy for major sources under Clean Air Act

WASHINGTON – Today, the U.S. Environmental Protection Agency (EPA) issued a guidance memorandum withdrawing the "once-in always-in" policy for the classification of major sources of hazardous air pollutants under section 112 of the Clean Air Act. With the new guidance, sources of hazardous air pollutants previously classified as "major sources" may be reclassified as "area" sources when the facility limits its potential to emit below major source thresholds.

"This guidance is based on a plain language reading of the statute that is in line with EPA's guidance for other provisions of the Clean Air Act," said Bill Wehrum, assistant administrator of EPA's Office of Air and Radiation. "It will reduce regulatory burden for industries and the states, while continuing to ensure stringent and effective controls on hazardous air pollutants."

Today's memo is another step by which EPA is reducing unnecessary regulatory burdens that deterred innovative efforts to improve the environment. The "once in always in" policy has been a longstanding disincentive for sources to implement voluntary pollution abatement and prevention efforts, or to pursue technological innovations that would reduce hazardous air pollution emissions. States, state organizations and industries have frequently requested rescission of this policy, which was one of the most commonly cited requests in response to President Trump's Executive Order 13777. Today's EPA action is an important step in furtherance of the president's regulatory reform agenda while providing a meaningful incentive for investment in HAP reduction activities and technologies.

The Clean Air Act defines a "major source" as a one that emits, or has the potential to emit, 10 tons per year of any hazardous air pollutant, or 25 tons per year or more of any combination of hazardous air pollutants. Sources with emissions below this threshold are classified as "area sources." Different control standards apply to the source depending on whether or not it is classified as a "major source" or an "area source."

In a 1995 memo, EPA established a "once-in always-in" policy that determined that any facility subject to major source standards would always remain subject to those standards, even if production processes changed or controls were implemented that eliminated or permanently reduced that facility's potential to emit hazardous air pollutants.

Today's memo finds that EPA had no statutory authority under the Clean Air Act to place a time limit on when a facility may be determined to be an area source, and that a plain language reading of the Act must allow

facilities to be reclassified as area sources once their potential to emit hazardous air pollutants falls below the levels that define major sources.

EPA anticipates that it will soon publish a Federal Register notice to take comment on adding regulatory text that will reflect EPA's plain language reading of the statute as discussed in this memorandum.

More information is available online at https://www.epa.gov/stationary-sources-air-pollution/national-emission-standards-hazardous-air-pollutants-neshap-9

Liz Bowman
U.S. Environmental Protection Agency (EPA)
Office: 202-564-3293

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 2/2/2018 2:46:22 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Woods, Clint [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bc65010f5c2e48f4bc2aa050db50d198-Woods, Clin]
Subject: Will any of you be at Cooler Heads on Monday?

Let me know if you want to be on the agenda.
12 noon to 1:15 PM at CEI.
One of the things we will be talking about is the Kigali Amendment. Along with all the usual stuff.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct:
Tel mobile: **Ex. 6**
E-mail: Myron.Ebell@cei.org
Stop continental drift!

Message

From: Ford, Hayley [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4748A9029CF74453A20EE8AC9527830C-FORD, HAYLE]
Sent: 2/13/2018 7:36:07 PM
To: Courtney Cook [ccook@alec.org]
CC: Jeff Lambert [jlambert@alec.org]; Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]; Kundinger, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e3c9a5d16e2244079e222f342bf9992f-Kundinger,]; Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: FW: ALEC Annual Meeting - New Orleans
Attachments: AM 18 - Pruitt Invite.pdf; EPA Administrator Pruitt Speaker Request Form.docx

Hi Courtney,

Thank you for the invitation to the Administrator. I've attached our standard speaking engagement request form here, which I believe you've seen in the past. Would you mind completing it for this particular event, so that we can capture additional information?

As you can imagine, we are far off from planning his summer schedule, so it will be some time before we can get back to you on this. If you can indicate on the form when you need to hear by, that would be helpful to our planning.

Thank you!

Hayley Ford
Deputy White House Liaison and Personal Aide to the Administrator
Environmental Protection Agency
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: Ex. 6

From: Courtney Cook [mailto:ccook@alec.org]
Sent: Thursday, February 8, 2018 12:27 PM
To: Ford, Hayley <ford.hayley@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Cc: Jeff Lambert <jlambert@alec.org>
Subject: ALEC Annual Meeting - New Orleans

Hi Hayley and Lincoln -

I hope this note finds you doing well and that 2018 has started off great for you!

We have started the planning process for the **ALEC Annual Meeting in New Orleans, LA** this August and wanted to be sure the attached invitation was received by your office. We would love to have Administrator Pruitt attend and keynote the **Thursday Lunch session** on **August 9, 2018**.

As you review the attached invitation, please let me know if you have any questions or feel free to pass me along if I should be working with someone else. Happy to help!

Best,

Courtney

Courtney Cook, CMP
Director of Events
Ex. 6
ccook@alec.org

2900 Crystal Drive, Sixth Floor
Arlington, VA 22202

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Upcoming Meetings:
2018 Spring Task Force Summit – April 27, 2018 – Grand Rapids, Michigan
2018 Annual Meeting – August 8 - 10, 2018 – New Orleans, Louisiana
45th Anniversary Gala – September 26, 2018 – Washington, D.C.
2018 States & Nation Policy Summit – November 28 - 30, 2018 – Washington, D.C.

The American Legislative Exchange Council is a 501(c)3 nonprofit organization and is the largest nonpartisan, voluntary membership organization of state legislators in the United States dedicated to the principles of limited government, free markets and federalism. The Council is governed by state legislators who comprise the National Board of Legislators and is advised by the Private Enterprise Advisory Council, a group of private, foundation and think tank members.

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American Legislative Exchange Council
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Arlington, VA 22202
TEL 703.373.0933 • FAX 703.373.0927
www.alec.org

February 2, 2018

Administrator Scott Pruitt
Environmental Protection Agency
Office of the Administrator, 1101A
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Pruitt, Scott

Thank you for your commitment to our nation's founding principles and free market ideals. Members of the American Legislative Exchange Council (ALEC) share your belief in limited government, free markets and federalism. It is my honor to invite you to deliver a keynote address at our **2018 Annual Meeting** in **New Orleans, Louisiana**. Our Annual Meeting gathers more than 1500 state legislators, business leaders and public policy experts from across the nation to discuss major state issues.

From your time at the state and federal levels, you understand the importance and influence of the partnership between state and federal leaders. I would be honored to have you address our attendees and welcome them to Louisiana during the **Thursday lunch** on **August 9, 2018.** If this time does not work, we are happy to find a time that best fits your schedule.

As you may know, ALEC is the largest nonpartisan voluntary membership organization of state legislators in the country, representing one quarter of all state lawmakers, 60 million Americans and 30 million jobs. ALEC members advance the Jeffersonian principles of limited government, free markets and federalism. Your perspective on those ideals would be influential to our members.

If you are able to share your leadership perspective with ALEC members at the 2018 Annual Meeting, or if you have additional questions, please contact Courtney Cook, Director of Events, by email at ccook@alec.org or at Ex. 6

Thank you for your consideration and service to our country.

Respectfully,

Trying again!

Lisa B. Nelson
Chief Executive Officer

ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM
U.S. Environmental Protection Agency

Deadline for Acceptance: _____

Requesting Individual / Affiliation: _____

Event Title: _____

Event Date: _____

Is the Above Date Flexible: _____

Event Time & Duration: _____

Type of Event: *Reception, Conference, Meeting*

Purpose of the Event: *Brief Description*

Role of the Administrator: *E.g., speaking engagement, keynote, panel, roundtable, attendance*

Requested Presentation Topic, if Speaking Involved: _____

Requested Presentation Format: *Keynote, Panel, Q&A, Introduction, etc.*

Speech/Presentation Duration: *Length of Remarks*

Would You Consider a Surrogate: _____

Event Location: *Location Name*
Street Address, City, State, Zip
Location Telephone Number
Room Name/Number

Event Audience: *Size of audience and brief description. E.g., 100 in attendance made up of attorneys, business owners, students, industry, employees, etc.*

Event Host(s)/Organizer(s): *List all hosts organizing the event*

Host(s)' Relationship to EPA: _____

Run of Show/ Agenda: *Provide full agenda of the event, including events immediately following the Administrator speaking.*

Is there a Hold Room Available for the Administrator? _____

ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM
U.S. Environmental Protection Agency

Open Press/Closed Press? _____

Dress Code: *Casual/Business/Black Tie Optional/Black Tie/Etc.*

Teleprompter Available: _____

Microphone / Room Setup: *What kind of microphone will be used? What is the room setup?*

Honorable Guests Attending: *Name & Title*

Notable Federal, State or Local Appointed or Elected officials attending: *Name & Title*

Individual Introducing Administrator: *Name & Title*

Person to contact for media purposes: *Name & Title; Email; Office Number, Cell Number*

How will you promote this event? _____

Is this event held Weekly, Monthly, Annually? _____

Day of Event Point of Contact: *Name & Title; Email; Office Number, Cell Number*

Security Contact: *Name & Title; Email; Office Number, Cell Number*

Suggested Entrance/ Exit to Event Venue: _____

Is the host of the event a registered 501(c)(3), (4), or has a 527 Political Action Committee (PAC): _____

Will there be a "gift" presented to the Administrator? If so, what is the US currency value of the gift? _____

Will a meal be provided, if so what is the US currency value? _____

Please return this completed form to Hayley Ford at ford.hayley@epa.gov

Sierra Club v. EPA 18cv3472 NDCA Tier 5 ED_002061_00057791-00002

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 2/8/2018 7:02:51 PM
To: Myron Ebell [Myron.Ebell@cei.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Thank you for coming to Cooler Heads yesterday

Thanks; do you have any studies/information here that we can use to respond to this? Can I send a fact checker your way?

From: Myron Ebell [mailto:Myron.Ebell@cei.org]
Sent: Thursday, February 8, 2018 12:51 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Thank you for coming to Cooler Heads yesterday

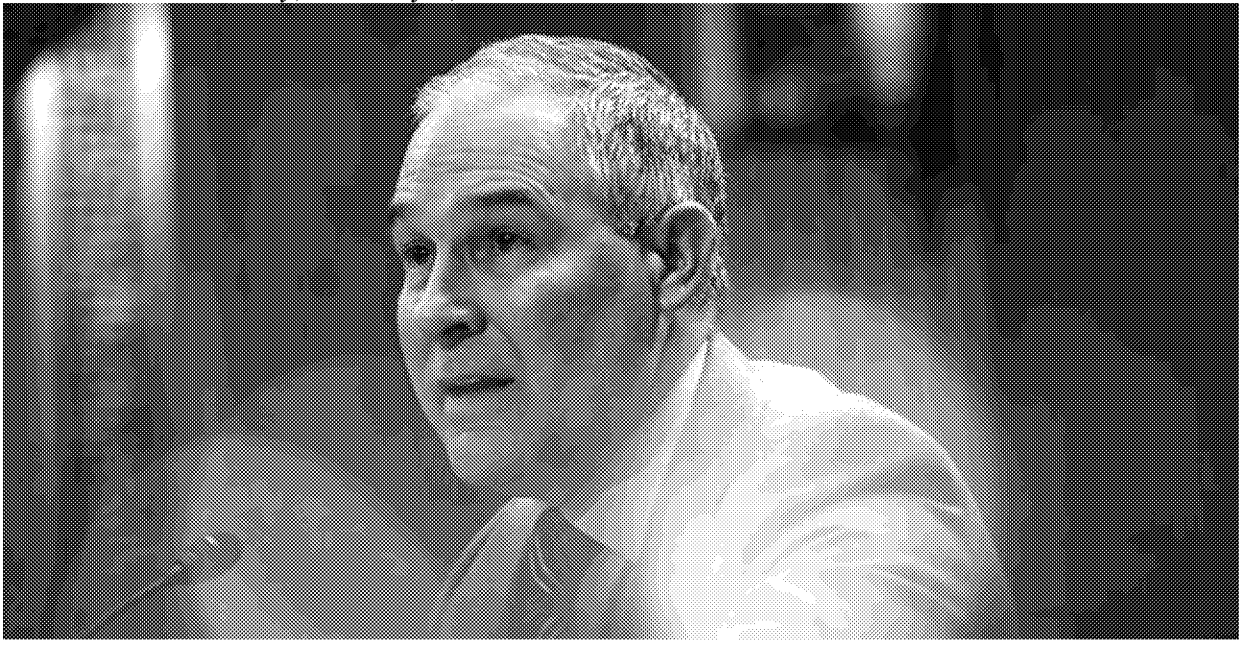
Here's the whole thing. It was Climate Wire. I've just given Tim Cama of the Hill a written quote on the same subject. I doubt that he'll twist it as much as Scott Waldman, but we'll see.

POLITICS

Pruitt suggests warming can help humans

Scott Waldman and Niina Heikkinen, E&E News reporters

Published: Wednesday, February 7, 2018



EPA Administrator Scott Pruitt said yesterday that humans benefit from warmer temperatures. He's pictured in the Senate last week. Pablo Martinez Monsivais/Associated Press

U.S. EPA Administrator Scott Pruitt questioned yesterday if rising global temperatures are harmful to humans, a claim that adds new insight to his alternative views on climate change.

In an interview with KSNV television in Nevada, Pruitt suggested that global warming could be seen as a good thing for people. He said civilizations tend to flourish when it's warm.

"I think there's assumptions made that because the climate is warming, that that necessarily is a bad thing," Pruitt said.

Recently, Pruitt has questioned whether scientists know what the ideal surface temperature should be in the year 2100, or even in 2018. Scientists have disputed that premise, saying that any swift change to global temperatures can have disruptive impacts on plants, animals and humans.

Pruitt's claims yesterday adds new texture to what's known publicly about his skepticism about mainstream climate science. In the past, Pruitt steered away from commenting on what a warming world could mean for humankind. Instead, he often questioned whether humans are having a substantial impact on the climate, while acknowledging that temperatures are climbing. He has also described the science as being politicized and touted the fossil fuel industry's progress in limiting carbon emissions through innovation.

Pruitt's comments yesterday moved beyond those views.

"Is it an existential threat, is it something that is unsustainable, or what kind of effect or harm is this going to have?" he said. "We know that humans have most flourished during times of, what, warming trends?"

A growing body of research has found that humans are warming the Earth at an unprecedented pace, chiefly through the burning of fossil fuels. Possible impacts include a few feet of sea-level rise and an increase in deadly heat waves, potentially making some areas of the planet uninhabitable. The National Climate Assessment released by the Trump administration last year found that it's "extremely likely" that humans are the primary drivers of climate change.

Pruitt is right that temperatures have varied throughout geologic history. But scientists say the speed of change sets the modern age apart. It's happening over a period of decades, not millenia. That makes comparisons to the past inaccurate, they say.

At the beginning of his tenure, Pruitt was criticized for saying humans are not the primary cause of climate change. Since then, he has promoted the idea of a red-team, blue-team climate debate that would highlight areas of uncertainty in the field.

Pruitt's shift in rhetoric has been noticed by even his supporters.

Myron Ebell, who headed Trump's EPA transition team and is director of the Center for Energy and Environment at the Competitive Enterprise Institute, said he noticed that Pruitt was parroting arguments long made by skeptics. One of them is the claim about there being no ideal temperature. Ebell said that's an "aesthetic" preference that depends on whether or not someone prefers cold weather.

"When you're learning about a subject, you pick up pieces, and you don't pick up other pieces right away," Ebell said. "His rhetoric has shifted, and I expect that that is because he has been briefed by someone."

EPA spokesman Jahan Wilcox declined to comment about Pruitt's briefings or if he's been talking with someone about climate science. He pointed to Pruitt's public schedule, which shows recent meetings with a number of conservative think tanks and politicians who question mainstream climate science. That includes Rep. Lamar Smith (R-Texas), chairman of the House Science, Space and Technology Committee, as well as representatives from the Heritage Foundation, Cato Institute and Manhattan Institute.

Some of Pruitt's boosters publicly worried that his new talking points suggest a softening of his climate beliefs. Jay Lehr, the science director at the Heartland Institute, noted in an email that Pruitt's statements send unclear signals about his position.

"Pruitt is certainly confusing us on this issue," said Lehr. "He could be preparing to push the red team-blue team approach, or he could be trying to soften opposition by not being in any way strident in his opposition to climate alarmism."

Lehr described Pruitt as having a tough job and said Heartland is satisfied, "by and large," by the work Pruitt has been doing, "but we are always on edge about any reversal of position."

Pruitt's comments inch closer to those of controversial figures like the former nominee to lead the White House Council on Environmental Quality, Kathleen Hartnett White, who has pointed to carbon dioxide as the "gas that makes life possible on Earth."

She had said that while human activity likely has some influence on climate, CO2 does not have the characteristics of an air pollutant that "contaminates and fouls and has a direct impact on human health." Harnett White hit opposition in the Senate, and her name was withdrawn from consideration for the position over the weekend.

Others who are skeptical of climate science, such as Will Happer, who is rumored to be a contender for science adviser to the president, have pointed to the potential benefits of climate change for crops.

Smith, the science committee chairman, wrote an opinion piece for the Heritage Foundation in which he claimed that rising atmospheric carbon dioxide would benefit plant life.

Previously, Pruitt highlighted the uncertainty inherent in climate change. During his confirmation hearing last year, Pruitt told senators on the Environment and Public Works Committee that humans affect the climate in "some manner" (*Climatewire*, Jan. 19, 2017).

"The ability to measure with precision the degree and extent of that impact and what to do about it are subject to continuing debate and dialogue, and well it should be," he said.

Later in his tenure, as the Trump administration committed to withdrawing from the Paris Agreement, Pruitt began to note U.S. accomplishments in limiting carbon emissions, even while continuing to raise doubts about the environmental impact of doing so.

Following the release of the draft national climate assessment last August, Pruitt criticized the Obama administration for politicizing carbon emissions (*Greenwire*, Aug. 11, 2017).

"The past administration used the CO2 issue as a wedge issue," he said. "And that's why we talk about it so much. Why aren't we celebrating what we've achieved with respect to CO2?"

https://www.eenews.net/climatewire/stories/1060073119/search?keyword=ebell

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct: **Ex. 6**
Tel mobile
E-mail: Myron.Ebell@cei.org
Stop continental drift!

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, February 8, 2018 12:31 PM
To: Myron Ebell <Myron.Ebell@cei.org>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Thank you for coming to Cooler Heads yesterday

Thanks for clarifying. Was this in Morning Energy?

From: Myron Ebell [mailto:Myron.Ebell@cei.org]
Sent: Thursday, February 8, 2018 12:07 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Thank you for coming to Cooler Heads yesterday

By the way, I just wanted you to know that the bolded part of the sentence below is not remotely close to what I said. The account of the rest of what I said is garbled in the story, but not turned upside down. (It's instances like this that cause me to become slightly cynical about the press.)

Myron Ebell, who headed Trump's EPA transition team and is director of the Center for Energy and Environment at the Competitive Enterprise Institute, said he noticed that Pruitt was **parroting arguments** long made by skeptics.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct:
Tel mobile: **Ex. 6**
E-mail: Myron.Ebell@cei.org
Stop continental drift!

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, February 6, 2018 6:04 PM
To: Myron Ebell <Myron.Ebell@cei.org>; Bowman, Liz <Bowman.Liz@epa.gov>; Harlow, David <harlow.david@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>
Subject: RE: Thank you for coming to Cooler Heads yesterday

Thanks Myron!

From: Myron Ebell [mailto:Myron.Ebell@cei.org]
Sent: Tuesday, February 6, 2018 5:51 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Harlow, David <harlow.david@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>
Subject: Thank you for coming to Cooler Heads yesterday

Thanks Bill, David, Liz, and Tate, for coming to Cooler Heads and for your presentation and taking questions, Bill. It was most useful. We look forward to seeing any or all of you at future meetings. Our March meeting is on Monday, 5th March, beginning at noon at CEI. Bill, I'll send you a separate e-mail to request a meeting. Yours, Myron.

Myron Ebell
Director, Center for Energy and Environment
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Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 2/20/2018 8:31:29 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition action alert: EPA listening session tomorrow in KC on "Clean Power" Plan repeal

The EPA will hold a listening session all day tomorrow in Kansas City on repealing the so-called Clean Power Plan. The details are pasted below. If you would like to speak at the session, let me know and I'll send you the phone number of the contact at EPA who is scheduling the event. Attending the event without speaking would also be helpful and even better if you can do social media.

Here is the link to the Kansas City Listening Session
Date: Wednesday, February 21, 2018
Time: 10 a.m. until 8 p.m., Central Standard Time (CST)
Location: U.S. Department of Agriculture Beacon Complex, 6501 Beacon Drive, Kansas City, Missouri 64133

The other listening sessions are in San Francisco on 28th February and Gillette on 27th March. Speakers and attendees are also needed at those sessions. Here is the schedule: https://www.epa.gov/stationary-sources-air-pollution/listening-sessions-repealing-clean-power-plan

Myron Ebell
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Message

From: Mike Thompson [mthompson@CRCPublicRelations.com]
Sent: 1/25/2018 8:13:34 PM
To: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
CC: Bluey, Rob [rob.bluey@heritage.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: January meeting

Call anytime.

On Jan 25, 2018, at 11:52, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Yes, let's connect – can we talk this afternoon? Lots of big announcements today/tomorrow
>
> **From:** Mike Thompson [mailto:mthompson@CRCPublicRelations.com]
> **Sent:** Thursday, January 25, 2018 11:38 AM
> **To:** Bowman, Liz <Bowman.Liz@epa.gov>
> **Cc:** Bluey, Rob <rob.bluey@heritage.org>; Bennett, Tate <Bennett.Tate@epa.gov>
> **Subject:** Re: January meeting
>
> Liz
>
> After you talk to Rob, do you want to connect? I know the administrator has testimony coming up. We can help get messages out
>
> On Jan 25, 2018, at 11:14, Bowman, Liz <Bowman.Liz@epa.gov> wrote:
>
> > Hi Rob – Do you have time to talk today? I need to give you all a heads up on something and walk you through it. My cell is **Ex. 6** Thanks – Liz
> >
> > **From:** Bluey, Rob [mailto:rob.bluey@heritage.org]
> > **Sent:** Sunday, January 7, 2018 3:23 PM
> > **To:** Bennett, Tate <Bennett.Tate@epa.gov>
> > **Cc:** Mike Thompson <mthompson@CRCPublicRelations.com>; Bowman, Liz <Bowman.Liz@epa.gov>
> > **Subject:** Re: January meeting
> >
> > It should be no problem. I'll update the calendar invite now.
> >
> > **Rob Bluey**
> > *Vice President, Communications, and Editor-in-Chief, The Daily Signal*
> > The Heritage Foundation
> > 214 Massachusetts Avenue, NE
> > Washington, DC 20002
> > **Ex. 6**
> > heritage.org
> > 
> >
> > **From:** Elizabeth Bennett <Bennett.Tate@epa.gov>
> > **Date:** Sunday, January 7, 2018 at 3:18 PM
> > **To:** Rob Bluey <rob.bluey@heritage.org>

Cc: Mike Thompson <mthompson@CRCPublicRelations.com>, Liz Bowman <Bowman.Liz@epa.gov>
Subject: Re: January meeting

TUESDAY. Not Monday. Sorry- Ex. 6

On Jan 7, 2018, at 2:16 PM, Bluey, Rob <rob.bluey@heritage.org> wrote:

> I certainly don't mind. Just so I have this correct, you would like to meet at 12:45 p.m. tomorrow or 12:45 p.m. Tuesday?
>
> ---
> **Rob Bluey**
> *Vice President, Communications, and Editor-in-Chief, The Daily Signal*
> The Heritage Foundation
> 214 Massachusetts Avenue, NE
> Washington, DC 20002
> Ex. 6
> heritage.org
>
> **From:** Elizabeth Bennett <Bennett.Tate@epa.gov>
> **Date:** Sunday, January 7, 2018 at 2:08 PM
> **To:** Mike Thompson <mthompson@CRCPublicRelations.com>
> **Cc:** Rob Bluey <rob.bluey@heritage.org>, Liz Bowman <Bowman.Liz@epa.gov>
> **Subject:** Re: January meeting
>
> Apologies. Blame Pruitt! :)
>
> On Jan 7, 2018, at 1:42 PM, Mike Thompson <mthompson@CRCPublicRelations.com> wrote:
>
> > I van. Not sure about the room.
> >
> > Rob - as soon as you know, we need to let everyone else know.
> >
> > On Jan 7, 2018, at 12:54 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
> >
> > > Hey guys- any chance we can push to 12:45 even on Monday? Liz and I both now have to staff a meeting with the Admin at 11:45 that day which will wrap by 12:30 at the very latest. Sorry to be a pain here.
> > >
> > > Also, I have to stay at EPA for a subsequent meeting but we will likely have another attendee with Liz attending.

Also, do you have a list of topics you'd like to discuss as well?

On Dec 21, 2017, at 5:06 PM, Bluey, Rob <rob.bluey@heritage.org> wrote:

> Could you meet at Heritage on Tuesday, Jan. 9, at noon or 12:30? It would be nice to lock in a set time for each month—maybe the second Tuesday. Please let me know.

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
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Message

From: Hewitt, James [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=41B19DD598D340BB8032923D902D4BD1-HEWITT, JAM]
Sent: 3/1/2018 10:07:30 PM
To: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
CC: Bluey, Rob [rob.bluey@heritage.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: Monthly lunch

I'll be there!

Sent from my iPhone

On Mar 1, 2018, at 5:05 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Rob, I actually can't make next Tuesday, but Tate and James should be able to be there. Sorry to miss you!
>
> **From:** Bluey, Rob [mailto:rob.bluey@heritage.org]
> **Sent:** Thursday, March 1, 2018 4:59 PM
> **To:** Bowman, Liz <Bowman.Liz@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
> **Subject:** Monthly lunch
>
> Will you be able to join us at Heritage next Tuesday (first one of the month) for our 12:30 lunch?

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
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Washington, DC 20002
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Message

From: Rayanne Matlock [rmatlock@atr.org]
Sent: 3/10/2018 2:08:57 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Christopher Butler [cbutler@atr.org]; Patrick Gleason [pgleason@atr.org]
CC: Greenwalt, Sarah [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c13775b8f424e90802669b87b135024-Greenwalt,]
Subject: Re: Forbes article on Administrator Pruitt's decision on Pebble

Yes, same line.

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Friday, March 9, 2018 6:16:02 PM
To: Christopher Butler; Patrick Gleason
Cc: Greenwalt, Sarah; Rayanne Matlock
Subject: RE: Forbes article on Administrator Pruitt's decision on Pebble

Great! Same line?

From: Christopher Butler [mailto:cbutler@atr.org]
Sent: Friday, March 9, 2018 12:43 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Patrick Gleason <pgleason@atr.org>
Cc: Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Rayanne Matlock <rmatlock@atr.org>
Subject: Re: Forbes article on Administrator Pruitt's decision on Pebble

I can do 3:30 as well.

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: Friday, March 9, 2018 at 12:42 PM
To: Christopher Butler <cbutler@atr.org>, Patrick Gleason <pgleason@atr.org>
Cc: "Greenwalt, Sarah" <greenwalt.sarah@epa.gov>, Rayanne Matlock <rmatlock@atr.org>
Subject: RE: Forbes article on Administrator Pruitt's decision on Pebble

Don't kill me but is 3:30 an option?

From: Christopher Butler [mailto:cbutler@atr.org]
Sent: Friday, March 9, 2018 12:29 PM
To: Patrick Gleason <pgleason@atr.org>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Rayanne Matlock <rmatlock@atr.org>
Subject: Re: Forbes article on Administrator Pruitt's decision on Pebble

That's good for me too. Let's book it.

Rayanne will you get us a bridge?

From: Patrick Gleason <pgleason@atr.org>
Date: Friday, March 9, 2018 at 12:27 PM
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Cc: Christopher Butler <cbutler@atr.org>, "Greenwalt, Sarah" <greenwalt.sarah@epa.gov>
Subject: Re: Forbes article on Administrator Pruitt's decision on Pebble

Works for me.

> On Mar 9, 2018, at 12:23 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> Would 4 PM Eastern work for ATR?

From: Patrick Gleason [mailto:pgleason@atr.org]
Sent: Friday, March 9, 2018 6:32 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Christopher Butler <cbutler@atr.org>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>
Subject: Re: Forbes article on Administrator Pruitt's decision on Pebble

I will be traveling in the morning on Monday, but could do a call any time after 2 pm on Monday.

Patrick

Patrick M. Gleason
Director of State Affairs | **Americans for Tax Reform**
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W. Ex. 6 | F. 202.785.0261 | www.atr.org
pgleason@atr.org | www.twitter.com/patrickmgleason

> On Mar 9, 2018, at 6:30 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> Chris, thanks for giving me a shout yesterday.
>
> Just wanted to follow up on your offer from yesterday- is there a good time Monday that works for the two of you to jump on the phone with members of our team who worked on this decision for a little more background?
>
> Thanks again for the opportunity to talk further on this.
>
> Tate
>
> Begin forwarded message:
>
> > **From:** "Bowman, Liz" <Bowman.Liz@epa.gov>
> > **Date:** March 8, 2018 at 12:12:03 PM EST
> > **To:** "Bennett, Tate" <Bennett.Tate@epa.gov>

Subject: Fwd: Forbes article on Administrator Pruitt's decision on Pebble

Begin forwarded message:

> **From:** Patrick Gleason <pgleason@atr.org>
> **Date:** March 8, 2018 at 12:09:52 PM EST
> **To:** "Bowman.liz@epa.gov" <Bowman.liz@epa.gov>
> **Subject: Forbes article on Administrator Pruitt's decision on Pebble**
>
> Greetings Liz,
>
> My colleague Paul Blair passed along your contact information.
>
> I'm getting ready to publish and article for Forbes that is critical of Administrator Pruitt's decision to undo the Obama Administration's preemptive veto of Pebble Mine in Alaska.
>
> I'm reaching out to seek comment re: this decision in advance of this article's publication (it will run tomorrow). If there is someone else in your office I should reach out to on this matter, please let me know.
>
> Thanks in advance,
>
> Best wishes,
> Patrick

Patrick M. Gleason
Director of State Affairs |**Americans for Tax Reform**
722 12th Street NW – Fourth Floor | Washington, DC 20005
W. Ex. 6 | F. 202.785.0261 | www.atr.org
pgleason@atr.org| www.twitter.com/patrickmgleason

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 2/23/2018 10:44:30 PM
To: Bluey, Rob [rob.bluey@heritage.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Chat today?

Sounds good; see you soon. I think I might drive over there soon, and so I will look for y'all

-----Original Message-----
From: Bluey, Rob [mailto:rob.bluey@heritage.org]
Sent: Friday, February 23, 2018 5:39 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Chat today?

I spoke to Hewitt. I think we're good, but I'm at Ex. 6 if you want to chat.

_____

>

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

On Feb 23, 2018, at 4:37 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:
>
> I want to call you to discuss topics, etc. but I am stuck on another
> call. Will try to call you as soon as we get off
>
> -----Original Message-----
> From: Bluey, Rob [mailto:rob.bluey@heritage.org]
> Sent: Friday, February 23, 2018 4:34 PM
> To: Bowman, Liz <Bowman.Liz@epa.gov>
> Cc: Bennett, Tate <Bennett.Tate@epa.gov>
> Subject: Re: Chat today?
>
> Awesome!
>
> _____
>
>>
>
> Rob Bluey
> Vice President, Communications, and Editor-in-Chief, The Daily Signal
> The Heritage Foundation
> 214 Massachusetts Avenue, NE
> Washington, DC 20002
> Ex. 6
> heritage.org
>
>> On Feb 23, 2018, at 4:32 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:
>>
>> Yes, he wants to do it! We will be there by 7:45 and should be good to go then.
>>
>> -----Original Message-----
>> From: Bluey, Rob [mailto:rob.bluey@heritage.org]
>> Sent: Friday, February 23, 2018 4:31 PM
>> To: Bowman, Liz <Bowman.Liz@epa.gov>
>> Cc: Bennett, Tate <Bennett.Tate@epa.gov>
>> Subject: Re: Chat today?
>>
>> Liz, we were able to secure a spot near the green room for an interview tonight if Administrator Pruitt would like to do it.
>>

>> _____
>>
>>>
>>
>> Rob Bluey
>> Vice President, Communications, and Editor-in-Chief, The Daily Signal
>> The Heritage Foundation
>> 214 Massachusetts Avenue, NE
>> Washington, DC 20002
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>>
>>> On Feb 23, 2018, at 10:24 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:
>>>
>>> That late? He probably won't arrive until like 730/745
>>>
>>> -----Original Message-----
>>> From: Bluey, Rob [mailto:rob.bluey@heritage.org]
>>> Sent: Friday, February 23, 2018 10:16 AM
>>> To: Bowman, Liz <Bowman.Liz@epa.gov>
>>> Cc: Bennett, Tate <Bennett.Tate@epa.gov>
>>> Subject: Re: Chat today?
>>>
>>> Great! We'll be around if you want to do a Daily Signal interview tonight.
>>>
>>>
>>>
>>> Rob Bluey
>>> Vice President, Communications, and Editor-in-Chief, The Daily
>>> Signal The Heritage Foundation
>>> 214 Massachusetts Avenue, NE
>>> Washington, DC 20002
>>> Ex. 6
>>> heritage.org
>>>
>>> _____
>>>
>>>> On Feb 23, 2018, at 10:08 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:
>>>>
>>>> We wanted to pick your brain on CPAC press, but I don't think he is doing any now, since he is speaking later -- right now around 8:15 p.m. We will look for you at CPAC -- but hopefully the three of us can sit down for lunch next week?
>>>>
>>>> -----Original Message-----
>>>> From: Bluey, Rob [mailto:rob.bluey@heritage.org]
>>>> Sent: Thursday, February 22, 2018 8:06 PM
>>>> To: Bowman, Liz <Bowman.Liz@epa.gov>
>>>> Cc: Bennett, Tate <Bennett.Tate@epa.gov>
>>>> Subject: Re: Chat today?
>>>>
>>>> I've been so preoccupied with CPAC that I completely forgot to call you today. Did you want to chat tonight?
>>>>
>>>> I'll be at the Pruitt speech tomorrow.
>>>>
>>>> _____
>>>>
>>>>>
>>>>
>>>> Rob Bluey
>>>> Vice President, Communications, and Editor-in-Chief, The Daily
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>>>> Washington, DC 20002
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>>>> heritage.org
>>>>
>>>>> On Feb 21, 2018, at 4:27 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:
>>>>>
>>>>> Can we do either 530 or tomorrow morning? Sorry, I now have a press interview at 5.
>>>>>
>>>>> -----Original Message-----
>>>>> From: Bluey, Rob [mailto:rob.bluey@heritage.org]
>>>>> Sent: Wednesday, February 21, 2018 2:30 PM
>>>>> To: Bowman, Liz <Bowman.Liz@epa.gov>; Bennett, Tate
>>>>> <Bennett.Tate@epa.gov>
>>>>> Subject: RE: Chat today?

>>>>>
>>>>> 5 would be better. Or I can call you when my meeting wraps.
>>>>>
>>>>>
>>>>>
>>>>> Rob Bluey
>>>>> Vice President, Communications, and Editor-in-Chief, The Daily
>>>>> Signal The Heritage Foundation
>>>>> 214 Massachusetts Avenue, NE
>>>>> Washington, DC 20002
>>>>> Ex. 6
>>>>> heritage.org
>>>>>
>>>>> -----Original Message-----
>>>>> From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
>>>>> Sent: Wednesday, February 21, 2018 1:46 PM
>>>>> To: Bluey, Rob <rob.bluey@heritage.org>; Bennett, Tate
>>>>> <Bennett.Tate@epa.gov>
>>>>> Subject: RE: Chat today?
>>>>>
>>>>> Does 430 p.m. work for you all?
>>>>>
>>>>> -----Original Message-----
>>>>> From: Bluey, Rob [mailto:rob.bluey@heritage.org]
>>>>> Sent: Wednesday, February 21, 2018 10:23 AM
>>>>> To: Bennett, Tate <Bennett.Tate@epa.gov>
>>>>> Cc: Bowman, Liz <Bowman.Liz@epa.gov>
>>>>> Subject: RE: Chat today?
>>>>>
>>>>> Sure. Ex. 6
>>>>>
>>>>> Working on the story about the hearing.
>>>>>
>>>>>
>>>>>
>>>>> Rob Bluey
>>>>> Vice President, Communications, and Editor-in-Chief, The Daily
>>>>> Signal The Heritage Foundation
>>>>> 214 Massachusetts Avenue, NE
>>>>> Washington, DC 20002
>>>>> Ex. 6
>>>>> heritage.org
>>>>>
>>>>> -----Original Message-----
>>>>> From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
>>>>> Sent: Wednesday, February 21, 2018 10:14 AM
>>>>> To: Bluey, Rob <rob.bluey@heritage.org>
>>>>> Cc: Bowman, Liz <Bowman.Liz@epa.gov>
>>>>> Subject: Chat today?
>>>>>
>>>>> Hey Rob! Can Liz and I call you towards the end of the day today?
>>>>>

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 2/13/2018 3:00:39 PM
To: Myron Ebell [Myron.Ebell@cei.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: March Mtg

Hey Myron – For the next meeting in early March, can you encourage the folks interested in science transparency issues, especially data/study transparency, to attend? We would like to come and talk about our next announcement, which may be of interest to those folks. If you have questions, please give me a call at **Ex. 6**

Thank you,

Liz Bowman
U.S. Environmental Protection Agency (EPA)
Office: 202-564-3293

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 2/21/2018 7:30:37 PM
To: Bluey, Rob [rob.bluey@heritage.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Chat today?

That works for me

-----Original Message-----
From: Bluey, Rob [mailto:rob.bluey@heritage.org]
Sent: Wednesday, February 21, 2018 2:30 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Chat today?

5 would be better. Or I can call you when my meeting wraps.

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

-----Original Message-----
From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Wednesday, February 21, 2018 1:46 PM
To: Bluey, Rob <rob.bluey@heritage.org>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Chat today?

Does 430 p.m. work for you all?

-----Original Message-----
From: Bluey, Rob [mailto:rob.bluey@heritage.org]
Sent: Wednesday, February 21, 2018 10:23 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Chat today?

Sure. Ex. 6

Working on the story about the hearing.

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

-----Original Message-----
From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, February 21, 2018 10:14 AM
To: Bluey, Rob <rob.bluey@heritage.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Chat today?

Hey Rob! Can Liz and I call you towards the end of the day today?

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 2/9/2018 3:17:12 PM
To: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Request for Comment: Pruitt on Global Warming

Dear Liz, There is a voluminous literature on the effects on humankind of warm periods compared to cool periods. However, most climate scientists seldom look at it because it doesn't fit with the claims of impending doom. I have pasted below my short quote to the Hill yesterday, a quote from a book by the archaeologist Brian Fagan, and a few references. It might also be noted that one of the IAMs used to calculate the social cost of carbon shows net benefits for the warming predicted for the next several decades. Of course, these models are highly speculative and don't meet the minimal standards required by the Information Quality Act guidelines. Yours, Myron.

I think Administrator Pruitt's comments show that he is getting up to speed on climate science. His first comment is a question that has been asked by climate realists since the beginning of the debate. The Earth's climate is still emerging from the Little Ice Age, perhaps with the help of human activity. The evidence so far is that humankind is on the whole better off with the slightly warmer temperatures compared to the widespread crop failures and big storms that were prevalent during the Little Ice Age from the fifteenth to the nineteenth centuries. Thus I think Administrator Pruitt is right to say that some more warming may be good. That doesn't mean that every place on the globe will be better off. And it's partly a matter of personal preference. Some people, like my father, prefer cold weather; while I prefer mild, fairly dry weather; others like lots of rain; and so on. As for the endangerment finding, as you know we think it will be necessary to re-open the endangerment finding, which is why CEI petitioned EPA a year ago. It seems to me that Administrator Pruitt's support for a red and blue team analysis of climate science indicates that he is open to being convinced one way or the other on the endangerment finding.

The Little Ice Age
By Brian Fagan
New York: Basic Books, 2000
From Chapter 1: The Medieval Warm Period
Page 21

For five centuries, Europe basked in warm, settled weather, with only the occasional bitter winters, cool summers and memorable storms, like the cold year of 1258 caused by a distant volcanic eruption that cooled the atmosphere with its fine dust. Summer after summer passed with long, dreamy days, golden sunlight, and bountiful harvests. Compared with what

was to follow, these centuries were a climatic golden age. Local food shortages were not unknown, life expectancy in rural communities was short, and the routine of backbreaking labor never ended. Nevertheless, crop failures were sufficiently rare that peasant and lord alike might piously believe that God was smiling upon them.

Nothing prepared them for the catastrophe ahead. As they labored through the warm summers of the thirteenth century, temperatures were already cooling rapidly on the outer frontiers of the medieval world.

Happiness is a Warm Planet, a blog by Thomas Gale Moore, an economist at the Hoover Institution, which was based on his book published by the Hoover Press, Global Warming: a Boon to Humans and Other Animals
https://www.hoover.org/research/happiness-warm-planet

The Improving State of the World by Indur Goklany (whose day job since the 1980s has been in the policy shop at Interior), Cato, 2007
https://store.cato.org/book/improving-state-world-why-were-living-longer-healthier-more-comfortable-lives-cleaner-planet

The Skeptical Environmentalist by Bjorn Lomborg, Cambridge University Press, 2001
http://www.lomborg.com/skeptical-environmentalist

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct:
Tel mobile: Ex. 6
E-mail: Myron.Ebell@cei.org
Stop continental drift!

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Thursday, February 8, 2018 6:25 PM
To: Myron Ebell <Myron.Ebell@cei.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Request for Comment: Pruitt on Global Warming

Have fun; thank you!

On Feb 8, 2018, at 6:24 PM, Myron Ebell <Myron.Ebell@cei.org> wrote:

Sorry, Liz. I was in meetings from 1:30 till now; and now I'm off to the ATR tax cuts celebration. I have to finish a funding proposal tomorrow morning and then go give a talk to the Western Caucus, but will ask Marlo to look at this. He knows a lot more than I do anyway. Yours, Myron.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct: Ex. 6
Tel mobile
E-mail: Myron.Ebell@cei.org
Stop continental drift!

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Thursday, February 8, 2018 2:08 PM
To: Myron Ebell <Myron.Ebell@cei.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: Request for Comment: Pruitt on Global Warming

If you all have any information here, that would be great.

From: Schipani, Vanessa A [mailto:vanessa.schipani@factcheck.org]
Sent: Thursday, February 8, 2018 2:02 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: Request for Comment: Pruitt on Global Warming

I can see that. But can you provide support for those claims I mentioned?

Best,

Vanessa Schipani
Science Writer, FactCheck.org
Annenberg Public Policy Center
University of Pennsylvania
202 S. 36th Street, Philadelphia, PA 19104
Ex. 6 | vanessa.schipani@factcheck.org

From: "Bowman, Liz" <Bowman.Liz@epa.gov>
Date: Thursday, February 8, 2018 at 2:01 PM
To: "Schipani, Vanessa A" <vanessa.schipani@factcheck.org>
Subject: RE: Request for Comment: Pruitt on Global Warming

Hi Vanessa –

The comments Pruitt made in Las Vegas are the exact things he has said with Reuters, CBS News and the New York Times.

https://www.reuters.com/article/us-usa-epa-pruitt-exclusive/exclusive-trumps-epa-aims-to-replace-obama-era-climate-water-regulations-in-2018-idUSKBN1EZ079

https://www.nytimes.com/2018/02/02/podcasts/the-daily/scott-pruitt-epa.html

https://www.cbsnews.com/video/scott-pruitt-talks-with-major-garrett-full-interview /

Thank you, Liz

From: Schipani, Vanessa A [mailto:vanessa.schipani@factcheck.org]
Sent: Thursday, February 8, 2018 1:09 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Request for Comment: Pruitt on Global Warming

Hi Liz,

I recently saw that EPA head Scott Pruitt said, "We know humans have most flourished during times of what, warming trends."

Can you provide support for this claim?

He also said, "So I think there's assumptions made that because the climate is warming, that that necessarily is a bad thing."

Can you provide any evidence that it's been or will be a good thing?

If you could get back to me as soon as you get a chance, I would greatly appreciate it.

Best,

Vanessa Schipani
Science Writer, FactCheck.org
Annenberg Public Policy Center
University of Pennsylvania
202 S. 36th Street, Philadelphia, PA 19104
Ex. 6 | vanessa.schipani@factcheck.org

Message

From: Pat Michaels [PMichaels@cato.org]
Sent: 2/1/2018 4:02:05 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Here's my review
Attachments: Michaels_complete_review.docx

Of the draft fourth Assessment. Their goofy format has endnotes and references at the end.

I also have a bunch of other folks writing. For what it's worth, my efforts with others are a rationale to vacate the Endangerment Finding. I do hope you can get it to Pruitt. Would you like me to send you some of the others?

These are due at midnight (tonight—Wednesday/Thursday). After that we're probably going to go very public, at least with mine.

Cheers

Pat Michaels

COMMENTS ON THE FOURTH NATIONAL CLIMATE ASSESSMENT

Patrick J. Michaels
Director, Center for the Study of Science
Cato Institute
Washington DC 20001

Note: The full review has been sent to review@usgcrp.gov under filename Michaels_complete_review, which will be displayed here in its entirety.

1. Introduction and Plain Language Summary

The draft fourth "National Assessment" ("NA4") of climate change impacts is systematically flawed and requires a complete revision.

NA4 uses a flawed ensemble of models that dramatically overforecast warming of the lower troposphere, with even larger errors in the upper tropical troposphere. The model ensemble also could not accommodate the "pause" or "slowdown" in warming between the two large El Niños of 1997-8 and 2015-6. The distribution of warming rates within the CMIP5 ensemble is not a true indication of a statistical range of prospective warming, as it is a collection of systematic errors. Despite a glib statement about this Assessment fulfilling the terms of the federal Data Quality Act, that is fatuous. The use of systematically failing models does not fulfill the "maximizing the quality, objectivity, utility, and integrity of information" provision of the Act.

Institutional memory relating to the production of previous assessments is strong, and the process itself is long, as the first drafts of this version were written in the middle of the second Obama Administration. They were written largely by the same team that wrote the 2014 Assessment, which NOAA advertised, at its release, was "a key deliverable of President Obama's Climate Action Plan." The first (2000) Assessment used the two most extreme models of the 14 considered for temperature and precipitation. In my review I applied them to 10-year running means of lower-48 temperatures and the residual error was larger than the error of the raw data itself! The historical lineage of the fourth Assessment has all but guaranteed an alarming report, regardless of reality.

USGCRP should produce a reset Assessment, relying on a model or models that work in four dimensions for future guidance and ignoring the ones that don't.

Why wasn't this done to begin with? The model INM-CM4 is spot on, both at the surface and in the vertical, but using it would have largely meant the end of warming as a significant issue. Under a realistic emission scenario (which USGCRP also did not use), INM-CM4 strongly supports the "lukewarm" (endnote 1) synthesis of global warming. Given the culture of alarmism that has infected the global change community since before the first (2000) Assessment, using this model would have been a complete turnaround with serious implications.

The new Assessment should employ best scientific practice, and one that weather forecasters use every day. In the climate sphere, billions of dollars are at stake, and reliable forecasts are also critical.

When making a forecast, it's a good idea to look out the window. Meteorologists decide what mix or what individual model is providing the most reliable guidance. Rarely do forecasters average up every available one, because some are better than others, depending upon the situation.

All of the fourth Assessment models other than INM-CM4 forecast the entire tropical troposphere too warm, especially in the upper reaches, and also have the surface too warm (endnote 2). The "pause," which is obvious in both the satellite and HadCRU4 data (endnote 3), wasn't accommodated, as noted by Fyfe et al. (2016). Because INM-CM4 doesn't run hot, it is able to further accommodate the lack of strong warming in the early part of the 21st century.

If one assumes, as the International Energy Agency (2017) does, that natural gas is going to continue to replace large amounts of coal energy, 21st century warming predicted by INM-CM4 is approximately 1.5°C, a value so low that the social costs of carbon become the social benefits of lukewarming.

In summary, the USGCRP must hit the reset button now. It should use a methodology that works—i.e. a model that works—rather than a family of failures that tout a future of unwarranted gloom and doom. It would also be wise to rely more heavily on a concentration pathway that recognizes the massive worldwide switch from coal to natural gas for both electrical generation and manufacturing. That's the right way, and the only way to produce a credible Assessment.

I would normally also supply an extensive commentary on the Key Findings, but because an entire new Assessment is warranted, the current ones are likely to change dramatically when the new drafts are released.

Administratively, resetting the Assessment will prove difficult. The leadership is long-standing and descended from the community that produced the previous Assessments. A more diverse team is needed to produce what is likely to be a dramatically different document.

(The entire review, including this introduction, containing figures and a table, is in a separate file that has been communicated to the USGCRP, and it will be an integral part of this submission.)

2. Detailed Review

A Brief Historical Perspective

This is the fourth National Assessment. It continues the tradition established by the first three.

The First National Assessment (2000) used models that were worse than a table of random numbers when applied to ten year running means for lower 48 temperature. The science team knew this and went ahead anyway (endnote 4). Given that these documents are very influential on national and international policy, that was tantamount, in my opinion, to scientific malpractice (endnote 5). It also chose the two most extreme models, for temperature and precipitation, of the suite that it examined (endnote 6). The second (2009) Assessment was so incomplete that it prompted an entire palimpsest (endnote 7). The third (2014) billed itself as "a key deliverable of President Obama's Climate Action Plan," which again received a detailed critical review about its content, illogic, and omissions (endnote 8).

Systematic problems with the Fourth Assessment models

The Fourth National Assessment (hereafter, NA4) is model-based. Quoting from Chapter 2:

> The future projections used in this assessment come from global climate models (GCMs) that reproduce key processes in the earth's climate system using fundamental scientific principles.

It follows that if, as an ensemble, these models are systematically flawed in a significant fashion, it is improper to use them to project the impacts of the climate changes that they predict. That didn't stop the first (2000) Assessment from using models worse than a table of random numbers, or the second and the third Assessments from using models with flaws similar to the ones in the this version (many are simply "improved" versions of second and third Assessment models). But perhaps this review will get a bit more attention than previous ones, as the political climate of Washington recently underwent an unforecast and abrupt change.

The growing disparity between predicted bulk tropospheric temperatures and observed values, especially at altitude in the tropics (see Figure 1), casts overall doubt on the utility of the large ensemble of general circulation models (GCMs) with regard to 21st century temperatures. The current model suite has an average equilibrium climate sensitivity (ECS) of 3.4^{o}C (Andrews, 2012) (endnote 9) . The disparities may arise as a consequence of the recently acknowledged significant tuning of the GCMs in order for them to simply simulate the evolution of 20th century surface temperatures; see below. Regardless of the cause, these disparities cast doubt on the overall utility of the large ensemble of models with regard to 21st century temperatures.

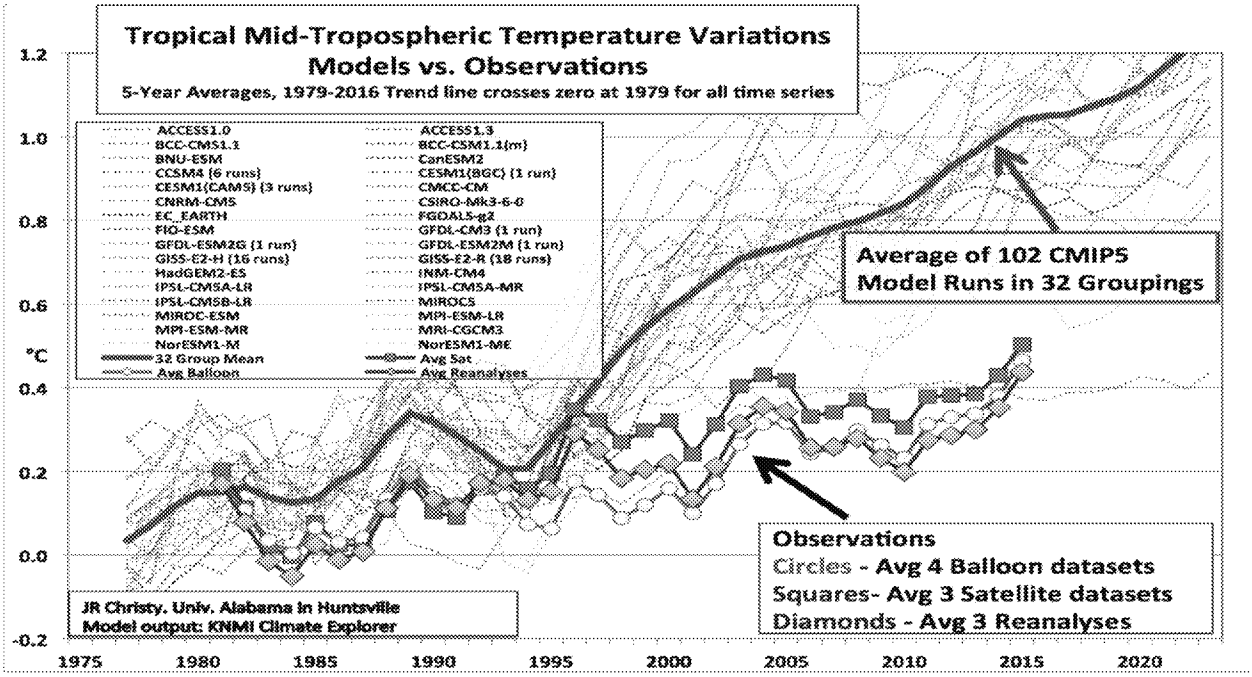


Figure 1. Modelled and observed tropical mid tropospheric (surface-100mb) temperature changes, 1979-2016. From testimony of John Christy to the House Committee on Science, Space and Technology, March 29, 2017. The one model that tracks the observations is INM-CM4. The data are also available in tabular form in the American Meteorological Society's "State of the Climate" report for 2016 (endnote 10).

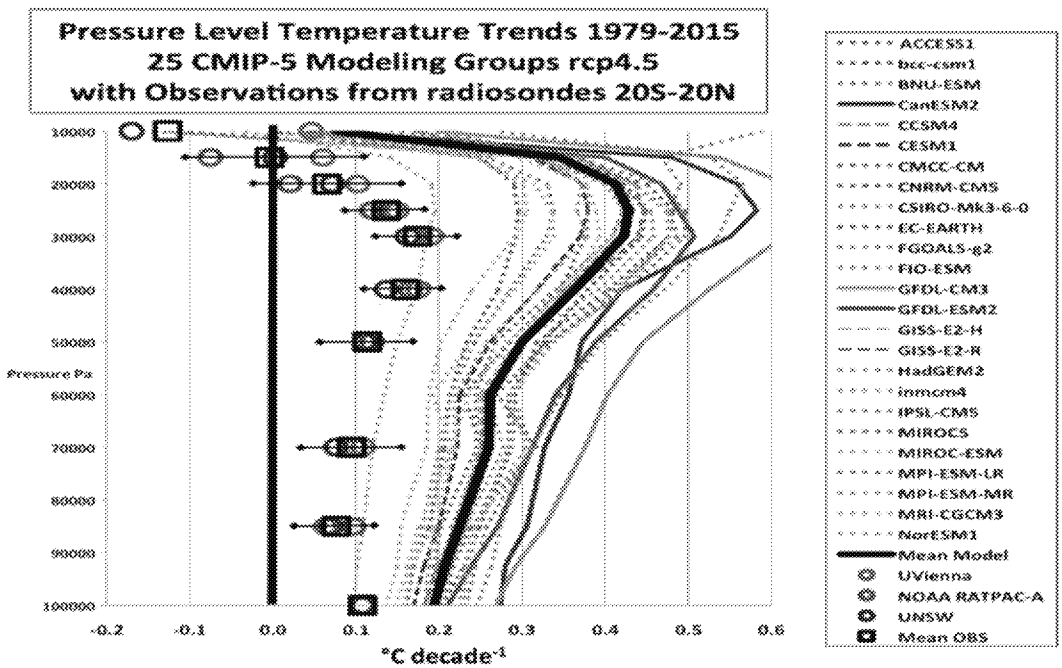


Figure 2. The vertical discrepancy between radiosonde-measured and model predicted tropical temperature trends, 20N-20S, is persistent and very large in the mid and upper troposphere. From Christy and McNider (2017); the exception is again the model INM-CM4.

[PAGE * MERGEFORMAT]

Similarly, Figure 2 shows the vertical distribution of forecast and observed trends. Commenting on it, Christy and McNider (2017) note:

> In every case, with the exception of the Russian model "inmcm4" below 250hPa, individual tropospheric model trends are larger than the observational average below 100 hPa with the discrepancies largest in the upper troposphere…

The point should be clear: unless INM-CM4 is also making systematic errors with major consequences (which are not apparent), the Assessment should be using it rather than the suite of models that is systematically and dramatically wrong.

This type of exercise is undertaken frequently in operational meteorology. Oftentimes the many global and regional forecast models give conflicting results for a given synoptic situation. Forecasters then examine which ones have been performing well, or which perform better given the situation, and then settle upon one or a blend of models to arrive at the final forecast. *They rarely average all of them up.* Emphasizing the ECMWF model in favor of the GFS for 2013 storm Sandy was a prudent choice in the longer timeframes. Averaging them would have been very costly.

Using the range of models that suffer from considerable bias in order to estimate the statistical distribution of a forecast is a folly of additive error, while using unbiased model(s) (in the global sense) minimizes the probability of such an error.

In the 2017 *Climate Science Special Report* (CSSR) for both surface temperatures and specific impacts, and the draft fourth National Assessment, the range of warming is generated almost exclusively by the models that don't work, and not the model that *works*. This is the central reason why the entire fourth Assessment process must be reset.

To reiterate: A collection of errors biased in one direction is hardly a true estimate of the range of a forecast. It is the opposite, a false estimate from models that are clearly warming the topical troposphere at over twice the observed rate. The warming rate forecast in the zone around 200mb is a stunning six *times* what has been observed in the last 36 years. About 38% of the earth's surface is underneath the zone studied.

The Implications of Shale Gas were not Properly Considered

To compound prospective future errors, the over-reliance on RCP 8.5 in the current Assessment is also questionable. To its credit, the NA4 does repeatedly mention the major displacement of coal with natural gas for electrical generation in the U.S., but fails to note the implication of large-scale international adoption of this switch, and the substitution of gas for coal in worldwide industry. The implication is that RCP 8.5 (mentioned in seven separate textual references (not counting the bibliographies)) is increasingly unlikely (endnote 11).

Quoting from the International Energy Agency (IEA)

> The global natural gas market is undergoing a major transformation driven by new supplies coming from the United States to meet growing demand in developing countries and industry surpasses the power sector as the largest source of gas demand growth…

> The evolution of the role of natural gas in the global energy mix has far-reaching consequences on energy trade, air quality and carbon emissions…
>
> Global gas demand is expected to grow by 1.6% a year…China will account for 40% of this growth.

NA4 should therefore rely more on RCP 6.0 rather than 8.5.

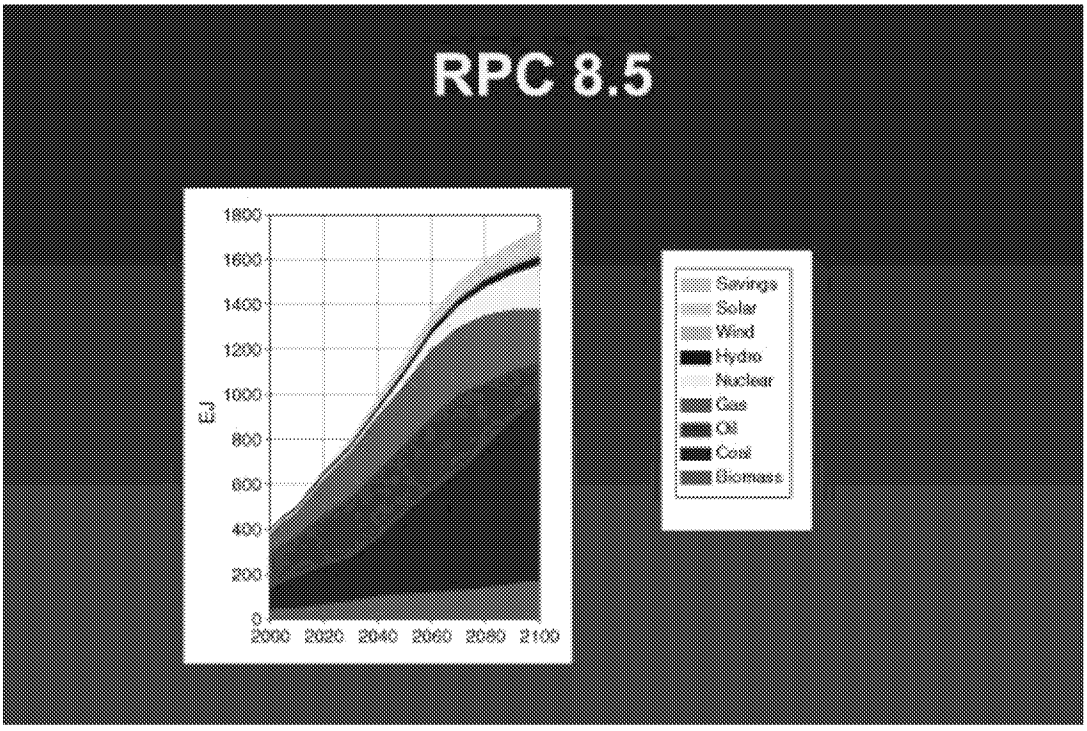


Figure 3. There is no evidence for rapidly increasing displacement of coal with natural gas for electrical generation in in RCP 8.5, even though this is now forecast by the IEA worldwide.

The argument this is simply a U.S. phenomenon is premature. Unless the Chinese, who are the world's largest emitters, are different than people elsewhere, there will ultimately be restive demands to clean their unhealthy, coal-polluted air as their per capita income rises. The abundance of available gas at that time will almost certainly result in major fuel switching.

The reset NA4 needs to account for this, with an increased emphasis on RCP 6.0.

The Social Cost (or Benefit) of Lukewarming

INM-CM4 is decidedly lukewarm. I used *KNMI Explorer* to estimate 21st century warming—however, unlike for many of the other models, KNMI only has RPC 4.5 and 8.5 for INM-CM4. Using a warming slightly below the midpoint for those two gives a 21st century surface warming of approximately 1.5°. This is quite consistent with the empirical transient sensitivity recently calculated by Christy and McNider (2017).

[PAGE * MERGEFORMAT]

We therefore used their probability density function in a subsequent calculation by Kevin Dayaratna of the Heritage Foundation using the FUND model to determine an approximate social cost of carbon. We elected to follow the OMB (2004) guidelines that recommended using the robust historical average 7.0% discount rate, as well as the 3.0 it also recommends and the 5.0 used by the Obama Administration.

We show results of with equilibrium climate sensitivity/transient climate sensitivity ratios of 1.3 and 1.7.

Social Costs (Benefits) of a Ton of Carbon Dioxide and Probability of Benefit

1.3 Ratio ECS/TCS

YEAR	3% D.R	5%	7%
2020	(0.55) (.55)	(1.36) (.64)	(1.31) (.72)
2050	1.19 (.46)	(0.39) (.52)	(0.77) (.57)

1.7 Ratio ECS/TCS

2020	4.04 (.23)	0.21 (.36)	(0.86) (.72)
2050	5.99 (.19)	1.25 (.31)	(0.23) (.57)

These results are very similar to what Dayaratna et al. (2017) published last year using the probability density functions for warming of Lewis and Curry (2015). This is expected because it is quite similar to what is derived from Christy and McNider (2017). I fully expect if we used a distribution from INM-CM4 run with RCP 6.0 that there would be similar results.

These are, of course, radically different from the cost estimates emanating from the previous Administration, but it is noteworthy that it specifically omitted the OMB-recommended robust historical discount rate of 7%.

We note that seven of the 12 estimates shown above are net benefits rather than costs (shown in parentheses). A reset Assessment using ICM-CM4 or a satellite/radiosonde derived probability function for 21st century warming is going to be radically different than estimates using the larger, warm-biased suite of climate models.

We May Never Know the Cause of the Overestimated Bulk Warming

It may be nearly impossible to determine the cause(s) of overforecast bulk warming, but its effects are manifold. By forecasting a much warmer upper troposphere than is being observed, the models must be systematically underestimating tropical precipitation (endnote 12). It would also seem that descending air into the subtropical high pressure systems would be warmer than what is being observed. These two simple examples would have consequences for vegetation; a drier tropical regime would affect the vast tropical rainforests, and warmer descending air is likely to increase desertification in the persistent Hadley cells. Both of these processes will then create their own secondary feedbacks to surface temperature and sensible weather.

[PAGE * MERGEFORMAT]

If these problems can't be corrected, the reset NA4 may as well exit the business of predicting climate impacts, especially on vegetation, agriculture, and sea level rise. Those impacts are all primarily driven by a rise in temperature, and if too much bulk warming is being demonstrably predicted, NA4 becomes not unlike NA1 (2000), when the science team went ahead anyway after being told (and finding out themselves) that the models were actually supplying negative knowledge, inducing larger residual errors *after* applying them to the raw data. "Damn the data, full speed ahead" can no longer be tolerated.

The problem is that we may never know what has gone wrong with the models as an ensemble. In a paper detailing the process of model tuning, Mauritsen (2012) noted it is apparently impossible to completely know what was done to these models over their historical development. In Mauritsen's words, "model development happens over generations, and it is difficult to describe comprehensively (endnote 13)."

Significant portions of climate models are therefore black boxes with varying degrees of subjectivity. Recently, Hourdin et al., (2017) issued a rather strident call for more transparency about model tuning.

Left to their own devices, it has long been known (endnote 14) that climate models run with increasing atmospheric carbon dioxide only produce too much warming. As a result, internal parameters that ultimately predict future climate are tuned to reproduce the global temperature history of the 20th century (endnote 15). Model parameters are tuned to what Hourdin et al. called an "anticipated acceptable range."[1]

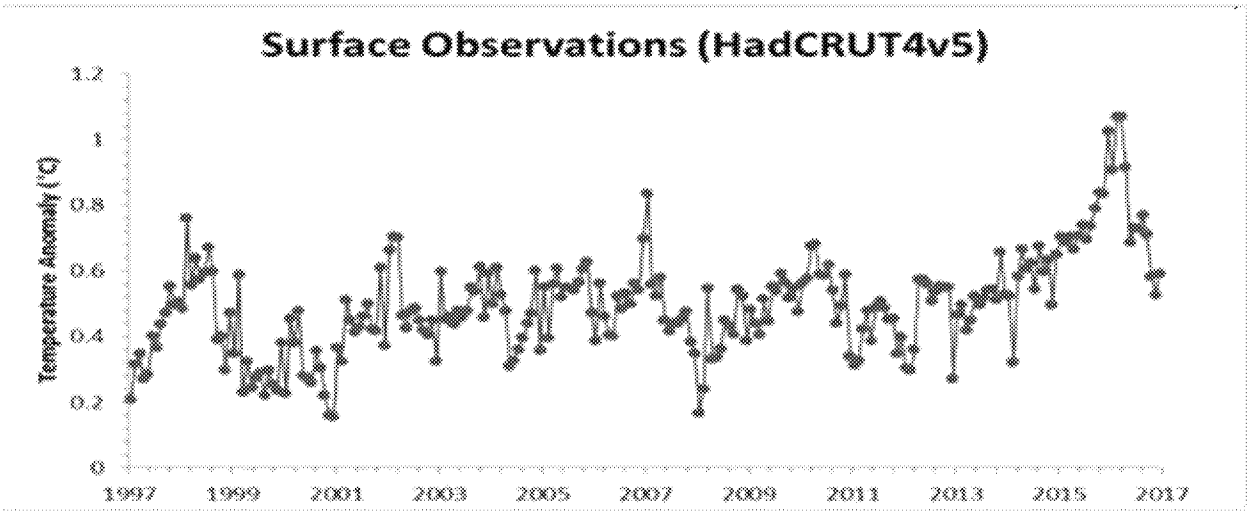
NA4 and the accompanying Climate Science Special Report repeatedly state that models show anthropogenic emissions are responsible for almost all 20th century warming.

This is claimed despite the fact that of the two twentieth-century warmings; the first one, approximately from 1910 to 1945, could hardly have been a result of carbon dioxide emissions. The 1910-1945 warming is statistically similar in slope to the 1976-1997 warming.[2]

---

[1] Hourdin, F., et al., 2017. The art and science of climate model tuning. *Bulletin of the American Meteorological Society*.Https://doi.org/10.1175/BAMS-D-15-0013335.1

[2]



Post-1998 remains controversial. There is a clear "pause" from late 1997 through 2014 (or 2002-2014,

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Ice core data from Law Dome show the surface concentration was only around 298ppm when the first warming began, which gives a CO_2 forcing of +0.35 w/m^2 based upon the standard formula (dRF= 5.35ln(298/279)). Stevens (2015),[3] citing Carslaw et al. (2013) gives a sulfate forcing of -0.3 watts/m^2, resulting in a near-zero net combined forcing. Tuning the models to somehow account for this warming implies an enormous sensitivity. If that were actually true, current temperatures would be so high that there would be little policy debate.

Tuning the models to mimic the historical record and then claiming that anthropogenic emissions explain the early warming is circular reasoning at its finest; *reset NA4 needs to be explicit about this.*

Consequently, we are left with the following unhappy circumstance: it is the modeler, and not the model that decides what the "anticipated acceptable range" of parameters is in order to fit the double peak of warming in the 20th century. Claiming that this is evidence for the reliability of the models' future prediction is fatuous.

In fact, the opposite is true. Each time a model is tuned in search of a particular result, an increment of potential future instability is added. It's not surprising that, in forecast mode, the models make such egregious errors over the entire tropical troposphere.

Data Quality Act

Any Assessment must comply with the Data Quality Act, including a reset NA4. It is doubtful that relying on systematically failing models with parameters tuned to an "anticipated acceptable range" fulfills the Act's requirement to "maximize the quality, objectivity, utility, and integrity of information."

3. Conclusion

This review has demonstrated that NA4 suffers from a fundamental methodological flaw in assuming that models making large bulk errors are representative of a range of future warming. Ubiquitous tuning of the models to the 20th century history hardly increases their reliability. NA4 also pays inadequate attention to the implications of an ongoing seismic shift in world energy towards natural gas. Warming predicted by the one model that does not suffer the bulk errors, coupled with a slightly lower concentration pathway because of forecast switching from coal to natural gas, becomes a net benefit rather than a social cost.

Going back to 2000, there have been persistent problems throughout the entire assessment process,underscoring the need for major administrative change.

For these and other reasons, draft NA4 should be shelved and reset, so that time and resources can be devoted to a new Assessment that corrects and addresses the first three Assessments and the draft NA4.

---

after the first ENSO cycle in this plot is complete) evident both the latest version of HadCRUT4 and the UAH lower tropospheric satellite-sensed data.

[3] Stevens, B., 2015. Rethinking the lower bound of aerosol radiative forcing. *J. Clim.* **28**, 4794-4819.

ENDNOTES

1. "Lukewarmers" agree on a human influence on global climate, but at or below the bottom of the range specified by the U. N.'s Intergovernmental Panel on Climate Change.

2. See the review of this Assessment submitted by Richard McNider and John Christy.

3. See Footnote 22 near the end of this document.

4. I wrote to the chief scientist, Tom Karl, and he emailed me back, that "we ran the test you did but changed the averaging period" from 10-year running means to 1, 5, 10, 20 and 25 years. He kindly included a graph that showed *at all time intervals tested* that the residual variance after applying the models was larger than the raw variance. A modified version (for clarity) can be found as Figure 25, page 109 of my 2016 book *Lukewarming*. I first documented it in 2003 in a chapter, "Science or Political Science? An Assessment of the U.S. National Assessment of the Potential Consequences of Climate Variability and Change." In Gough, M., Ed., *Politicizing Science: The Alchemy of Policymaking*. Hoover, Palo Alto.

5. This action was exactly analogous to a physician prescribing a medication he or she knows will make the patient worse.

6. Documented on page 209 of my 2004 book *Meltdown*.

7. https://object.cato.org/pubs/Global-Climate-Change-Impacts.pdf

8. https://www.cato.org/publications/the-missing-science-from-the-draft-national-assessment

9. The associated Fifth Assessment Report of the IPCC gives this figure as 3.2°C, but the calculated average is 3.37.

10. https://www.ametsoc.org/ams/index.cfm/publications/bulletin-of-the-american-meteorological-society-bams/state-of-the-climate/

11. This will be a result of the increasing real per-capita incomes and GDP. When certain levels of affluence are reached, environmental protection becomes affordable and is publicly demanded. This happened in the mid-20th century in the US, beginning with the miasmatic air of Pittsburgh. The horrific air quality in urban China will likely be the first target of any nascent green movement there. The amount of retrofitting of their newer coal plants remains unknown, but as IEA indicates (above), China will be responsible for the largest percent of gas usage growth in the next five years.

12. Unless, of course, this output is systematically "tuned". But, as Mauritsen implied, and Hourdin lamented, we may never know what was done.

13. Grad students and postdocs marching through the models didn't always keep good notes on what they did.

14. Tom Wigley wrote of this in an in-house journal *Climate Monitor* in 1987, and it was explicitly acknowledged in the second (1996) Assessment Report of the IPCC.

15. From Voosen, 2016: "Indeed, whether climate scientists like to admit it or not, nearly every model has been calibrated precisely to 20th century climate records—it would have ended up in the trash. "It is

fair to say that all models have tuned it", says Isaac Held, a scientist at the Geophysical Fluid Dynamics Laboratory, another prominent modelling center in Princeton, New Jersey." (Voosen, P., 2016. Climate scientists open up their black boxes to scrutiny. *Science* **354**, 401-402.)

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[PAGE * MERGEFORMAT]

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 1/26/2018 9:25:14 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Gail Griffin [Ex. 6
Subject: Tate, I am forwarding a letter from Arizona State Senator Gail Griffin
Attachments: 1801JAN25-NACO.pdf

Dear Tate, Arizona State Senator Gail Griffin asked me to help make sure that Administrator Pruitt sees her e-mail and attached letter. She said in her note to me, "This is a real emergency and we need help." I would only add that Gail is a very good person to get to know and work with. She chairs the Water and Energy Committee and has been a stalwart defender of property rights. I am copying Gail's personal e-mail address. Her official e-mail address is below. Thanks, Myron.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct:
Tel mobile: Ex. 6
E-mail: Myron.Ebell@cei.org
Stop continental drift!

---------- Forwarded message ----------
From: **Gail Griffin** <GGriffin@azleg.gov>
Date: Thu, Jan 25, 2018 at 6:53 PM
Subject: IMMEDIATE ATTENTION NEEDED – Transboundary untreated sewage flows from Naco, Sonora into Naco, Arizona
To: "pruitt.scott@epa.gov" <pruitt.scott@epa.gov>

Administrator Pruitt,

Please see the attached important information that needs immediate attention. It involves a continued problem with transboundary raw sewage from Naco, Sonora to Naco, Arizona. This is a real health and safety issue.

Please feel free to contact me if you have questions or if I can be of assistance to you to help clean this situation up. Thank you.

Respectfully,

Senator Gail Griffin

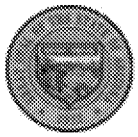
Majority Whip

Arizona State Senate

Legislative District 14

Office: Ex. 6

Cell: Ex. 6



GAIL GRIFFIN
STATE SENATOR, DISTRICT 14

CAPITOL COMPLEX, SENATE BUILDING
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(602) 926-5895
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E-MAIL: ggriffin@azleg.gov

Arizona State Senate

COMMITTEES:

NATURAL RESOURCES, ENERGY AND WATER, CHAIR

GOVERNMENT

RULES

January 25, 2018

Edward Drusina, Commissioner
International Boundary and Water Commission, U.S. Section
4171 North Mesa, Suite C-100
El Paso, TX 79902-1441

Alexis Strauss, Acting Regional Administrator
U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street
Mail Code: ORA-1
San Francisco, CA 94105

Alex Hinojosa, Managing Director
North American Development Bank
203 South St. Mary's, Suite 300
San Antonio, Texas 78205

RE: IMMEDIATE ATTENTION NEEDED – Transboundary untreated sewage flows from Naco, Sonora into Naco, Arizona

Dear Mr. Drusina, Ms. Strauss, and Mr. Hinojosa:

This letter is to request your immediate action to mitigating transboundary untreated sewage flows from Naco, Sonora into Naco, Arizona, including tributaries that eventually feed the San Pedro River in Arizona. Although the frequency of these transboundary sewage flows have increased since the summer of 2017, my home is near Naco and within the legislative district I represent and I am well aware that these issues have impacted this area for well over 20 years.

I understand that your agencies have assisted with response actions to stop these sewage flows over the past several months, some of which has included the International Boundary and Water Commission (IBWC) lending Naco, Sonora equipment and the North American Development Bank (NADB) funding rental equipment and services. I also understand that through the U.S. Environmental Protection Agency's (EPA) Border Environment Infrastructure Fund (BEIF), Naco, Sonora received NADB support in the past for improvements to its wastewater treatment system and that the city has submitted an application through the same program to rehabilitate its current wastewater treatment and collection system. With these items in mind, I request that you please take action to expedite the following:

- EPA and IBWC establish a streamlined process with participation from state partners for cities, counties and municipalities to communicate when a binational sanitary sewer overflow is taking place to trigger response actions within 24 hours of when notification first occurs. Immediate notification and mitigation is critical to protect the residents of this area. As institutions of the federal government, EPA and IBWC should work cooperatively to develop processes and capacity to provide leadership in crisis management of this binational issue when responses are necessary.

- IBWC should ensure that an effective mitigation plan, along with equipment and training, is in place for Naco, Sonora to impede cross-border sewage flows (of treated and untreated wastewater, accidental releases or intentional) by March 30, 2018. I understand that establishing a new Minute with the Mexican Section of IBWC may be necessary to accomplish this. I ask that you please engage State of Arizona partners as you are developing this plan.
- EPA and NADB expedite the review, approval and funding of the Naco, Sonora wastewater treatment system rehabilitation application submitted by the city.
- EPA and NADB, once funding is approved for that project, ensure that grant requirements are met and that maintenance accountability measures are in place. Although infrastructure has been established in the past, Naco, Sonora has been unable to obtain the resources that are necessary to adequately maintain the infrastructure.

I am seeking a lasting solution to this decade's long problem that has significantly and negatively impacted my constituents. Given limited resources we all face, I strongly encourage you to collaborate in a spirit of accomplishing results for our mutual customers. Thank you.

Respectfully,

Senator Gail Griffin
Majority Whip
Arizona State Legislature
LD 14

CC: Jose Nuñez, Principal Engineer, IBWC U.S. Section
Tomás Torres, Water Division Director, U.S. EPA Region 9
Salvador López, Chief Environmental Officer, NADB
ADEQ

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 1/11/2018 3:12:55 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition: list of upcoming comment deadlines at EPA

Tate Bennett at EPA sent me the following list of upcoming comment deadlines with a link to the web page. She also sent me some talking points on EPA Administrator Scott Pruitt's top accomplishments last year, which I have also pasted below.

Note that the Cooler Heads Coalition's next monthly strategy meeting will be on Monday, 5th February, beginning at 12 noon at CEI, 1310 L Street, N. W., Seventh Floor.

Full Title	Comment Period Deadline
Proposed- Mercury; Reporting Requirements for Toxic Substances Control Act Mercury Inventory	01/11/2018
Proposed- Repeal of Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units	01/16/2018
Proposed- Protection of Stratospheric Ozone: Revision to References for Refrigeration and Air Conditioning Sector to Incorporate Latest Edition of Certain Industry, Consensus-based Standards	01/25/2018
Proposed- Responses to Certain State Designation Recommendations for the 2015 Ozone National Ambient Air Quality Standards	02/05/2018
Proposed- Withdrawal of Certain Federal Water Quality Criteria Applicable to California: Lead, Chlorodibromomethane, and Dichlorobromomethane	02/09/2018
ANPRM- State Guidelines for Greenhouse Gas Emissions from Existing Electric Utility Generating Units	02/26/2018

https://www.regulations.gov/searchResults?rpp=25&so=ASC&sb=commentDueDate&po=0&cp=O&a=EPA&dct=PR

EPA Administrator Scott Pruitt and EPA 2017 Accomplishments

- **Withdrew from the Job-Killing Paris Climate Agreement:** Administrator Pruitt worked with President Trump to withdraw the United States from the Paris Agreement, until the COP agree to fair terms for America.

- **Stopped Backdoor Sue & Settle:** EPA ended the practice of settling lawsuits with activist groups pushing their agenda behind closed doors. Effectively ending the days of 'regulation through litigation,' EPA will handle pending litigation in an open, transparent process that allows affected stakeholders to participate – and saves taxpayers millions of dollars in attorneys' fees and settlements – effectively taking away a source of taxpayers funding activist agendas. https://www.epa.gov/newsreleases/administrator-pruitt-issues-directive-end-epa-sue-settle

- **Ended the War on Coal and the "Clean Power Plan"**: Following issued a Notice of Proposed Rulemaking (NPRM).
    - EPA 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.

- When Obama first took office there were 86,400 coal mining jobs; when he left office there were only 50,00, (a loss of nearly 4,550 a year). As of December 2017, there are now 50,500 jobs, the first net increase in years. (Source U.S. Bureau of Labor Statistics)

- **Stopped Conflict of Interests for EPA Advisory Committees:** Administrator Pruitt has reformed scientific advisory boards to ensure independence, geographic diversity, and integrity in EPA science. No member of EPA's federal advisory committees will be able to receive agency grants to better ensure independence. https://www.epa.gov/newsreleases/administrator-pruitt-issues-directive-ensure-independence-geographic-diversity
  - According to EPA calculations, in just the last three years, members of three of EPA's 22 FACs – the Science Advisory Board (SAB), Clean Air Scientific Advisory Committee (CASAC) and the Board of Scientific Counselors (BOSC) – received upwards of $77 million in direct EPA grant funding while concurrently serving on these committees.

- **Restored Cooperative Federalism**: Administrator Pruitt has visited nearly 30 states in his first year on the job meeting with stakeholders, governors and other elected officials, to ensure EPA is being responsive to local needs for our diverse country.
  - Since March 1, 2017, EPA has worked with states to approve 206 state air plans/state implementation plans (SIP's). EPA had a backlog of over 700 unapproved SIPs.

- **Redefining a 'Water of the U.S.':** EPA, Department of Army, and Army Corps of Engineers are moving forward with a two-step process to rescind the 2015 "Waters of the United States" rule and redefine it in a way that provides farmers and land owners the regulatory certainty they need, while also returning power back to states and localities. https://www.epa.gov/newsreleases/elected-leaders-praise-trump-administrations-move-rescind-wotus

- **Properly Implementing TSCA**: EPA has cleared a backlog of 700 new chemicals waiting permits for sale. By July, EPA had eliminated the backlog assessing new chemical risk within 90 days – allowing manufacturers to innovate and create jobs. https://www.epa.gov/newsreleases/epa-eliminates-new-chemical-backlog-announces-improvements-new-chemical-safety-reviews

- **Cleaning Up the Superfund Mess:** Of the 1,345 sites on EPA's National Priority list, EPA has eliminated in whole or substantial part 7 since March. In 2016, EPA eliminated only 1.
  - EPA is on track to close in whole or in part 27 more in 2018.
  - EPA is on track to issue clean up decisions (RODs) on 14 of over $50 million in clean up this year.

- **Draining the Swamp:** EPA staff is at the lowest levels since the Reagan presidency, as on boarded employees are now about 14,100.

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Stop continental drift!

Message

From: Todd F. Gaziano [TGaziano@pacificlegal.org]
Sent: 1/3/2018 4:41:01 PM
To: Forsgren, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a055d7329d5b470fbaa9920ce1b68a7d-Forsgren, D]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Bakst, Daren [Daren.Bakst@heritage.org]
Subject: RE: 2-page analysis of WOTUS provision in FY2018 Omnibus bill

Thanks for confirming receipt and that you will look into it further.

Todd

From: Forsgren, Lee [mailto:Forsgren.Lee@epa.gov]
Sent: Wednesday, January 03, 2018 11:24 AM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Bakst, Daren <Daren.Bakst@heritage.org>
Subject: RE: 2-page analysis of WOTUS provision in FY2018 Omnibus bill

Todd,

Will take a look. Thanks for the input.

Lee

From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Wednesday, January 3, 2018 10:59 AM
To: Forsgren, Lee <Forsgren.Lee@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Bakst, Daren <Daren.Bakst@heritage.org>
Subject: 2-page analysis of WOTUS provision in FY2018 Omnibus bill

Lee,

Thanks again for taking the time to speak with Daren (from Heritage) and me shortly before the end of the last congressional session. It was very good of you to do so given how busy you must be in general, but especially on Dec. 20. We were unsure then whether the WOTUS language we were concerned about would be included in stop-gap spending bill for that week, but as you probably confirmed, it was not on that bill. However, it likely will be in the Omnibus bill slated for enactment before Jan. 19. We want to try to influence this provision as soon as we possibly can, especially since it may take time to properly elevate the issue to the right people.

Attached please find a two-page analysis that my colleagues at PLF drafted, with helpful input from Daren. We know the executive branch did not ask for the rider in question. And while subsection (a) may not be necessary, like you all, we think it could be helpful. Thus, there is no reason to oppose subsection (a), whether you asked for it or not. As a reminder, **our only concern is with the unintended impact on subsection (b)**. EPA/Corps appointees may not agree (or not agree as strongly) that the pre-2015 rules and guidelines that are essentially ratified and statutorily approved by subsection (b) are quite as bad as we do, but we think you should agree that congressional endorsement of them will complicate your job of writing a new rule and make it much harder to get what we think Administrator Pruitt wants through the courts.

My colleague who argued and won the *Rapanos* case, Reed Hopper, was involved in drafting the attached analysis before his unexpected death on Christmas Day. Our litigation director, James Burling, and our other Clean Water Act experts stand behind the attached too. After you review it, we ask you to forward it to other relevant folks. **We'd be eager to hear your and their reaction to our analysis, including in another call with whomever you think should be present.**

We are circulating the analysis to folks on the Hill as well, but we still think that EPA may need to be the one to forcefully push for change. One option is to cut out subsection (b) entirely since it is not necessary for the purpose we think it was intended to serve. At the end of the analysis, however, we have alternative language to accomplish that same purpose but not do any harm.

Todd

Todd F. Gaziano | Senior Fellow in Constitutional Law
Executive Director of the DC Center
Pacific Legal Foundation
Ex. 6 (o)
(c)

PACIFIC LEGAL FOUNDATION
Defending Liberty and Justice for All.

From: Forsgren, Lee [mailto:Forsgren.Lee@epa.gov]
Sent: Wednesday, December 20, 2017 1:27 PM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Jonathan Wood <JWood@pacificlegal.org>; Bakst, Daren <Daren.Bakst@heritage.org>
Subject: RE: Tate/Lee: phone Mtg. request re: Sec. 431 on WOTUS rule in Minibus/cromnibus

Since I am going to be stepping out of a meeting why don't we set up a conference line. We can use my line. I will send a meeting request ASAP.

Lee

From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Wednesday, December 20, 2017 12:54 PM
To: Forsgren, Lee <Forsgren.Lee@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Jonathan Wood <JWood@pacificlegal.org>; Bakst, Daren <Daren.Bakst@heritage.org>
Subject: RE: Tate/Lee: phone Mtg. request re: Sec. 431 on WOTUS rule in Minibus/cromnibus

Lee: Thanks for making yourself available at any time. I would be happy to talk for a few minutes at 6:00. I'll confirm with Jonathan and Daren whether they are free as well. Is there a # we should try to reach you? If not, I can send you a conference code to reach us.

Todd

From: Forsgren, Lee [mailto:Forsgren.Lee@epa.gov]
Sent: Wednesday, December 20, 2017 11:30 AM

To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Jonathan Wood <JWood@pacificlegal.org>; Bakst, Daren <Daren.Bakst@heritage.org>
Subject: Re: Tate/Lee: phone Mtg. request re: Sec. 431 on WOTUS rule in Minibus/cromnibus

I am swamped till late this evening. Maybe I dan talk at 6:00 pm for a few minutes.

Sent from my iPhone

On Dec 20, 2017, at 11:23 AM, Todd F. Gaziano <TGaziano@pacificlegal.org> wrote:

> Tate: Thanks much.
>
> Lee: I'm tied up until almost noon or so. Can one or more of us talk to you any time after that today?

Todd F. Gaziano | Senior Fellow in Constitutional Law
Executive Director of the DC Center
Pacific Legal Foundation
Ex. 6 (o)
(c)

PACIFIC LEGAL FOUNDATION
Defending Liberty and Justice for All.

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, December 20, 2017 10:44 AM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Cc: Jonathan Wood <JWood@pacificlegal.org>; Bakst, Daren <Daren.Bakst@heritage.org>; Forsgren, Lee <Forsgren.Lee@epa.gov>
Subject: RE: Tate: phone Mtg. request re: Sec. 431 on WOTUS rule in Minibus/cromnibus

Hi Todd-

We are not in a position to speak on behalf of the hill, but I can certainly connect you with Lee Forsgren in the Office of Water (cc'd). He's very familiar with the issue and different perspectives surrounding it.

You are always welcome to email me! Sorry for the delay.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Wednesday, December 20, 2017 10:12 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jonathan Wood <JWood@pacificlegal.org>; Bakst, Daren <Daren.Bakst@heritage.org>
Subject: Tate: phone Mtg. request re: Sec. 431 on WOTUS rule in Minibus/cromnibus

Tate,

I don't know if you saw my meeting request below, but at this point, a phone connection is probably best—unless you or someone else at EPA can confirm that subsection (b) it out of the bill.

I don't mean to bug you unreasonably, but this is a fair warning I will continue to try to reach you "reasonably" (and more frequently) until you tell me the provision is out, you connect me to someone who is working the issue, or you affirmatively tell me to go away.

Todd

Todd F. Gaziano | Senior Fellow in Constitutional Law
Executive Director of the DC Center
Pacific Legal Foundation
Ex. 6 (o)
(c)

PACIFIC LEGAL FOUNDATION
Defending Liberty and Justice for All.

From: Todd F. Gaziano
Sent: Friday, December 15, 2017 10:55 AM
To: 'Bennett, Tate' <Bennett.Tate@epa.gov>
Cc: Bakst, Daren <Daren.Bakst@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: Mtg. request re: Sec. 431 on WOTUS rule in Minibus

Tate:

Thanks for your action to date (and I've been confused with my brother Tom before, so I'm only amused by that).

We've discussed the provision more amongst ourselves, and with some other CWA experts. I am even more concerned about it the longer I study it, and I'm more convinced that subsection (b) can serve no good purpose anyway. As for its unintended harm, it would not just codify *one* bad guidance from one year. The provision, on its face, would codify all regulations (plural) and guidance (that would be interpreted as plural in that phrase) in existence in 2015. Thus, it would codify or insulate (at least temporarily) scores of bad and otherwise illegal guidance documents from decades of horrible administration, many of which we have been litigating against. EPA would likely need a "reasoned justification" to depart from any and all of them in the new rule. I think Daren agrees with me about the harm, even if he is a little less apocalyptic than I am.

Given our deep concern, we'd like to be introduced to and meet (or at least talk) with the appropriate folks in the Water Office who might be responsible for pushing back on the subsection or who might be saddled with it if it is not killed. Can you connect us and help arrange such a meeting?

Todd

Todd F. Gaziano | Senior Fellow in Constitutional Law
Executive Director of the DC Center
Pacific Legal Foundation
Ex. 6 (o)
(c)



From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, December 15, 2017 10:21 AM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Cc: Bakst, Daren <Daren.Bakst@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Sec. 431 on WOTUS rule in Minibus

Hi Tom-

Apologies for the delay. We understand your position on this section/1986 guidance and have passed this along to the Office of Water. We will let you know if we have any questions. It's

Don't be a stranger.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Thursday, December 7, 2017 8:54 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bakst, Daren <Daren.Bakst@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: Sec. 431 on WOTUS rule in Minibus

Tate,

It was great to meet you yesterday at the Heritage roundtable event. My colleagues and I at PLF may have many occasions to work with you and others at EPA.

As the below correspondence with Daren indicates, subsection 431(b) in the House minibus bill may not be quite as "disastrous" as I first thought in locking in 2015 regs and guidance, but it would tie EPA's hands in some clear and harmful ways until a final rule is issued, and it may still complicate the eventual replacement of the WOTUS rule under the APA. It needs to be modified or dropped to have the effect that I think was intended, but I at least see some method to the legislative madness.

Please let us know if we can provide any further help or advice on this matter.

Todd

Todd F. Gaziano | Senior Fellow in Constitutional Law
Executive Director of the DC Center
Pacific Legal Foundation
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From: Todd F. Gaziano
Sent: Wednesday, December 06, 2017 6:20 PM
To: 'Bakst, Daren' <Daren.Bakst@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

Two issues:

1. At a minimum, it says that EPA MUST follow Rapanos Guidance (not Scalia) until it issues a final rule, or at least an interim final rule. How long will that take?
2. It still is ambiguous enough that it might complicate replacing the Rapanos Guidance. For example, it might allow EPA to replace the now mandated Rapanos Guicance, but as to that, it would have to give sufficient reasons under the APA, since section (a) do not apply to the new rule, only the withdraw of WOTUS.

Regardless of how bad it is, it should go.

From: Bakst, Daren [mailto:Daren.Bakst@heritage.org]
Sent: Wednesday, December 06, 2017 6:08 PM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: FW: Tomorrow on WOTUS

Todd and Jonathan,

I am trying to process this language. I am trying to figure out the impact of this language: "Except as otherwise provided by any Act or rule that takes effect after the date of enactment of this Act."

This *seems* to be saying that the EPA could still issue a rule that does not implement the old guidance so long as such rule goes into effect after the date of the appropriations bill. The problem is the language in (b) still likely gives a Congressional blessing to the old rules and guidance.

I think Congress is also trying to give legal cover for the interim stuff as well.

Thoughts?

Daren

Daren Bakst
Research Fellow in Agricultural Policy
Institute for Economic Freedom
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
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From: Bakst, Daren
Sent: Wednesday, December 6, 2017 11:22 AM
To: 'Todd F. Gaziano' <TGaziano@pacificlegal.org>
Cc: Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

This was in a "minibus" bill that passed the House. I am not saying that this bill will pass, but I think there is a good chance that the following language would be included in any omnibus bill:

See this recent article: https://www.washingtonpost.com/news/energy-environment/wp/2017/11/30/gop-crafts-spending-bill-provisions-aimed-at-speeding-repeal-of-water-protection-rule/?utm_term=.0ec68799f1a7

H.R. 3354: https://www.congress.gov/bill/115th-congress/house-bill/3354/text

SEC. 431.

(a) AUTHORIZATION.—The Administrator of the Environmental Protection Agency and the Secretary of the Army may withdraw the Waters of the United States rule without regard to any provision of statute or regulation that establishes a requirement for such withdrawal.

(b) EFFECT OF WITHDRAWAL.—Except as otherwise provided by any Act or rule that takes effect after the date of enactment of this Act, if the Administrator of the Environmental Protection Agency and the Secretary of the Army withdraw the Waters of the United States rule under subsection (a), the Administrator and Secretary shall implement the provisions of law under which such rule was issued in accordance with the regulations and guidance in effect under such provisions immediately before the effective date of such rule.

(c) DEFINITIONS.—In this section the term "Waters of the United States rule" means the final rule issued by the Administrator of the Environmental Protection Agency and the Secretary of the Army entitled "Clean Water Rule: Definition of 'Waters of the United States'" on June 29, 2015 (80 Fed. Reg. 37053).

From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Wednesday, December 6, 2017 11:16 AM

To: Bakst, Daren <Daren.Bakst@heritage.org>
Cc: Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

Sorry for my delay in responding to this, but I may try to talk to you for a couple of minutes when I arrive if you can't respond by email to my question, but I was unaware of the legislation that exempts this rulemaking change from APA requirements. I'd like to know more about that.

Todd F. Gaziano | Senior Fellow in Constitutional Law
Executive Director of the DC Center
Pacific Legal Foundation
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From: Bakst, Daren [mailto:Daren.Bakst@heritage.org]
Sent: Tuesday, December 5, 2017 2:55 PM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Cc: Gordon, Robert <Robert.Gordon@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

Todd,

I don't have an answer to your question about groups like AFBF, but I highly doubt that such groups will be there. I would also just assume that our audience are folks who have some knowledge of WOTUS, but not at the level of those groups.

What if I provide a 5-6 minute update that would:
- Explain the latest developments
- Lay out the principles and substance of what a definition of WOTUS should look like

I'd like to get buy-in on the need to limit waters to traditional navigable waters (TNRs), tributaries to TNRs, and wetlands of TNRs. Basically, my presentation would cover the attached comment.

Then, as a suggestion, you could discuss:

- Concerns regarding the process (e.g. need for the agencies to look beyond Rapanos for support (I will mention Riverside and SWANCC in my brief discussion regarding defining tributaries; issue regarding getting better support for getting rid of the rule itself; please be aware that Congress has appropriations language that would allow the agencies to withdraw the rule without having to worry about the APA. I can provide more info on this if you need it)
- Enforcement changes (my suggested ideas include the Corps and EPA identifying how they could develop an MOU to allow property owners to secure JDs within 60 days or so, directing that certain enforcement actions cease until after review by HQs, and set new priorities)

I am still thinking through what I think of the EPA and Corps proposing (and seeking comment) on extending the applicability date of the Clean Water Rule (it seems odd to seek to repeal the rule and extend its applicability date; I think it is just another way to make sure that it doesn't go into effect):

The Environmental Protection Agency and the Department of the Army ("the agencies") are proposing to add an applicability date to the "Clean Water Rule: Definition of `Waters of the United States'" (the "2015 Rule") to two years from the date of final action on this proposal. On October 9, 2015, the Sixth Circuit stayed the 2015 Rule nationwide pending further action of the court, but the Supreme Court is currently reviewing the question of whether the court of appeals has original jurisdiction to review challenges to the 2015 Rule. On February 28, 2017, the President signed an Executive Order, "Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the `Waters of the United States' Rule." With this proposed rule, the agencies intend to maintain the *status quo* by proposing to add an applicability date to the 2015 Rule and thus provide continuity and regulatory certainty for regulated entities, the States and Tribes, agency staff, and the public while the agencies continue to work to consider possible revisions to the 2015 Rule. See https://www.regulations.gov/document?D=EPA-HQ-OW-2017-0644-0001

Best,

Daren

Daren Bakst
Research Fellow in Agricultural Policy
Institute for Economic Freedom
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
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From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Tuesday, December 5, 2017 1:56 PM
To: Bakst, Daren <Daren.Bakst@heritage.org>
Cc: Gordon, Robert <Robert.Gordon@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

I was on a series of calls, and may have another …

We can condense our discussion. My main question on who will be there is whether there will be anyone else with extensive WOTUS experience, like AFBF, the mining association, home builders?

As far as the substance of our discussion:

- I especially agree we should discuss, and try to raise with Pruitt, concerns about the rulemaking process. For example, we should suggest that he bolster his position for change if EPA cites legal concerns with the WOTUS rule.
- I don't object to most of the discussion about what should go in the new rule, but some of that may be in the weeds for folks who aren't into it and possibly Pruitt.
- We might also discuss what more can/should be done to reign in bureaucrats who are acting as if nothing has changed. I want to suggest that EPA/Corps might come up with

some enforcement policy priorities that state what violations are priorities and what are not, which might help get bureaucrats to change behavior during the rulemaking process.

From: Bakst, Daren [mailto:Daren.Bakst@heritage.org]
Sent: Tuesday, December 05, 2017 11:47 AM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Cc: Gordon, Robert <Robert.Gordon@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

Todd,

Rob and I just chatted; he is out of the office.

Even though we are allotted 30 minutes, we should expect about 15 minutes, with you and I presenting for about 10 minutes.

Our audience is going to be our friends, e.g. CEI, Capital Research Center, Heartland, etc. There will be about 30-40 people.

I thought we could discuss:

- The latest developments and process to develop a new definition (the two-step process and the recent and current comment period)
- Our ideas on what a new definition should look like, highlighting key principles such as CWA expressly envisions a significant state role, having clear and objective definitions, and then going through what waters we think should constitute "waters of the U.S." in any new rule.

It seems our goal should be to get buy-in from the group on the substance of any new definition.

Also, if we have time, we might want to propose some ideas on how the EPA and Corps could improve the enforcement of the CWA during this interim period before a new rule goes into effect. For example, could the EPA and Corps direct that certain actions, even if currently in litigation, being reviewed by the central offices?

Best,

Daren

My plan, based on what you said, is to provide an update on what is happening, the issues that exist regarding defining "waters of the U.S.", and what we have argued the definition should look like. My goal is to get buy-in on our general principles and definition.

There is one issue that I am not sure if we should address but it is important:

Daren Bakst
Research Fellow in Agricultural Policy
Institute for Economic Freedom

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Washington, DC 20002
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From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Tuesday, December 5, 2017 11:24 AM
To: Bakst, Daren <Daren.Bakst@heritage.org>
Cc: Gordon, Robert <Robert.Gordon@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

Glad to try to come up with an agenda, but it would be helpful for me to know who else will be attending, in part to know who else is an expert or up to speed on WOTUS issues. Can you or Rob send me a list of attendees?

From: Bakst, Daren [mailto:Daren.Bakst@heritage.org]
Sent: Tuesday, December 05, 2017 10:40 AM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Subject: Tomorrow on WOTUS
Importance: High

Todd,

You and I will be discussing WOTUS tomorrow. It seems like it would be good if we could come up with a game plan on how to organize the presentation. I am around today if you can chat. It would be good if we could divide up what we would like to present.

Thanks,

Daren

Daren Bakst
Research Fellow in Agricultural Policy
Institute for Economic Freedom
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
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Message

From: Mike Thompson [mthompson@CRCPublicRelations.com]
Sent: 1/7/2018 7:33:53 PM
To: Bluey, Rob [rob.bluey@heritage.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
Subject: Re: January meeting

Actually, good point. We were scheduled for Tuesday. Does that need to move to tomorrow?

On Jan 7, 2018, at 14:15, Bluey, Rob <rob.bluey@heritage.org> wrote:

> I certainly don't mind. Just so I have this correct, you would like to meet at 12:45 p.m. tomorrow or 12:45 p.m. Tuesday?
>
> **Rob Bluey**
> *Vice President, Communications, and Editor-in-Chief, The Daily Signal*
> The Heritage Foundation
> 214 Massachusetts Avenue, NE
> Washington, DC 20002
> Ex. 6
> heritage.org
>
> **From:** Elizabeth Bennett <Bennett.Tate@epa.gov>
> **Date:** Sunday, January 7, 2018 at 2:08 PM
> **To:** Mike Thompson <mthompson@CRCPublicRelations.com>
> **Cc:** Rob Bluey <rob.bluey@heritage.org>, Liz Bowman <Bowman.Liz@epa.gov>
> **Subject:** Re: January meeting
>
> Apologies. Blame Pruitt! :)
>
> On Jan 7, 2018, at 1:42 PM, Mike Thompson <mthompson@CRCPublicRelations.com> wrote:
>
> > I van. Not sure about the room.
> >
> > Rob - as soon as you know, we need to let everyone else know.
> >
> > On Jan 7, 2018, at 12:54 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
> >
> > > Hey guys- any chance we can push to 12:45 even on Monday? Liz and I both now have to staff a meeting with the Admin at 11:45 that day which will wrap by 12:30 at the very latest. Sorry to be a pain here.
> > >
> > > Also, I have to stay at EPA for a subsequent meeting but we will likely have another attendee with Liz attending.
> > >
> > > Also, do you have a list of topics you'd like to discuss as well?
> > >
> > > On Dec 21, 2017, at 5:06 PM, Bluey, Rob <rob.bluey@heritage.org> wrote:

Could you meet at Heritage on Tuesday, Jan. 9, at noon or 12:30? It would be nice to lock in a set time for each month—maybe the second Tuesday. Please let me know.

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
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Message

From: Forsgren, Lee [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A055D7329D5B470FBAA9920CE1B68A7D-FORSGREN, D]
Sent: 1/3/2018 4:24:02 PM
To: Todd F. Gaziano [TGaziano@pacificlegal.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Bakst, Daren [Daren.Bakst@heritage.org]
Subject: RE: 2-page analysis of WOTUS provision in FY2018 Omnibus bill

Todd,

Will take a look. Thanks for the input.

Lee

From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Wednesday, January 3, 2018 10:59 AM
To: Forsgren, Lee <Forsgren.Lee@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Bakst, Daren <Daren.Bakst@heritage.org>
Subject: 2-page analysis of WOTUS provision in FY2018 Omnibus bill

Lee,

Thanks again for taking the time to speak with Daren (from Heritage) and me shortly before the end of the last congressional session. It was very good of you to do so given how busy you must be in general, but especially on Dec. 20. We were unsure then whether the WOTUS language we were concerned about would be included in stop-gap spending bill for that week, but as you probably confirmed, it was not on that bill. However, it likely will be in the Omnibus bill slated for enactment before Jan. 19. We want to try to influence this provision as soon as we possibly can, especially since it may take time to properly elevate the issue to the right people.

Attached please find a two-page analysis that my colleagues at PLF drafted, with helpful input from Daren. We know the executive branch did not ask for the rider in question. And while subsection (a) may not be necessary, like you all, we think it could be helpful. Thus, there is no reason to oppose subsection (a), whether you asked for it or not. As a reminder, **our only concern is with the unintended impact on subsection (b)**. EPA/Corps appointees may not agree (or not agree as strongly) that the pre-2015 rules and guidelines that are essentially ratified and statutorily approved by subsection (b) are quite as bad as we do, but we think you should agree that congressional endorsement of them will complicate your job of writing a new rule and make it much harder to get what we think Administrator Pruitt wants through the courts.

My colleague who argued and won the *Rapanos* case, Reed Hopper, was involved in drafting the attached analysis before his unexpected death on Christmas Day. Our litigation director, James Burling, and our other Clean Water Act experts stand behind the attached too. After you review it, we ask you to forward it to other relevant folks. **We'd be eager to hear your and their reaction to our analysis, including in another call with whomever you think should be present.**

We are circulating the analysis to folks on the Hill as well, but we still think that EPA may need to be the one to forcefully push for change. One option is to cut out subsection (b) entirely since it is not necessary for the purpose we think it was intended to serve. At the end of the analysis, however, we have alternative language to accomplish that same purpose but not do any harm.

Todd

Todd F. Gaziano | Senior Fellow in Constitutional Law
Executive Director of the DC Center
Pacific Legal Foundation
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(c)

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From: Forsgren, Lee [mailto:Forsgren.Lee@epa.gov]
Sent: Wednesday, December 20, 2017 1:27 PM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Jonathan Wood <JWood@pacificlegal.org>; Bakst, Daren <Daren.Bakst@heritage.org>
Subject: RE: Tate/Lee: phone Mtg. request re: Sec. 431 on WOTUS rule in Minibus/cromnibus

Since I am going to be stepping out of a meeting why don't we set up a conference line. We can use my line. I will send a meeting request ASAP.

Lee

From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Wednesday, December 20, 2017 12:54 PM
To: Forsgren, Lee <Forsgren.Lee@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Jonathan Wood <JWood@pacificlegal.org>; Bakst, Daren <Daren.Bakst@heritage.org>
Subject: RE: Tate/Lee: phone Mtg. request re: Sec. 431 on WOTUS rule in Minibus/cromnibus

Lee: Thanks for making yourself available at any time. I would be happy to talk for a few minutes at 6:00. I'll confirm with Jonathan and Daren whether they are free as well. Is there a # we should try to reach you? If not, I can send you a conference code to reach us.

Todd

From: Forsgren, Lee [mailto:Forsgren.Lee@epa.gov]
Sent: Wednesday, December 20, 2017 11:30 AM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Jonathan Wood <JWood@pacificlegal.org>; Bakst, Daren <Daren.Bakst@heritage.org>
Subject: Re: Tate/Lee: phone Mtg. request re: Sec. 431 on WOTUS rule in Minibus/cromnibus

I am swamped till late this evening. Maybe I dan talk at 6:00 pm for a few minutes.

Sent from my iPhone

On Dec 20, 2017, at 11:23 AM, Todd F. Gaziano <TGaziano@pacificlegal.org> wrote:

> Tate: Thanks much.

Lee: I'm tied up until almost noon or so. Can one or more of us talk to you any time after that today?

Todd F. Gaziano | Senior Fellow in Constitutional Law
Executive Director of the DC Center
Pacific Legal Foundation
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From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, December 20, 2017 10:44 AM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Cc: Jonathan Wood <JWood@pacificlegal.org>; Bakst, Daren <Daren.Bakst@heritage.org>; Forsgren, Lee <Forsgren.Lee@epa.gov>
Subject: RE: Tate: phone Mtg. request re: Sec. 431 on WOTUS rule in Minibus/cromnibus

Hi Todd-

We are not in a position to speak on behalf of the hill, but I can certainly connect you with Lee Forsgren in the Office of Water (cc'd). He's very familiar with the issue and different perspectives surrounding it.

You are always welcome to email me! Sorry for the delay.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Wednesday, December 20, 2017 10:12 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jonathan Wood <JWood@pacificlegal.org>; Bakst, Daren <Daren.Bakst@heritage.org>
Subject: Tate: phone Mtg. request re: Sec. 431 on WOTUS rule in Minibus/cromnibus

Tate,

I don't know if you saw my meeting request below, but at this point, a phone connection is probably best—unless you or someone else at EPA can confirm that subsection (b) it out of the bill.

I don't mean to bug you unreasonably, but this is a fair warning I will continue to try to reach you "reasonably" (and more frequently) until you tell me the provision is out, you connect me to someone who is working the issue, or you affirmatively tell me to go away.

Todd

Todd F. Gaziano | Senior Fellow in Constitutional Law
Executive Director of the DC Center
Pacific Legal Foundation
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From: Todd F. Gaziano
Sent: Friday, December 15, 2017 10:55 AM
To: 'Bennett, Tate' <Bennett.Tate@epa.gov>
Cc: Bakst, Daren <Daren.Bakst@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: Mtg. request re: Sec. 431 on WOTUS rule in Minibus

Tate:

Thanks for your action to date (and I've been confused with my brother Tom before, so I'm only amused by that).

We've discussed the provision more amongst ourselves, and with some other CWA experts. I am even more concerned about it the longer I study it, and I'm more convinced that subsection (b) can serve no good purpose anyway. As for its unintended harm, it would not just codify *one* bad guidance from one year. The provision, on its face, would codify all regulations (plural) and guidance (that would be interpreted as plural in that phrase) in existence in 2015. Thus, it would codify or insulate (at least temporarily) scores of bad and otherwise illegal guidance documents from decades of horrible administration, many of which we have been litigating against. EPA would likely need a "reasoned justification" to depart from any and all of them in the new rule. I think Daren agrees with me about the harm, even if he is a little less apocalyptic than I am.

Given our deep concern, we'd like to be introduced to and meet (or at least talk) with the appropriate folks in the Water Office who might be responsible for pushing back on the subsection or who might be saddled with it if it is not killed. Can you connect us and help arrange such a meeting?

Todd

Todd F. Gaziano | Senior Fellow in Constitutional Law
Executive Director of the DC Center
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From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, December 15, 2017 10:21 AM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Cc: Bakst, Daren <Daren.Bakst@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Sec. 431 on WOTUS rule in Minibus

Hi Tom-

Apologies for the delay. We understand your position on this section/1986 guidance and have passed this along to the Office of Water. We will let you know if we have any questions. It's

Don't be a stranger.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Thursday, December 7, 2017 8:54 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bakst, Daren <Daren.Bakst@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: Sec. 431 on WOTUS rule in Minibus

Tate,

It was great to meet you yesterday at the Heritage roundtable event. My colleagues and I at PLF may have many occasions to work with you and others at EPA.

As the below correspondence with Daren indicates, subsection 431(b) in the House minibus bill may not be quite as "disastrous" as I first thought in locking in 2015 regs and guidance, but it would tie EPA's hands in some clear and harmful ways until a final rule is issued, and it may still complicate the eventual replacement of the WOTUS rule under the APA. It needs to be modified or dropped to have the effect that I think was intended, but I at least see some method to the legislative madness.

Please let us know if we can provide any further help or advice on this matter.

Todd

Todd F. Gaziano | Senior Fellow in Constitutional Law
Executive Director of the DC Center
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From: Todd F. Gaziano
Sent: Wednesday, December 06, 2017 6:20 PM
To: 'Bakst, Daren' <Daren.Bakst@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

Two issues:

1. At a minimum, it says that EPA MUST follow Rapanos Guidance (not Scalia) until it issues a final rule, or at least an interim final rule. How long will that take?
2. It still is ambiguous enough that it might complicate replacing the Rapanos Guidance. For example, it might allow EPA to replace the now mandated Rapanos Guicance, but as to that, it would have to give sufficient reasons under the APA, since section (a) do not apply to the new rule, only the withdraw of WOTUS.

Regardless of how bad it is, it should go.

From: Bakst, Daren [mailto:Daren.Bakst@heritage.org]
Sent: Wednesday, December 06, 2017 6:08 PM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: FW: Tomorrow on WOTUS

Todd and Jonathan,

I am trying to process this language. I am trying to figure out the impact of this language: "Except as otherwise provided by any Act or rule that takes effect after the date of enactment of this Act."

This *seems* to be saying that the EPA could still issue a rule that does not implement the old guidance so long as such rule goes into effect after the date of the appropriations bill. The problem is the language in (b) still likely gives a Congressional blessing to the old rules and guidance.

I think Congress is also trying to give legal cover for the interim stuff as well.

Thoughts?

Daren

Daren Bakst
Research Fellow in Agricultural Policy
Institute for Economic Freedom
The Heritage Foundation
214 Massachusetts Avenue, NE

Washington, DC 20002
Ex. 6
heritage.org

From: Bakst, Daren
Sent: Wednesday, December 6, 2017 11:22 AM
To: 'Todd F. Gaziano' <TGaziano@pacificlegal.org>
Cc: Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

This was in a "minibus" bill that passed the House. I am not saying that this bill will pass, but I think there is a good chance that the following language would be included in any omnibus bill:

See this recent article: https://www.washingtonpost.com/news/energy-environment/wp/2017/11/30/gop-crafts-spending-bill-provisions-aimed-at-speeding-repeal-of-water-protection-rule/?utm_term=.0ec68799f1a7

H.R. 3354: https://www.congress.gov/bill/115th-congress/house-bill/3354/text

SEC. 431.

(a) AUTHORIZATION.—The Administrator of the Environmental Protection Agency and the Secretary of the Army may withdraw the Waters of the United States rule without regard to any provision of statute or regulation that establishes a requirement for such withdrawal.

(b) EFFECT OF WITHDRAWAL.—Except as otherwise provided by any Act or rule that takes effect after the date of enactment of this Act, if the Administrator of the Environmental Protection Agency and the Secretary of the Army withdraw the Waters of the United States rule under subsection (a), the Administrator and Secretary shall implement the provisions of law under which such rule was issued in accordance with the regulations and guidance in effect under such provisions immediately before the effective date of such rule.

(c) DEFINITIONS.—In this section the term "Waters of the United States rule" means the final rule issued by the Administrator of the Environmental Protection Agency and the Secretary of the Army entitled "Clean Water Rule: Definition of 'Waters of the United States'" on June 29, 2015 (80 Fed. Reg. 37053).

From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Wednesday, December 6, 2017 11:16 AM
To: Bakst, Daren <Daren.Bakst@heritage.org>
Cc: Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

Sorry for my delay in responding to this, but I may try to talk to you for a couple of minutes when I arrive if you can't respond by email to my question, but I was unaware of the legislation that exempts this rulemaking change from APA requirements. I'd like to know more about that.

Todd F. Gaziano | Senior Fellow in Constitutional Law
Executive Director of the DC Center
Pacific Legal Foundation

Ex. 6 (o) (c)

PACIFIC LEGAL FOUNDATION
Defending Liberty and Justice for All.

From: Bakst, Daren [mailto:Daren.Bakst@heritage.org]
Sent: Tuesday, December 5, 2017 2:55 PM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Cc: Gordon, Robert <Robert.Gordon@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

Todd,

I don't have an answer to your question about groups like AFBF, but I highly doubt that such groups will be there. I would also just assume that our audience are folks who have some knowledge of WOTUS, but not at the level of those groups.

What if I provide a 5-6 minute update that would:
- Explain the latest developments
- Lay out the principles and substance of what a definition of WOTUS should look like

I'd like to get buy-in on the need to limit waters to traditional navigable waters (TNRs), tributaries to TNRs, and wetlands of TNRs. Basically, my presentation would cover the attached comment.

Then, as a suggestion, you could discuss:

- Concerns regarding the process (e.g. need for the agencies to look beyond Rapanos for support (I will mention Riverside and SWANCC in my brief discussion regarding defining tributaries; issue regarding getting better support for getting rid of the rule itself; please be aware that Congress has appropriations language that would allow the agencies to withdraw the rule without having to worry about the APA. I can provide more info on this if you need it)
- Enforcement changes (my suggested ideas include the Corps and EPA identifying how they could develop an MOU to allow property owners to secure JDs within 60 days or so, directing that certain enforcement actions cease until after review by HQs, and set new priorities)

I am still thinking through what I think of the EPA and Corps proposing (and seeking comment) on extending the applicability date of the Clean Water Rule (it seems odd to seek to repeal the rule and extend its applicability date; I think it is just another way to make sure that it doesn't go into effect):

The Environmental Protection Agency and the Department of the Army ("the agencies") are proposing to add an applicability date to the "Clean Water Rule: Definition of `Waters of the United States'" (the "2015 Rule") to two years from the date of final action on this proposal. On October 9, 2015, the Sixth Circuit stayed the 2015 Rule nationwide pending further action of the court, but the Supreme Court is currently reviewing the question of whether the court of appeals has original jurisdiction to review challenges to the 2015 Rule. On February 28, 2017, the President signed an Executive Order, "Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the `Waters of the United States' Rule." With this proposed rule, the agencies intend to maintain the *status quo* by proposing to add an applicability date to the 2015 Rule and thus provide continuity and

regulatory certainty for regulated entities, the States and Tribes, agency staff, and the public while the agencies continue to work to consider possible revisions to the 2015 Rule. See https://www.regulations.gov/document?D=EPA-HQ-OW-2017-0644-0001

Best,

Daren

Daren Bakst
Research Fellow in Agricultural Policy
Institute for Economic Freedom
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Tuesday, December 5, 2017 1:56 PM
To: Bakst, Daren <Daren.Bakst@heritage.org>
Cc: Gordon, Robert <Robert.Gordon@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

I was on a series of calls, and may have another …

We can condense our discussion. My main question on who will be there is whether there will be anyone else with extensive WOTUS experience, like AFBF, the mining association, home builders?

As far as the substance of our discussion:

- I especially agree we should discuss, and try to raise with Pruitt, concerns about the rulemaking process. For example, we should suggest that he bolster his position for change if EPA cites legal concerns with the WOTUS rule.
- I don't object to most of the discussion about what should go in the new rule, but some of that may be in the weeds for folks who aren't into it and possibly Pruitt.
- We might also discuss what more can/should be done to reign in bureaucrats who are acting as if nothing has changed. I want to suggest that EPA/Corps might come up with some enforcement policy priorities that state what violations are priorities and what are not, which might help get bureaucrats to change behavior during the rulemaking process.

From: Bakst, Daren [mailto:Daren.Bakst@heritage.org]
Sent: Tuesday, December 05, 2017 11:47 AM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Cc: Gordon, Robert <Robert.Gordon@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

Todd,

Rob and I just chatted; he is out of the office.

Even though we are allotted 30 minutes, we should expect about 15 minutes, with you and I presenting for about 10 minutes.

Our audience is going to be our friends, e.g. CEI, Capital Research Center, Heartland, etc. There will be about 30-40 people.

I thought we could discuss:

- The latest developments and process to develop a new definition (the two-step process and the recent and current comment period)
- Our ideas on what a new definition should look like, highlighting key principles such as CWA expressly envisions a significant state role, having clear and objective definitions, and then going through what waters we think should constitute "waters of the U.S." in any new rule.

It seems our goal should be to get buy-in from the group on the substance of any new definition.

Also, if we have time, we might want to propose some ideas on how the EPA and Corps could improve the enforcement of the CWA during this interim period before a new rule goes into effect. For example, could the EPA and Corps direct that certain actions, even if currently in litigation, being reviewed by the central offices?

Best,

Daren

My plan, based on what you said, is to provide an update on what is happening, the issues that exist regarding defining "waters of the U.S.", and what we have argued the definition should look like. My goal is to get buy-in on our general principles and definition.

There is one issue that I am not sure if we should address but it is important:

Daren Bakst
Research Fellow in Agricultural Policy
Institute for Economic Freedom
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214 Massachusetts Avenue, NE
Washington, DC 20002
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From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Tuesday, December 5, 2017 11:24 AM
To: Bakst, Daren <Daren.Bakst@heritage.org>
Cc: Gordon, Robert <Robert.Gordon@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

Glad to try to come up with an agenda, but it would be helpful for me to know who else will be attending, in part to know who else is an expert or up to speed on WOTUS issues. Can you or Rob send me a list of attendees?

From: Bakst, Daren [mailto:Daren.Bakst@heritage.org]
Sent: Tuesday, December 05, 2017 10:40 AM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Subject: Tomorrow on WOTUS
Importance: High

Todd,

You and I will be discussing WOTUS tomorrow. It seems like it would be good if we could come up with a game plan on how to organize the presentation. I am around today if you can chat. It would be good if we could divide up what we would like to present.

Thanks,

Daren

Daren Bakst
Research Fellow in Agricultural Policy
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The Heritage Foundation
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Washington, DC 20002
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Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 1/10/2018 11:08:17 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Woods, Clint [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bc65010f5c2e48f4bc2aa050db50d198-Woods, Clin]; Harlow, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b5a9a34e31fc4fe6b2beaddda2affa44-Harlow, Dav]; Annie Dwyer [Annie.Dwyer@cei.org]
Subject: RE: List of upcoming deadlines

Dear Tate, Thanks for this and thanks to all of you for attending Cooler Heads on Monday. You and your colleagues are welcome at all our meetings. Our February meeting will be on Monday the 5th at 12 noon at CEI. I will send this to the entire Cooler Heads list, which is several hundred people. Yours, Myron.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct: Ex. 6
Tel mobile
E-mail: Myron.Ebell@cei.org
Stop continental drift!

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, January 10, 2018 3:03 PM
To: Myron Ebell <Myron.Ebell@cei.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Woods, Clint <woods.clint@epa.gov>; Harlow, David <harlow.david@epa.gov>; Annie Dwyer <Annie.Dwyer@cei.org>
Subject: List of upcoming deadlines

Hi Myron-

Thanks for inviting us to come visit the group earlier this week. Below is 1) a list of upcoming comment period deadlines that may be of interest and a link to where you can search for more online 2) a few bullets that may come in handy for STOU-style addresses that your groups might be working on and may wish to include 2017 EPA accomplishments.

Do you mind distributing to the group?

Let me know if we can provide additional information.

Tate

Full Title	Comment Period Deadline
Proposed- Mercury; Reporting Requirements for Toxic Substances Control Act Mercury Inventory	01/11/2018

Full Title	Comment Period Deadline
Proposed- Repeal of Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units	01/16/2018
Proposed- Protection of Stratospheric Ozone: Revision to References for Refrigeration and Air Conditioning Sector to Incorporate Latest Edition of Certain Industry, Consensus-based Standards	01/25/2018
Proposed- Responses to Certain State Designation Recommendations for the 2015 Ozone National Ambient Air Quality Standards	02/05/2018
Proposed- Withdrawal of Certain Federal Water Quality Criteria Applicable to California: Lead, Chlorodibromomethane, and Dichlorobromomethane	02/09/2018
ANPRM- State Guidelines for Greenhouse Gas Emissions from Existing Electric Utility Generating Units	02/26/2018

https://www.regulations.gov/searchResults?rpp=25&so=ASC&sb=commentDueDate&po=0&cp=O&a=EPA&dct=PR

EPA Administrator Scott Pruitt and EPA 2017 Accomplishments

- **Withdrew from the Job-Killing Paris Climate Agreement:** Administrator Pruitt worked with President Trump to withdraw the United States from the Paris Agreement, until the COP agree to fair terms for America.

- **Stopped Backdoor Sue & Settle:** EPA ended the practice of settling lawsuits with activist groups pushing their agenda behind closed doors. Effectively ending the days of 'regulation through litigation,' EPA will handle pending litigation in an open, transparent process that allows affected stakeholders to participate – and saves taxpayers millions of dollars in attorneys' fees and settlements – effectively taking away a source of taxpayers funding activist agendas. https://www.epa.gov/newsreleases/administrator-pruitt-issues-directive-end-epa-sue-settle

- **Ended the War on Coal and the "Clean Power Plan"**: Following issued a Notice of Proposed Rulemaking (NPRM).
    - EPA 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.
    - When Obama first took office there were 86,400 coal mining jobs; when he left office there were only 50,00, (a loss of nearly 4,550 a year). As of December 2017, there are now 50,500 jobs, the first net increase in years. (Source U.S. Bureau of Labor Statistics)

- **Stopped Conflict of Interests for EPA Advisory Committees:** Administrator Pruitt has reformed scientific advisory boards to ensure independence, geographic diversity, and integrity in EPA science. No member of EPA's federal advisory committees will be able to receive agency grants to better ensure independence. https://www.epa.gov/newsreleases/administrator-pruitt-issues-directive-ensure-independence-geographic-diversity
    - According to EPA calculations, in just the last three years, members of three of EPA's 22 FACs – the Science Advisory Board (SAB), Clean Air Scientific Advisory Committee (CASAC) and the Board of Scientific Counselors (BOSC) – received upwards of $77 million in direct EPA grant funding while concurrently serving on these committees.

- **Restored Cooperative Federalism**: Administrator Pruitt has visited nearly 30 states in his first year on the job meeting with stakeholders, governors and other elected officials, to ensure EPA is being responsive to local needs for our diverse country.
    - Since March 1, 2017, EPA has worked with states to approve 206 state air plans/state implementation plans (SIP's). EPA had a backlog of over 700 unapproved SIPs.

- **Redefining a 'Water of the U.S.':** EPA, Department of Army, and Army Corps of Engineers are moving forward with a two-step process to rescind the 2015 "Waters of the United States" rule and redefine it in a way that provides farmers and land owners the regulatory certainty they need, while also returning power back to states and localities. https://www.epa.gov/newsreleases/elected-leaders-praise-trump-administrations-move-rescind-wotus

- **Properly Implementing TSCA**: EPA has cleared a backlog of 700 new chemicals waiting permits for sale. By July, EPA had eliminated the backlog assessing new chemical risk within 90 days – allowing manufacturers to innovate and create jobs. https://www.epa.gov/newsreleases/epa-eliminates-new-chemical-backlog-announces-improvements-new-chemical-safety-reviews

- **Cleaning Up the Superfund Mess:** Of the 1,345 sites on EPA's National Priority list, EPA has eliminated in whole or substantial part 7 since March. In 2016, EPA eliminated only 1.
    - EPA is on track to close in whole or in part 27 more in 2018.
    - EPA is on track to issue clean up decisions (RODs) on 14 of over $50 million in clean up this year.

- **Draining the Swamp:** EPA staff is at the lowest levels since the Reagan presidency, as on boarded employees are now about 14,100.

Message

From: Todd F. Gaziano [TGaziano@pacificlegal.org]
Sent: 1/3/2018 3:58:39 PM
To: Forsgren, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a055d7329d5b470fbaa9920ce1b68a7d-Forsgren, D]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Bakst, Daren [Daren.Bakst@heritage.org]
Subject: 2-page analysis of WOTUS provision in FY2018 Omnibus bill
Attachments: Unintended Impact of WOTUS Provision in FY2018 Omninbus Bill final.docx

Lee,

Thanks again for taking the time to speak with Daren (from Heritage) and me shortly before the end of the last congressional session. It was very good of you to do so given how busy you must be in general, but especially on Dec. 20. We were unsure then whether the WOTUS language we were concerned about would be included in stop-gap spending bill for that week, but as you probably confirmed, it was not on that bill. However, it likely will be in the Omnibus bill slated for enactment before Jan. 19. We want to try to influence this provision as soon as we possibly can, especially since it may take time to properly elevate the issue to the right people.

Attached please find a two-page analysis that my colleagues at PLF drafted, with helpful input from Daren. We know the executive branch did not ask for the rider in question. And while subsection (a) may not be necessary, like you all, we think it could be helpful. Thus, there is no reason to oppose subsection (a), whether you asked for it or not. As a reminder, **our only concern is with the unintended impact on subsection (b)**. EPA/Corps appointees may not agree (or not agree as strongly) that the pre-2015 rules and guidelines that are essentially ratified and statutorily approved by subsection (b) are quite as bad as we do, but we think you should agree that congressional endorsement of them will complicate your job of writing a new rule and make it much harder to get what we think Administrator Pruitt wants through the courts.

My colleague who argued and won the *Rapanos* case, Reed Hopper, was involved in drafting the attached analysis before his unexpected death on Christmas Day. Our litigation director, James Burling, and our other Clean Water Act experts stand behind the attached too. After you review it, we ask you to forward it to other relevant folks. **We'd be eager to hear your and their reaction to our analysis, including in another call with whomever you think should be present.**

We are circulating the analysis to folks on the Hill as well, but we still think that EPA may need to be the one to forcefully push for change. One option is to cut out subsection (b) entirely since it is not necessary for the purpose we think it was intended to serve. At the end of the analysis, however, we have alternative language to accomplish that same purpose but not do any harm.

Todd

Todd F. Gaziano | Senior Fellow in Constitutional Law
Executive Director of the DC Center
Pacific Legal Foundation
Ex. 6 o)
c)



From: Forsgren, Lee [mailto:Forsgren.Lee@epa.gov]
Sent: Wednesday, December 20, 2017 1:27 PM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Jonathan Wood <JWood@pacificlegal.org>; Bakst, Daren <Daren.Bakst@heritage.org>
Subject: RE: Tate/Lee: phone Mtg. request re: Sec. 431 on WOTUS rule in Minibus/cromnibus

Since I am going to be stepping out of a meeting why don't we set up a conference line. We can use my line. I will send a meeting request ASAP.

Lee

From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Wednesday, December 20, 2017 12:54 PM
To: Forsgren, Lee <Forsgren.Lee@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Jonathan Wood <JWood@pacificlegal.org>; Bakst, Daren <Daren.Bakst@heritage.org>
Subject: RE: Tate/Lee: phone Mtg. request re: Sec. 431 on WOTUS rule in Minibus/cromnibus

Lee: Thanks for making yourself available at any time. I would be happy to talk for a few minutes at 6:00. I'll confirm with Jonathan and Daren whether they are free as well. Is there a # we should try to reach you? If not, I can send you a conference code to reach us.

Todd

From: Forsgren, Lee [mailto:Forsgren.Lee@epa.gov]
Sent: Wednesday, December 20, 2017 11:30 AM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Jonathan Wood <JWood@pacificlegal.org>; Bakst, Daren <Daren.Bakst@heritage.org>
Subject: Re: Tate/Lee: phone Mtg. request re: Sec. 431 on WOTUS rule in Minibus/cromnibus

I am swamped till late this evening. Maybe I dan talk at 6:00 pm for a few minutes.

Sent from my iPhone

On Dec 20, 2017, at 11:23 AM, Todd F. Gaziano <TGaziano@pacificlegal.org> wrote:

> Tate: Thanks much.
>
> Lee: I'm tied up until almost noon or so. Can one or more of us talk to you any time after that today?
>
> **Todd F. Gaziano** | Senior Fellow in Constitutional Law
> Executive Director of the DC Center
> Pacific Legal Foundation
> Ex. 6 (o)
> (c)



From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, December 20, 2017 10:44 AM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Cc: Jonathan Wood <JWood@pacificlegal.org>; Bakst, Daren <Daren.Bakst@heritage.org>; Forsgren, Lee <Forsgren.Lee@epa.gov>
Subject: RE: Tate: phone Mtg. request re: Sec. 431 on WOTUS rule in Minibus/cromnibus

Hi Todd-

We are not in a position to speak on behalf of the hill, but I can certainly connect you with Lee Forsgren in the Office of Water (cc'd). He's very familiar with the issue and different perspectives surrounding it.

You are always welcome to email me! Sorry for the delay.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Wednesday, December 20, 2017 10:12 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jonathan Wood <JWood@pacificlegal.org>; Bakst, Daren <Daren.Bakst@heritage.org>
Subject: Tate: phone Mtg. request re: Sec. 431 on WOTUS rule in Minibus/cromnibus

Tate,

I don't know if you saw my meeting request below, but at this point, a phone connection is probably best—unless you or someone else at EPA can confirm that subsection (b) it out of the bill.

I don't mean to bug you unreasonably, but this is a fair warning I will continue to try to reach you "reasonably" (and more frequently) until you tell me the provision is out, you connect me to someone who is working the issue, or you affirmatively tell me to go away.

Todd

Todd F. Gaziano | Senior Fellow in Constitutional Law

Executive Director of the DC Center
Pacific Legal Foundation
Ex. 6 (o)
(c)



From: Todd F. Gaziano
Sent: Friday, December 15, 2017 10:55 AM
To: 'Bennett, Tate' <Bennett.Tate@epa.gov>
Cc: Bakst, Daren <Daren.Bakst@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: Mtg. request re: Sec. 431 on WOTUS rule in Minibus

Tate:

Thanks for your action to date (and I've been confused with my brother Tom before, so I'm only amused by that).

We've discussed the provision more amongst ourselves, and with some other CWA experts. I am even more concerned about it the longer I study it, and I'm more convinced that subsection (b) can serve no good purpose anyway. As for its unintended harm, it would not just codify *one* bad guidance from one year. The provision, on its face, would codify all regulations (plural) and guidance (that would be interpreted as plural in that phrase) in existence in 2015. Thus, it would codify or insulate (at least temporarily) scores of bad and otherwise illegal guidance documents from decades of horrible administration, many of which we have been litigating against. EPA would likely need a "reasoned justification" to depart from any and all of them in the new rule. I think Daren agrees with me about the harm, even if he is a little less apocalyptic than I am.

Given our deep concern, we'd like to be introduced to and meet (or at least talk) with the appropriate folks in the Water Office who might be responsible for pushing back on the subsection or who might be saddled with it if it is not killed. Can you connect us and help arrange such a meeting?

Todd

Todd F. Gaziano | Senior Fellow in Constitutional Law
Executive Director of the DC Center
Pacific Legal Foundation
Ex. 6 (o)
(c)



From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, December 15, 2017 10:21 AM

To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Cc: Bakst, Daren <Daren.Bakst@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Sec. 431 on WOTUS rule in Minibus

Hi Tom-

Apologies for the delay. We understand your position on this section/1986 guidance and have passed this along to the Office of Water. We will let you know if we have any questions. It's

Don't be a stranger.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Thursday, December 7, 2017 8:54 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bakst, Daren <Daren.Bakst@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: Sec. 431 on WOTUS rule in Minibus

Tate,

It was great to meet you yesterday at the Heritage roundtable event. My colleagues and I at PLF may have many occasions to work with you and others at EPA.

As the below correspondence with Daren indicates, subsection 431(b) in the House minibus bill may not be quite as "disastrous" as I first thought in locking in 2015 regs and guidance, but it would tie EPA's hands in some clear and harmful ways until a final rule is issued, and it may still complicate the eventual replacement of the WOTUS rule under the APA. It needs to be modified or dropped to have the effect that I think was intended, but I at least see some method to the legislative madness.

Please let us know if we can provide any further help or advice on this matter.

Todd

Todd F. Gaziano | Senior Fellow in Constitutional Law
Executive Director of the DC Center
Pacific Legal Foundation
Ex. 6 (o)
(c)



From: Todd F. Gaziano
Sent: Wednesday, December 06, 2017 6:20 PM
To: 'Bakst, Daren' <Daren.Bakst@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

Two issues:

1. At a minimum, it says that EPA MUST follow Rapanos Guidance (not Scalia) until it issues a final rule, or at least an interim final rule. How long will that take?
2. It still is ambiguous enough that it might complicate replacing the Rapanos Guidance. For example, it might allow EPA to replace the now mandated Rapanos Guicance, but as to that, it would have to give sufficient reasons under the APA, since section (a) do not apply to the new rule, only the withdraw of WOTUS.

Regardless of how bad it is, it should go.

From: Bakst, Daren [mailto:Daren.Bakst@heritage.org]
Sent: Wednesday, December 06, 2017 6:08 PM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: FW: Tomorrow on WOTUS

Todd and Jonathan,

I am trying to process this language. I am trying to figure out the impact of this language: "Except as otherwise provided by any Act or rule that takes effect after the date of enactment of this Act."

This *seems* to be saying that the EPA could still issue a rule that does not implement the old guidance so long as such rule goes into effect after the date of the appropriations bill. The problem is the language in (b) still likely gives a Congressional blessing to the old rules and guidance.

I think Congress is also trying to give legal cover for the interim stuff as well.

Thoughts?

Daren

Daren Bakst
Research Fellow in Agricultural Policy
Institute for Economic Freedom
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

From: Bakst, Daren
Sent: Wednesday, December 6, 2017 11:22 AM

To: 'Todd F. Gaziano' <TGaziano@pacificlegal.org>
Cc: Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

This was in a "minibus" bill that passed the House. I am not saying that this bill will pass, but I think there is a good chance that the following language would be included in any omnibus bill:

See this recent article: https://www.washingtonpost.com/news/energy-environment/wp/2017/11/30/gop-crafts-spending-bill-provisions-aimed-at-speeding-repeal-of-water-protection-rule/?utm_term=.0ec68799f1a7

H.R. 3354: https://www.congress.gov/bill/115th-congress/house-bill/3354/text

SEC. 431.

(a) AUTHORIZATION.—The Administrator of the Environmental Protection Agency and the Secretary of the Army may withdraw the Waters of the United States rule without regard to any provision of statute or regulation that establishes a requirement for such withdrawal.

(b) EFFECT OF WITHDRAWAL.—Except as otherwise provided by any Act or rule that takes effect after the date of enactment of this Act, if the Administrator of the Environmental Protection Agency and the Secretary of the Army withdraw the Waters of the United States rule under subsection (a), the Administrator and Secretary shall implement the provisions of law under which such rule was issued in accordance with the regulations and guidance in effect under such provisions immediately before the effective date of such rule.

(c) DEFINITIONS.—In this section the term "Waters of the United States rule" means the final rule issued by the Administrator of the Environmental Protection Agency and the Secretary of the Army entitled "Clean Water Rule: Definition of 'Waters of the United States'" on June 29, 2015 (80 Fed. Reg. 37053).

From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Wednesday, December 6, 2017 11:16 AM
To: Bakst, Daren <Daren.Bakst@heritage.org>
Cc: Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

Sorry for my delay in responding to this, but I may try to talk to you for a couple of minutes when I arrive if you can't respond by email to my question, but I was unaware of the legislation that exempts this rulemaking change from APA requirements. I'd like to know more about that.

Todd F. Gaziano | Senior Fellow in Constitutional Law
Executive Director of the DC Center
Pacific Legal Foundation
Ex. 6 (o)
(c)



From: Bakst, Daren [mailto:Daren.Bakst@heritage.org]
Sent: Tuesday, December 5, 2017 2:55 PM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Cc: Gordon, Robert <Robert.Gordon@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

Todd,

I don't have an answer to your question about groups like AFBF, but I highly doubt that such groups will be there. I would also just assume that our audience are folks who have some knowledge of WOTUS, but not at the level of those groups.

What if I provide a 5-6 minute update that would:
- Explain the latest developments
- Lay out the principles and substance of what a definition of WOTUS should look like

I'd like to get buy-in on the need to limit waters to traditional navigable waters (TNRs), tributaries to TNRs, and wetlands of TNRs. Basically, my presentation would cover the attached comment.

Then, as a suggestion, you could discuss:

- Concerns regarding the process (e.g. need for the agencies to look beyond Rapanos for support (I will mention Riverside and SWANCC in my brief discussion regarding defining tributaries; issue regarding getting better support for getting rid of the rule itself; please be aware that Congress has appropriations language that would allow the agencies to withdraw the rule without having to worry about the APA. I can provide more info on this if you need it)
- Enforcement changes (my suggested ideas include the Corps and EPA identifying how they could develop an MOU to allow property owners to secure JDs within 60 days or so, directing that certain enforcement actions cease until after review by HQs, and set new priorities)

I am still thinking through what I think of the EPA and Corps proposing (and seeking comment) on extending the applicability date of the Clean Water Rule (it seems odd to seek to repeal the rule and extend its applicability date; I think it is just another way to make sure that it doesn't go into effect):

The Environmental Protection Agency and the Department of the Army ("the agencies") are proposing to add an applicability date to the "Clean Water Rule: Definition of `Waters of the United States'" (the "2015 Rule") to two years from the date of final action on this proposal. On October 9, 2015, the Sixth Circuit stayed the 2015 Rule nationwide pending further action of the court, but the Supreme Court is currently reviewing the question of whether the court of appeals has original jurisdiction to review challenges to the 2015 Rule. On February 28, 2017, the President signed an Executive Order, "Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the `Waters of the United States' Rule." With this proposed rule, the agencies intend to maintain the *status quo* by proposing to add an applicability date to the 2015 Rule and thus provide continuity and regulatory certainty for regulated entities, the States and Tribes, agency staff, and the public while the agencies continue to work to consider possible revisions to the 2015 Rule. See https://www.regulations.gov/document?D=EPA-HQ-OW-2017-0644-0001

Best,

Daren

Daren Bakst
Research Fellow in Agricultural Policy
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From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Tuesday, December 5, 2017 1:56 PM
To: Bakst, Daren <Daren.Bakst@heritage.org>
Cc: Gordon, Robert <Robert.Gordon@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

I was on a series of calls, and may have another …

We can condense our discussion. My main question on who will be there is whether there will be anyone else with extensive WOTUS experience, like AFBF, the mining association, home builders?

As far as the substance of our discussion:

- I especially agree we should discuss, and try to raise with Pruitt, concerns about the rulemaking process. For example, we should suggest that he bolster his position for change if EPA cites legal concerns with the WOTUS rule.
- I don't object to most of the discussion about what should go in the new rule, but some of that may be in the weeds for folks who aren't into it and possibly Pruitt.
- We might also discuss what more can/should be done to reign in bureaucrats who are acting as if nothing has changed. I want to suggest that EPA/Corps might come up with some enforcement policy priorities that state what violations are priorities and what are not, which might help get bureaucrats to change behavior during the rulemaking process.

From: Bakst, Daren [mailto:Daren.Bakst@heritage.org]
Sent: Tuesday, December 05, 2017 11:47 AM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Cc: Gordon, Robert <Robert.Gordon@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

Todd,

Rob and I just chatted; he is out of the office.

Even though we are allotted 30 minutes, we should expect about 15 minutes, with you and I presenting for about 10 minutes.

Our audience is going to be our friends, e.g. CEI, Capital Research Center, Heartland, etc. There will be about 30-40 people.

I thought we could discuss:

- The latest developments and process to develop a new definition (the two-step process and the recent and current comment period)
- Our ideas on what a new definition should look like, highlighting key principles such as CWA expressly envisions a significant state role, having clear and objective definitions, and then going through what waters we think should constitute "waters of the U.S." in any new rule.

It seems our goal should be to get buy-in from the group on the substance of any new definition.

Also, if we have time, we might want to propose some ideas on how the EPA and Corps could improve the enforcement of the CWA during this interim period before a new rule goes into effect. For example, could the EPA and Corps direct that certain actions, even if currently in litigation, being reviewed by the central offices?

Best,

Daren

My plan, based on what you said, is to provide an update on what is happening, the issues that exist regarding defining "waters of the U.S.", and what we have argued the definition should look like. My goal is to get buy-in on our general principles and definition.

There is one issue that I am not sure if we should address but it is important:

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From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Tuesday, December 5, 2017 11:24 AM
To: Bakst, Daren <Daren.Bakst@heritage.org>
Cc: Gordon, Robert <Robert.Gordon@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

Glad to try to come up with an agenda, but it would be helpful for me to know who else will be attending, in part to know who else is an expert or up to speed on WOTUS issues. Can you or Rob send me a list of attendees?

From: Bakst, Daren [mailto:Daren.Bakst@heritage.org]
Sent: Tuesday, December 05, 2017 10:40 AM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Subject: Tomorrow on WOTUS
Importance: High

Todd,

You and I will be discussing WOTUS tomorrow. It seems like it would be good if we could come up with a game plan on how to organize the presentation. I am around today if you can chat. It would be good if we could divide up what we would like to present.

Thanks,

Daren

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Research Fellow in Agricultural Policy
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Unintended Consequences of WOTUS Provision in FY2018 Ominbus Bill

Earlier funding bills HR 3266 and HR 3354 contained the following text:

> (a) AUTHORIZATION.—The Administrator of the Environmental Protection Agency and the Secretary of the Army may withdraw the Waters of the United States rule without regard to any provision of statute or regulation that establishes a requirement for such withdrawal.
>
> (b) EFFECT OF WITHDRAWAL.—Except as otherwise provided by any Act or rule that takes effect after the date of enactment of this Act, if the Administrator of the Environmental Protection Agency and the Secretary of the Army withdraw the Waters of the United States rule under subsection (a), the Administrator and Secretary shall implement the provisions of law under which such rule was issued in accordance with the regulations and guidance in effect under such provisions immediately before the effective date of such rule.
>
> (c) DEFINITIONS.—In this section the term "Waters of the United States rule" means the final rule issued by the Administrator of the Environmental Protection Agency and the Secretary of the Army entitled "Clean Water Rule: Definition of 'Waters of the United States'" on June 29, 2015 (80 Fed. Reg. 37053).

Subsection (a) protects the EPA/Corps from suit if they withdraw the 2015 WOTUS rule now stayed nationwide by court order. This is an important protection because some activists dispute the justification for withdrawing the rule, even though two courts have already concluded it is likely invalid on its face for several reasons: that the rule did not follow proper rule-making procedures, it exceeds the limits established by the *SWANCC* and *Rapanos* decisions, it is not supported by the scientific evidence, and it raises important federalism concerns by impinging on traditional state authority to control local land and water use.

Subsection (b), however, will result in severe, adverse, and unintended consequences:

1. Subsection (b) is intended to restore the status quo ante while EPA revises the 2015 WOTUS rule over the next two years as directed by executive order. But subsection (b) goes well beyond restoring the status quo ante; it would statutorily insulate prior, illegal rules during the interim period, and that could easily become permanent. Subsection (b) effectively amends the Clean Water Act by statutorily approving decades of overbroad agency definitions of "waters of the United States" adopted in prior rules and guidelines. Such a statutory approval of EPA/Corps' expansive jurisdictional assertions may be immune from judicial challenge except on constitutional grounds. Yet many pre-2015 rules and guidelines, which subsection (b) would endorse, have been challenged in court on multiple grounds, including inconsistency with the Clean Water Act itself and Supreme Court decisions. The unintended consequence is that subsection (b) would eliminate those grounds for challenging the prior rules and guidelines, thereby depriving the regulated public of an essential tool to protect itself against overzealous enforcement of the Act. This is an unnecessary, unprecedented, and drastic change to current law and to the law that existed prior to the WOTUS rule's issuance.

2. The prior rules and guidelines, which subsection (b) would codify, were nearly as broad as the 2015 WOTUS rule itself. The agencies acknowledged in 2015 that the WOTUS rule was issued to

clarify the agencies' own open-ended interpretations of *SWANCC* and *Rapanos* and their own prior rules and guidelines, not the court decisions in the first instance. The 2015 WOTUS rule was a small step from the prior rules and guidelines, that themselves authorized federal regulation of virtually all waters and much of the land in the nation. EPA Administrator McCarthy had that in mind when she said the WOTUS rule did not significantly expand the agency's previous assertion of authority.

3. Congressionally "approved" rules and guidelines are not only harmful in the next two years, they could also severely hamstring the next rule's issuance and its subsequent court review. Subsection (b) expressly *allows* the agencies to replace the pre-2015 regulations and guidance with a new rule, but it does not insulate the new rule from normal APA challenges. Some activists will argue and some courts will likely agree that it is harder to justify departing from regulations and guidance which Congress expressly approved in law than those the agency could otherwise say were too broad or legally questionable. Subsection (b) makes it a whole lot harder to depart from pre-2015 rules and guidance and survive judicial review. In short, a contraction of federal jurisdiction from the WOTUS rule will be challenged as too narrow and inconsistent with congressional intent. Unfortunately, the adoption of subsection (b) will give credence to that argument. It will be hard for the EPA to defend a definition of WOTUS that is narrower than the prior rules and guidelines if Congress has already endorsed that expansive interpretation as proper.

4. If the new rule is stayed or disapproved, for whatever reason, the default would be the statutorily approved pre-2015 rules and guidance in subsection (b), perhaps for decades or longer.

5. The statutorily approved pre-2015 rules and guidance would be the floor from which a future administration could issue a rule even worse than WOTUS. The WOTUS rule is now stayed in part because it is inconsistent with the Clean Water Act, but it would be much harder to challenge the reissuance of the same rule or one that goes further on statutory grounds if it was based on pre-2015 rules and guidance that Congress approved in subsection (b) above.

6. Subsection (b) is entirely unnecessary, since the withdrawal of the 2015 WOTUS rule (with or without section (a) above) would not alter the prior rules and guidance documents. Moreover, the agencies already explained in the notice proposing the withdrawal of the 2015 WOTUS rule that the older rules and guidance would be used during any interim period to guide their continued enforcement of the Clean Water Act. But if Congress still wants to ensure that the pre-2015 rules and guidance continue with whatever force they had immediately before the 2015 WOTUS rule was issued, but without approving them in law, it should borrow a phrase from the Congressional Review Act that applies when a rule goes into effect and is disapproved by Congress. Applying that CRA language in italics to this situation could be done as follows: "If EPA/Corps withdraws the 2015 WOTUS rule, it *shall be treated as though such rule had never taken effect*."

For further discussion please contact:

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Tony Francois
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Sacramento, CA Office
916.419.7111

Todd F. Gaziano
Pacific Legal Foundation
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703.673.8352

Message

From: Diane Wood [DWood@neefusa.org]
Sent: 12/21/2017 6:47:23 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]; Brennan, Thomas [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78caa4c8d91743c887c1bb5dc8cdb369-Thomas Brennan]; Carlos Alcazar [calcazar@cultureoneworld.com]; Kevin Butt (TMNA) [kevin.butt@toyota.com]
Subject: Following up our November 27th meeting

Dear Tate,

My senior team here at NEEF and I have taken some time to reflect on the conversation Carlos, Kevin and I had with you. We have identified some areas where we see potential synergies with the priorities you shared with us. On behalf of Carlos, Kevin and the NEEF senior team I offer ideas here as starting points for what I hope will be future conversations with Tom, you and others you would designate.

Rx for Outdoor Activity: NEEF began this program in 2010 to draw attention to the value time outside, especially in nature, can offer to address health problems young children are facing due to sedentary lifestyles and poor nutrition. Science has demonstrated that time in nature reduces stress and can help children who face the added challenges associated with ADD or ADHD. In addition, just spending more time exploring the outdoors and playing in the outdoors can counter childhood obesity and Type 2 diabetes. NEEF has created a training program for health care practitioners to introduce them to the health benefits time outdoors offers. We call the participants who complete the course "nature champions". We have worked primarily with pediatricians. Perhaps we could meet with staff in EPA's Office of Children's Health Protection (OCHP) to discuss ways this training course could be offered via all EPA Regions. Currently our **Rx** program has focused on children, but there is more and more evidence that time in nature is good for anyone young or old. Twenty minutes in nature reduces the stress hormone, cortisol, and we believe this could apply to veterans suffering from PTSD. For example, we are in conversations with Harley Davidson regarding how we might introduce more bikers to the benefits of making time to stop and enjoy our public lands as part of a ride. A large percent of Harley riders are veterans. Perhaps we could explore how to expand Rx for Outdoor Activity to include adults and work with EPA to partner with DOI and US Forest Service as an effort to address significant public health issues while spending time enjoying the benefits of nature on our public lands.

Engaging the public every day: To achieve NEEF's vision that by 2022 300 million Americans actively use environmental knowledge to ensure the well-being of the earth and its people, NEEF partners with large affinity groups trusted and looked up to by their members.. We shared with you our work with the National Basketball Association (NBA) to encourage millions of basketball fans to implement energy efficiency actions that can help families save money, improve the quality of their lives and help the environment. NEEF is now identifying new audiences beyond the sports community. When we met I mentioned our interest in engaging homeowners through the National Association of Realtors and National Association of Homebuilders. There are 75.6 million homeowners in the USA. You raised issues of importance to EPA such as food waste and soil erosion as well as water management. We believe that these issues can be addressed through a focus on the homeowner. NEEF has a range of environmental education approaches that could be adapted to this audience in partnership with the Real Estate Agents Association and Association of Homebuilders. Whether buying a home, building a new home or maintaining a home, homeowners need to think about landscaping to prevent soil erosion and stormwater runoff, disposal of waste and energy efficiency. Native species gardens, pollinator gardens and vegetable gardens are all good options as is weatherizing one's home. A reminder on basic recycling, composting etc. is also relevant to homeownership. Location of a home near public green spaces for recreation ranging from picnicking to fishing is part of choosing a home. There are many possibilities for this focus that we think could overlap with your priorities. On food waste in particular, EPA's website is full of useful resources: We could promote this EPA link during NEEF's National Environmental Education Week April 23-29, 2018 :

https://www.epa.gov/sites/production/files/2017-12/documents/guide_to_conducting_student_food_waste_audit_-_nov_20_2017.pdf
The work with homeowners would most likely cross over into many EPA Offices, but we could work with Tom in OEE as the point person. We would be very grateful for any introductions you could make for NEEF to the Associations of Realtors and of Homebuilders.

Extreme weather resilience grants: This is a concept in development. NEEF runs a strong competitive grants program and we have some private sector funds available to us now that we want to program as restoration/resilience grants for areas hardest hit by hurricanes, flooding or fires. Our focus is on public lands- federal, state or city. We are currently in the fact finding stage interviewing federal agencies about where their public lands were hit the hardest. We are also consulting with colleagues on which resilience actions could leverage the greatest impact. All of these grants would have a community environmental education focus so people living closest to these public lands could learn about resiliency and even apply similar actions on their own properties and in their neighborhoods. EPA input to this initiative would be most welcome.

Tate, I hope these ideas resonate with you as relevant to your goals. I feel I have barely scratched the surface on potential collaboration. Teens are another audience of special focus for us after completing our teen survey indicating 80% of teens prefer being indoors because that is where their technology is. We are also eager to target anglers convinced that fishing is a sport that appeals to people of all backgrounds and economic means. It may even be a great draw for teens to get back outside again. I will stop here, however, before introducing even more ideas ☺ and wait for your thoughts on the above.

I should add that some of these programs are funded and can be carried out "on budget" while others will require us to fundraise before we can initiate them. We can discuss such details once you have had time to react to the preliminary thinking shared here.

Thank you again for taking time to meet and we look forward to future collaboration. I will be on vacation for the week between Christmas and New Year's Day but checking e-mail from time to time. I wish you and your family the best during this holiday season and hope to talk with you again in January.

Warm wishes, Diane

NEEF

Diane Wood
President

National Environmental Education Foundation
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General 202-833-2933
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Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 1/22/2018 4:38:33 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition: invitation to sign joint letter on offshore oil royalty sharing and notice of next meeting

Reminder: The Cooler Heads Coalition will hold its February strategy meeting beginning at 12 noon on Monday, 5th February, at CEI, 1310 L Street, N. W., Seventh Floor. Please e-mail or ring me at Ex. 6 with agenda items or questions.

Action Item

ALEC Action is circulating the joint letter pasted below for signature by other NON-PROFIT GROUPS. The Interior Department's draft offshore oil and gas leasing plan for 2019-24 has elicited widespread opposition from the governors of most coastal states and will elicit similar opposition from many coastal state legislatures. One major reason is that coastal states would not receive a share of federal royalties. States with oil and gas production on federal lands get 50% of the 12.5% federal royalty under the Mineral Leasing Act of 1920 (which is why Wyoming and New Mexico want more drilling on federal lands). Louisiana, Texas, Mississippi, and Alabama have received 37.5% of the federal royalty for new offshore production since 2006 (although they have to spend it on coastal restoration). Legislation to share royalties with coastal states would give these states a strong incentive to support offshore production. More information on the offshore plan here.

This letter is for non-profit groups. To sign on, please e-mail Ashley Varner at avarner@alecaction.org with the following information:

Name:
Title:
Organization:
Please attach logo

DRAFT Joint Letter on Offshore Oil Royalty Sharing

Over XX conservative groups support offshore revenue sharing for coastal states

1/XX/2018

Dear Members of Congress:

On behalf of our organizations and the millions of Americans we represent across all fifty states, we urge you to reform federal government management of offshore energy development revenue, and to share it with the relevant coastal states.

The Department of Interior has proposed dramatically expanding offshore oil and gas drilling on the Outer Continental Shelf. Under the proposal, 98 percent of undiscovered, technically recoverable oil and gas offshore would be available for future development whereas under the existing policy 94 percent of this important energy source is off-limits. This expansion will increase America's energy abundance, create jobs, and generate additional royalty revenue for the federal government.

As the Department of Interior moves to expand offshore drilling, Congress should reform royalty revenue-sharing agreements for all coastal states. Currently, most states only receive revenue from off shore drilling if a federal lease falls within three miles of its coastal border. However, Alabama, Louisiana, Mississippi, and Texas receive revenue for select leases beyond three miles under the Gulf of Mexico Energy Security Act (GOMESA) of 2006.

Revenue-sharing agreements for leases beyond three miles should be expanded to all coastal states. The current policy discourages states from supporting offshore energy development. Those closest to energy development should have a greater say in how the revenue is spent. All states with drilling off their coasts should see part of the revenue, not just the four states covered under GOMESA.

Federal policy for offshore energy development should mirror that of onshore energy development. States containing federal land where drilling occurs receive half of the associated revenue. This arrangement better aligns costs and benefits of energy development, enriching the local communities and generating support for energy development.

Creating revenue sharing agreements for all coastal states would boost support for energy development and help usher in the jobs, economic activity, and royalties that it brings. We urge you to consider reforms that expand revenue sharing agreements for all coastal states.

Sincerely,
American Legislative Exchange Council
ALEC Action

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct: (
Tel mobile:
E-mail: Myron.Ebell@cei.org
Stop continental drift!

Ex. 6

Message

From: Hewitt, James [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=41B19DD598D340BB8032923D902D4BD1-HEWITT, JAM]
Sent: 1/10/2018 8:19:19 PM
To: Rob.bluey@hertiage.org; mthompson@crcpublicrelations.com; annie.dwyer@cei.org; Nick.loris@heritage.org
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
Subject: 2017 EPA Highlights
Attachments: DRAFT_2017 EPA Highlights.docx

All,

Thanks again for hosting us yesterday. As discussed, I've attached a document with notable EPA accomplishments/highlights from last year. I've also included a chart in the document of approaching comment period deadlines for different sets of issues.

Please let me know if there is anything else I can get you and I look forward to our next meeting.

Best,
James

James Hewitt
Environmental Protection Agency
Press Secretary
Ex. 6

2017 EPA Highlights

- **Withdrew from the Job-Killing Paris Climate Agreement:** Administrator Pruitt worked with President Trump to withdraw the United States from the Paris Agreement, until the COP agree to fair terms for America.

- **Stopped Backdoor Sue & Settle:** EPA ended the practice of settling lawsuits with activist groups pushing their agenda behind closed doors. Effectively ending the days of 'regulation through litigation,' EPA will handle pending litigation in an open, transparent process that allows affected stakeholders to participate – and saves taxpayers millions of dollars in attorneys' fees and settlements – effectively taking away a source of taxpayers funding activist agendas. https://www.epa.gov/newsreleases/administrator-pruitt-issues-directive-end-epa-sue-settle

- **Ended the War on Coal and the "Clean Power Plan"**: Following issued a Notice of Proposed Rulemaking (NPRM).
    - EPA 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.
    - When Obama first took office there were 86,400 coal mining jobs; when he left office there were only 50,00, (a loss of nearly 4,550 a year). As of December 2017, there are now 50,500 jobs, the first net increase in years. (Source U.S. Bureau of Labor Statistics)

- **Stopped Conflict of Interests for EPA Advisory Committees:** Administrator Pruitt has reformed scientific advisory boards to ensure independence, geographic diversity, and integrity in EPA science. No member of EPA's federal advisory committees will be able to receive agency grants to better ensure independence. https://www.epa.gov/newsreleases/administrator-pruitt-issues-directive-ensure-independence-geographic-diversity
    - According to EPA calculations, in just the last three years, members of three of EPA's 22 FACs – the Science Advisory Board (SAB), Clean Air Scientific Advisory Committee (CASAC) and the Board of Scientific Counselors (BOSC) – received upwards of $77 million in direct EPA grant funding while concurrently serving on these committees.

- **Restored Cooperative Federalism**: Administrator Pruitt has visited nearly 30 states in his first year on the job meeting with stakeholders, governors and other elected officials, to ensure EPA is being responsive to local needs for our diverse country.
    - Since March 1, 2017, EPA has worked with states to approve 206 state air plans/state implementation plans (SIP's). EPA had a backlog of over 700 unapproved SIPs.

- **Redefining a 'Water of the U.S.':** EPA, Department of Army, and Army Corps of Engineers are moving forward with a two-step process to rescind the 2015 "Waters of the United States" rule and redefine it in a way that provides farmers and land owners the regulatory certainty they need, while also returning power back to states and localities. https://www.epa.gov/newsreleases/elected-leaders-praise-trump-administrations-move-rescind-wotus

- **Properly Implementing TSCA**: EPA has cleared a backlog of 700 new chemicals waiting permits for sale. By July, EPA had eliminated the backlog assessing new chemical risk within 90 days – allowing

manufacturers to innovate and create jobs. https://www.epa.gov/newsreleases/epa-eliminates-new-chemical-backlog-announces-improvements-new-chemical-safety-reviews

- **Cleaning Up the Superfund Mess:** Of the 1,345 sites on EPA's National Priority list, EPA has eliminated in whole or substantial part 7 since March. In 2016, EPA eliminated only 1.
    - EPA is on track to close in whole or in part 27 more in 2018.
    - EPA is on track to issue clean up decisions (RODs) on 14 of over $50 million in clean up this year.

- **Draining the Swamp:** EPA staff is at the lowest levels since the Reagan presidency, as on boarded employees are now about 14,100.

APPRAOCHING COMMENT PERIOD DEADLINES

Full Title	Comment Period Deadline
Proposed- Mercury; Reporting Requirements for Toxic Substances Control Act Mercury Inventory	01/11/2018
Proposed- Repeal of Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units	01/16/2018
Proposed- Protection of Stratospheric Ozone: Revision to References for Refrigeration and Air Conditioning Sector to Incorporate Latest Edition of Certain Industry, Consensus-based Standards	01/25/2018
Proposed- Responses to Certain State Designation Recommendations for the 2015 Ozone National Ambient Air Quality Standards	02/05/2018
Proposed- Withdrawal of Certain Federal Water Quality Criteria Applicable to California: Lead, Chlorodibromomethane, and Dichlorobromomethane	02/09/2018
ANPRM- State Guidelines for Greenhouse Gas Emissions from Existing Electric Utility Generating Units	02/26/2018

https://www.regulations.gov/searchResults?rpp=25&so=ASC&sb=commentDueDate&po=0&cp=O&a=EPA&dct=PR

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 1/10/2018 8:12:43 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Myron Ebell [Myron.Ebell@cei.org]
CC: Woods, Clint [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bc65010f5c2e48f4bc2aa050db50d198-Woods, Clin]; Harlow, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b5a9a34e31fc4fe6b2beaddda2affa44-Harlow, Dav]; annie.dwyer@cei.org
Subject: RE: List of upcoming deadlines

Yes, thanks again for facilitating. I am sorry I wasn't able to make it on Tuesday, but I figured you got your fill of me on Monday ;)

From: Bennett, Tate
Sent: Wednesday, January 10, 2018 3:03 PM
To: Myron Ebell <Myron.Ebell@cei.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Woods, Clint <woods.clint@epa.gov>; Harlow, David <harlow.david@epa.gov>; annie.dwyer@cei.org
Subject: List of upcoming deadlines

Hi Myron-

Thanks for inviting us to come visit the group earlier this week. Below is 1) a list of upcoming comment period deadlines that may be of interest and a link to where you can search for more online 2) a few bullets that may come in handy for STOU-style addresses that your groups might be working on and may wish to include 2017 EPA accomplishments.

Do you mind distributing to the group?

Let me know if we can provide additional information.

Tate

Full Title	Comment Period Deadline
Proposed- Mercury; Reporting Requirements for Toxic Substances Control Act Mercury Inventory	01/11/2018
Proposed- Repeal of Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units	01/16/2018
Proposed- Protection of Stratospheric Ozone: Revision to References for Refrigeration and Air Conditioning Sector to Incorporate Latest Edition of Certain Industry, Consensus-based Standards	01/25/2018
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ANPRM- State Guidelines for Greenhouse Gas Emissions from Existing Electric Utility Generating Units	02/26/2018

https://www.regulations.gov/searchResults?rpp=25&so=ASC&sb=commentDueDate&po=0&cp=O&a=EPA&dct=PR

EPA Administrator Scott Pruitt and EPA 2017 Accomplishments

- **Withdrew from the Job-Killing Paris Climate Agreement:** Administrator Pruitt worked with President Trump to withdraw the United States from the Paris Agreement, until the COP agree to fair terms for America.

- **Stopped Backdoor Sue & Settle:** EPA ended the practice of settling lawsuits with activist groups pushing their agenda behind closed doors. Effectively ending the days of 'regulation through litigation,' EPA will handle pending litigation in an open, transparent process that allows affected stakeholders to participate – and saves taxpayers millions of dollars in attorneys' fees and settlements – effectively taking away a source of taxpayers funding activist agendas. https://www.epa.gov/newsreleases/administrator-pruitt-issues-directive-end-epa-sue-settle

- **Ended the War on Coal and the "Clean Power Plan"**: Following issued a Notice of Proposed Rulemaking (NPRM).
    - EPA 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.
    - When Obama first took office there were 86,400 coal mining jobs; when he left office there were only 50,00, (a loss of nearly 4,550 a year). As of December 2017, there are now 50,500 jobs, the first net increase in years. (Source U.S. Bureau of Labor Statistics)

- **Stopped Conflict of Interests for EPA Advisory Committees:** Administrator Pruitt has reformed scientific advisory boards to ensure independence, geographic diversity, and integrity in EPA science. No member of EPA's federal advisory committees will be able to receive agency grants to better ensure independence. https://www.epa.gov/newsreleases/administrator-pruitt-issues-directive-ensure-independence-geographic-diversity
    - According to EPA calculations, in just the last three years, members of three of EPA's 22 FACs – the Science Advisory Board (SAB), Clean Air Scientific Advisory Committee (CASAC) and the Board of Scientific Counselors (BOSC) – received upwards of $77 million in direct EPA grant funding while concurrently serving on these committees.

- **Restored Cooperative Federalism**: Administrator Pruitt has visited nearly 30 states in his first year on the job meeting with stakeholders, governors and other elected officials, to ensure EPA is being responsive to local needs for our diverse country.
    - Since March 1, 2017, EPA has worked with states to approve 206 state air plans/state implementation plans (SIP's). EPA had a backlog of over 700 unapproved SIPs.

- **Redefining a 'Water of the U.S.':** EPA, Department of Army, and Army Corps of Engineers are moving forward with a two-step process to rescind the 2015 "Waters of the United States" rule and redefine it in a way that provides farmers and land owners the regulatory certainty they need, while also returning power back to states and localities. https://www.epa.gov/newsreleases/elected-leaders-praise-trump-administrations-move-rescind-wotus

- **Properly Implementing TSCA**: EPA has cleared a backlog of 700 new chemicals waiting permits for sale. By July, EPA had eliminated the backlog assessing new chemical risk within 90 days – allowing manufacturers to innovate and create jobs. https://www.epa.gov/newsreleases/epa-eliminates-new-chemical-backlog-announces-improvements-new-chemical-safety-reviews

- **Cleaning Up the Superfund Mess:** Of the 1,345 sites on EPA's National Priority list, EPA has eliminated in whole or substantial part 7 since March. In 2016, EPA eliminated only 1.
    - EPA is on track to close in whole or in part 27 more in 2018.
    - EPA is on track to issue clean up decisions (RODs) on 14 of over $50 million in clean up this year.

- **Draining the Swamp:** EPA staff is at the lowest levels since the Reagan presidency, as on boarded employees are now about 14,100.

Message

From: Dravis, Samantha [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=ECE53F0610054E669D9DFFE0B3A842DF-DRAVIS, SAM]
Sent: 1/16/2018 12:02:24 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Oren Cass [ocass@manhattan-institute.org]; Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
Subject: Re: Meeting with Administrator Pruitt on Thursday

I think he wants to discuss Red Team Blue Team and strategies for messaging around climate change.

Sent from my iPhone

On Jan 15, 2018, at 5:30 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> Hi Oren! We are looking forward to Thursday.
>
> We will have roughly 30-45 minutes for the meeting, but I'm Hayley Ford in case that has changed. We were thinking this meeting could be purely informative in nature, and not necessarily in the context of a specific EPA exercise.
>
> That is correct- the Administrator is interested in emissions baselines and economic analyses of clime change (and the extent to which humans contribute). We would like to focus on 1) your specific findings and research in these areas and 2) what other existing research narratives/ schools are currently being circulated and your take on them. Samantha, is that your take as well?
>
> If you have a presentation or materials already prepared, we can certainly get them to him ahead of time. However, no need to recreate the wheel if it's easier for you to send along the key reports in advance.
>
> Looking forward to seeing you.
>
> Tate
>
> On Jan 15, 2018, at 4:23 PM, Oren Cass <ocass@manhattan-institute.org> wrote:
>
> > Samantha and Tate,
> >
> > I just wanted to check in with you briefly regarding the plan for our meeting on Thursday morning, which I have on the calendar for 9:30am. A few questions:
> >
> > - How long will we have for the discussion?
> >
> > - I expect generally that the objective is to discuss the opportunity to examine emissions baselines and economic analyses of climate change in the context of a red-team/blue-team exercise. Is that right?
> >
> > - Would it be helpful for me to send anything for the Administrator to read in advance, or to bring a formal (e.g., PowerPoint) presentation, or should I just

be prepared with a brief agenda for discussion? (At a minimum, I would bring copies of some of the key reports and studies that we might discuss, as well as some of the figures from my own forthcoming report.)

Thank you,
Oren

Oren M. Cass
Senior Fellow
Manhattan Institute for Policy Research
52 Vanderbilt Avenue
New York, NY 10017
ocass@manhattan-institute.org
www.manhattan-institute.org

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 12/21/2017 3:44:29 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Bluey, Rob [rob.bluey@heritage.org]
Subject: RE: January meeting

Good with me, although I am gone the 15th-20th!

From: Bennett, Tate
Sent: Thursday, December 21, 2017 9:41 AM
To: Bluey, Rob <rob.bluey@heritage.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: January meeting

Great plan! Perhaps the second week of January? Liz?

On Dec 21, 2017, at 8:41 AM, Bluey, Rob <rob.bluey@heritage.org> wrote:

> Liz and Tate --
>
> Should we schedule time in January for our next meeting? I heard you would like to include Interior. Please let me know if there's a good week to do it and we'll check dates for availability.
>
> Thanks,
> Rob

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org


Message

From: Khristine Brookes [KBrookes@cato.org]
Sent: 1/10/2018 7:56:20 PM
To: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Lost bracelet

An excellent idea! Thanks for taking the time today...very helpful!

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Wednesday, January 10, 2018 2:56 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Khristine Brookes <KBrookes@cato.org>
Subject: RE: Lost bracelet

Yes, then we can have some cocktails – next time let's aim for a Friday afternoon!

From: Bennett, Tate
Sent: Wednesday, January 10, 2018 1:52 PM
To: Khristine Brookes <KBrookes@cato.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Lost bracelet

Thanks for grabbing lunch. More champs post-April!

From: Khristine Brookes [mailto:KBrookes@cato.org]
Sent: Wednesday, January 10, 2018 10:05 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Lost bracelet

Nope...I took care of it! Under my name for noon.

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, January 10, 2018 9:38 AM
To: Khristine Brookes <KBrookes@cato.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: Lost bracelet

Did I need to make a reservation?

On Jan 4, 2018, at 3:08 PM, Khristine Brookes <KBrookes@cato.org> wrote:

> Yes indeed...see you there at noon
>
> Khristine Brookes
> Vice President, Communications
> The Cato Institute

Mobile: Ex. 6

On Jan 4, 2018, at 2:50 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> Works for me. Same spot (Central?)
>
> **From:** Khristine Brookes [mailto:KBrookes@cato.org]
> **Sent:** Thursday, January 4, 2018 1:12 PM
> **To:** Bowman, Liz <Bowman.Liz@epa.gov>
> **Cc:** Bennett, Tate <Bennett.Tate@epa.gov>
> **Subject:** Re: Lost bracelet
>
> Wednesday is good!
>
> Khristine Brookes
> Vice President, Communications
> The Cato Institute
> Mobile: Ex. 6
>
> On Jan 4, 2018, at 11:51 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:
>
> > I am open Wednesday, Thursday or Friday.
> >
> > **From:** Khristine Brookes [mailto:KBrookes@cato.org]
> > **Sent:** Thursday, January 4, 2018 10:12 AM
> > **To:** Bennett, Tate <Bennett.Tate@epa.gov>
> > **Cc:** Bowman, Liz <Bowman.Liz@epa.gov>
> > **Subject:** Re: Lost bracelet
> >
> > Hey there - yes, let's do reschedule. School went from a 2-hour delay to cancelled, so will have to be home entertaining my 8-year old! How is next week for you?
> >
> > Khristine Brookes
> > Vice President, Communications
> > The Cato Institute
> > Mobile: Ex. 6
> >
> > On Jan 4, 2018, at 10:08 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
> >
> > > Hey Khristine! Just wanted to see if we are still on for lunch today? It's a ghost town here at EPA due to the delay/ leave status, so I thought I'd check in with you as well to see if you were around or need to reschedule?
> > >
> > > Either works, just let us know!
> > >
> > > Tate
> > >
> > > **From:** Bennett, Tate
> > > **Sent:** Sunday, December 17, 2017 3:30 PM

To: Khristine Brookes <KBrookes@cato.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: Lost bracelet

Hey Khristine! Any chance we can push lunch to the new year? Say the 4th or 5th? We can touch base when it gets closer. Also, this is a great reminder I still need to go get my bracelet!

On Dec 5, 2017, at 2:41 PM, Khristine Brookes <KBrookes@cato.org> wrote:

> Yes, Monday the 18th is great. How about Central? Think that is close to you guys?
>
> ---
>
> **From:** Bowman, Liz [mailto:Bowman.Liz@epa.gov]
> **Sent:** Tuesday, December 05, 2017 2:30 PM
> **To:** Khristine Brookes <KBrookes@cato.org>
> **Cc:** Bennett, Tate <Bennett.Tate@epa.gov>
> **Subject:** Re: Lost bracelet
>
> Monday the 18th would be great; please let us know the location that works for you.
>
> Sent from my iPhone
>
> On Dec 5, 2017, at 2:24 PM, Khristine Brookes <KBrookes@cato.org> wrote:
>
> > Surely –Wednesday or Thursday next week would work for me, or Monday Dec. 18. Any of those good for you guys?
> >
> > ---
> >
> > **From:** Bowman, Liz [mailto:Bowman.Liz@epa.gov]
> > **Sent:** Tuesday, December 05, 2017 2:12 PM
> > **To:** Khristine Brookes <KBrookes@cato.org>
> > **Cc:** Bennett, Tate <Bennett.Tate@epa.gov>; Kundinger, Kelly

<kundinger.kelly@epa.gov>
Subject: Re: Lost bracelet

Nice to meet you as well; can we grab coffee or lunch soon? Please let us know if there are any dates that work for you.

Sent from my iPhone

On Dec 5, 2017, at 1:34 PM, Khristine Brookes <KBrookes@cato.org> wrote:

> Absolutely…I'll put in an envelope with your name on it at the front desk!
>
> **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> **Sent:** Tuesday, December 05, 2017 1:24 PM
> **To:** Khristine Brookes

<KBrookes@cato.org>; Bowman, Liz <Bowman.Liz@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>
Subject: RE: Lost bracelet

Hi! That would be mine! I can come grab it later this week if that is OK? I forgot I took it off!

From: Khristine Brookes [mailto:KBrookes@cato.org]
Sent: Tuesday, December 5, 2017

1:22 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>
Subject: Lost bracelet

Hi ladies – so nice to meet you all today…I'll make sure that all of the papers we mentioned in the meeting get sent along. Also…we found a lovely gold bracelet on the floor in

the conference room after y'all left. Did any of you lose it?

Khristine Brookes
Vice President, Communications
The Cato Institute

Ex. 6

Message

From: Todd F. Gaziano [TGaziano@pacificlegal.org]
Sent: 12/21/2017 3:12:30 PM
To: Forsgren, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a055d7329d5b470fbaa9920ce1b68a7d-Forsgren, D]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Bakst, Daren [Daren.Bakst@heritage.org]
Subject: Thanks again for talking Sec. 431 on WOTUS rule

Lee,

Daren and I know yesterday was busy for you, but we appreciate you elevating our concerns about the impact of subsection (b). Please don't wait for anything further from us, but my PLF colleagues across the nation are even more alarmed than I am about (b), and they are coming together in three offices today/tomorrow (despite that some of them are already on vacation) to prepare a short 2-3 page analysis. It will include why we think EPA/Corps should be far more concerned about the potential impact of (b) on limiting your action than any fringe benefit from (a)—which we also knew was not requested by EPA. I'll forward that analysis when it is finished.

Thanks again for your attention to this matter.

Todd

From: Forsgren, Lee [mailto:Forsgren.Lee@epa.gov]
Sent: Wednesday, December 20, 2017 1:27 PM
To: Todd F. Gaziano
Cc: Bennett, Tate; Jonathan Wood; Bakst, Daren
Subject: RE: Tate/Lee: phone Mtg. request re: Sec. 431 on WOTUS rule in Minibus/cromnibus

Since I am going to be stepping out of a meeting why don't we set up a conference line. We can use my line. I will send a meeting request ASAP.

Lee

From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Wednesday, December 20, 2017 12:54 PM
To: Forsgren, Lee <Forsgren.Lee@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Jonathan Wood <JWood@pacificlegal.org>; Bakst, Daren <Daren.Bakst@heritage.org>
Subject: RE: Tate/Lee: phone Mtg. request re: Sec. 431 on WOTUS rule in Minibus/cromnibus

Lee: Thanks for making yourself available at any time. I would be happy to talk for a few minutes at 6:00. I'll confirm with Jonathan and Daren whether they are free as well. Is there a # we should try to reach you? If not, I can send you a conference code to reach us.

Todd

From: Forsgren, Lee [mailto:Forsgren.Lee@epa.gov]
Sent: Wednesday, December 20, 2017 11:30 AM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>

Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Jonathan Wood <JWood@pacificlegal.org>; Bakst, Daren <Daren.Bakst@heritage.org>
Subject: Re: Tate/Lee: phone Mtg. request re: Sec. 431 on WOTUS rule in Minibus/cromnibus

I am swamped till late this evening. Maybe I dan talk at 6:00 pm for a few minutes.

Sent from my iPhone

On Dec 20, 2017, at 11:23 AM, Todd F. Gaziano <TGaziano@pacificlegal.org> wrote:

> Tate: Thanks much.
>
> Lee: I'm tied up until almost noon or so. Can one or more of us talk to you any time after that today?
>
> **Todd F. Gaziano** | Senior Fellow in Constitutional Law
> Executive Director of the DC Center
> Pacific Legal Foundation
> **Ex. 6** (o)
> (c)
>
> PACIFIC LEGAL FOUNDATION
> Defending Liberty and Justice for All.

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, December 20, 2017 10:44 AM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Cc: Jonathan Wood <JWood@pacificlegal.org>; Bakst, Daren <Daren.Bakst@heritage.org>; Forsgren, Lee <Forsgren.Lee@epa.gov>
Subject: RE: Tate: phone Mtg. request re: Sec. 431 on WOTUS rule in Minibus/cromnibus

Hi Todd-

We are not in a position to speak on behalf of the hill, but I can certainly connect you with Lee Forsgren in the Office of Water (cc'd). He's very familiar with the issue and different perspectives surrounding it.

You are always welcome to email me! Sorry for the delay.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Wednesday, December 20, 2017 10:12 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jonathan Wood <JWood@pacificlegal.org>; Bakst, Daren <Daren.Bakst@heritage.org>
Subject: Tate: phone Mtg. request re: Sec. 431 on WOTUS rule in Minibus/cromnibus

Tate,

I don't know if you saw my meeting request below, but at this point, a phone connection is probably best—unless you or someone else at EPA can confirm that subsection (b) it out of the bill.

I don't mean to bug you unreasonably, but this is a fair warning I will continue to try to reach you "reasonably" (and more frequently) until you tell me the provision is out, you connect me to someone who is working the issue, or you affirmatively tell me to go away.

Todd

Todd F. Gaziano | Senior Fellow in Constitutional Law
Executive Director of the DC Center
Pacific Legal Foundation
Ex. 6 (o)
(c)

PACIFIC LEGAL FOUNDATION
Defending Liberty and Justice for All.

From: Todd F. Gaziano
Sent: Friday, December 15, 2017 10:55 AM
To: 'Bennett, Tate' <Bennett.Tate@epa.gov>
Cc: Bakst, Daren <Daren.Bakst@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: Mtg. request re: Sec. 431 on WOTUS rule in Minibus

Tate:

Thanks for your action to date (and I've been confused with my brother Tom before, so I'm only amused by that).

We've discussed the provision more amongst ourselves, and with some other CWA experts. I am even more concerned about it the longer I study it, and I'm more convinced that subsection (b) can serve no good purpose anyway. As for its unintended harm, it would not just codify *one* bad guidance from one year. The provision, on its face, would codify all regulations (plural) and guidance (that would be interpreted as plural in that phrase) in existence in 2015. Thus, it would codify or insulate (at least temporarily) scores of bad and otherwise illegal guidance documents from decades of horrible administration, many of which we have been litigating against. EPA would likely need a "reasoned justification" to depart from any and all of them in the new rule. I think Daren agrees with me about the harm, even if he is a little less apocalyptic than I am.

Given our deep concern, we'd like to be introduced to and meet (or at least talk) with the appropriate folks in the Water Office who might be responsible for pushing back on the subsection or who might be saddled with it if it is not killed. Can you connect us and help arrange such a meeting?

Todd

Todd F. Gaziano | Senior Fellow in Constitutional Law
Executive Director of the DC Center
Pacific Legal Foundation
Ex. 6 (o)
(c)

PACIFIC LEGAL FOUNDATION
Defending Liberty and Justice for All.

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, December 15, 2017 10:21 AM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Cc: Bakst, Daren <Daren.Bakst@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Sec. 431 on WOTUS rule in Minibus

Hi Tom-

Apologies for the delay. We understand your position on this section/1986 guidance and have passed this along to the Office of Water. We will let you know if we have any questions. It's

Don't be a stranger.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Thursday, December 7, 2017 8:54 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bakst, Daren <Daren.Bakst@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: Sec. 431 on WOTUS rule in Minibus

Tate,

It was great to meet you yesterday at the Heritage roundtable event. My colleagues and I at PLF may have many occasions to work with you and others at EPA.

As the below correspondence with Daren indicates, subsection 431(b) in the House minibus bill may not be quite as "disastrous" as I first thought in locking in 2015 regs and guidance, but it would tie EPA's hands in some clear and harmful ways until a final rule is issued, and it may still complicate the eventual replacement of the WOTUS rule under the APA. It needs to be modified or dropped to have the effect that I think was intended, but I at least see some method to the legislative madness.

Please let us know if we can provide any further help or advice on this matter.

Todd

Todd F. Gaziano | Senior Fellow in Constitutional Law
Executive Director of the DC Center
Pacific Legal Foundation
Ex. 6 (o)
(c)

PACIFIC LEGAL FOUNDATION
Defending Liberty and Justice for All.

From: Todd F. Gaziano
Sent: Wednesday, December 06, 2017 6:20 PM
To: 'Bakst, Daren' <Daren.Bakst@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

Two issues:

1. At a minimum, it says that EPA MUST follow Rapanos Guidance (not Scalia) until it issues a final rule, or at least an interim final rule. How long will that take?
2. It still is ambiguous enough that it might complicate replacing the Rapanos Guidance. For example, it might allow EPA to replace the now mandated Rapanos Guicance, but as to that, it would have to give sufficient reasons under the APA, since section (a) do not apply to the new rule, only the withdraw of WOTUS.

Regardless of how bad it is, it should go.

From: Bakst, Daren [mailto:Daren.Bakst@heritage.org]
Sent: Wednesday, December 06, 2017 6:08 PM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: FW: Tomorrow on WOTUS

Todd and Jonathan,

I am trying to process this language. I am trying to figure out the impact of this language: "Except as otherwise provided by any Act or rule that takes effect after the date of enactment of this Act."

This *seems* to be saying that the EPA could still issue a rule that does not implement the old guidance so long as such rule goes into effect after the date of the appropriations bill. The problem is the language in (b) still likely gives a Congressional blessing to the old rules and guidance.

I think Congress is also trying to give legal cover for the interim stuff as well.

Thoughts?

Daren

Daren Bakst
Research Fellow in Agricultural Policy
Institute for Economic Freedom
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

From: Bakst, Daren
Sent: Wednesday, December 6, 2017 11:22 AM
To: 'Todd F. Gaziano' <TGaziano@pacificlegal.org>
Cc: Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

This was in a "minibus" bill that passed the House. I am not saying that this bill will pass, but I think there is a good chance that the following language would be included in any omnibus bill:

See this recent article: https://www.washingtonpost.com/news/energy-environment/wp/2017/11/30/gop-crafts-spending-bill-provisions-aimed-at-speeding-repeal-of-water-protection-rule/?utm_term=.0ec68799f1a7

H.R. 3354: https://www.congress.gov/bill/115th-congress/house-bill/3354/text

SEC. 431.

(a) AUTHORIZATION.—The Administrator of the Environmental Protection Agency and the Secretary of the Army may withdraw the Waters of the United States rule without regard to any provision of statute or regulation that establishes a requirement for such withdrawal.

(b) EFFECT OF WITHDRAWAL.—Except as otherwise provided by any Act or rule that takes effect after the date of enactment of this Act, if the Administrator of the Environmental Protection Agency and the Secretary of the Army withdraw the Waters of the United States rule under subsection (a), the Administrator and Secretary shall implement the provisions of law under which such rule was issued in accordance with the regulations and guidance in effect under such provisions immediately before the effective date of such rule.

(c) DEFINITIONS.—In this section the term "Waters of the United States rule" means the final rule issued by the Administrator of the Environmental Protection Agency and the Secretary of the Army entitled "Clean Water Rule: Definition of 'Waters of the United States'" on June 29, 2015 (80 Fed. Reg. 37053).

From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Wednesday, December 6, 2017 11:16 AM
To: Bakst, Daren <Daren.Bakst@heritage.org>
Cc: Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

Sorry for my delay in responding to this, but I may try to talk to you for a couple of minutes when I arrive if you can't respond by email to my question, but I was unaware of the legislation that exempts this rulemaking change from APA requirements. I'd like to know more about that.

Todd F. Gaziano | Senior Fellow in Constitutional Law
Executive Director of the DC Center
Pacific Legal Foundation
Ex. 6 (o)
(c)

PACIFIC LEGAL FOUNDATION
Defending Liberty and Justice for All.

From: Bakst, Daren [mailto:Daren.Bakst@heritage.org]
Sent: Tuesday, December 5, 2017 2:55 PM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Cc: Gordon, Robert <Robert.Gordon@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

Todd,

I don't have an answer to your question about groups like AFBF, but I highly doubt that such groups will be there. I would also just assume that our audience are folks who have some knowledge of WOTUS, but not at the level of those groups.

What if I provide a 5-6 minute update that would:
- Explain the latest developments
- Lay out the principles and substance of what a definition of WOTUS should look like

I'd like to get buy-in on the need to limit waters to traditional navigable waters (TNRs), tributaries to TNRs, and wetlands of TNRs. Basically, my presentation would cover the attached comment.

Then, as a suggestion, you could discuss:

- Concerns regarding the process (e.g. need for the agencies to look beyond Rapanos for support (I will mention Riverside and SWANCC in my brief discussion regarding defining tributaries; issue regarding getting better support for getting rid of the rule itself; please be aware that Congress has appropriations language that would allow the agencies to withdraw the rule without having to worry about the APA. I can provide more info on this if you need it)
- Enforcement changes (my suggested ideas include the Corps and EPA identifying how they could develop an MOU to allow property owners to secure JDs within 60 days or so, directing that certain enforcement actions cease until after review by HQs, and set new priorities)

I am still thinking through what I think of the EPA and Corps proposing (and seeking comment) on extending the applicability date of the Clean Water Rule (it seems odd to seek to repeal the rule and extend its applicability date; I think it is just another way to make sure that it doesn't go into effect):

The Environmental Protection Agency and the Department of the Army ("the agencies") are proposing to add an applicability date to the "Clean Water Rule: Definition of `Waters of the United States'" (the "2015 Rule") to two years from the date of final action on this proposal. On October 9, 2015, the Sixth Circuit stayed the 2015 Rule nationwide pending further action of the court, but the Supreme Court is currently reviewing the question of whether the court of appeals has original jurisdiction to review challenges to the 2015 Rule. On February 28, 2017, the President signed an Executive Order, "Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the `Waters of the United States' Rule." With this proposed rule, the agencies intend to maintain the *status quo* by proposing to add an applicability date to the 2015 Rule and thus provide continuity and regulatory certainty for regulated entities, the States and Tribes, agency staff, and the public while the agencies continue to work to consider possible revisions to the 2015 Rule. See https://www.regulations.gov/document?D=EPA-HQ-OW-2017-0644-0001

Best,

Daren

Daren Bakst
Research Fellow in Agricultural Policy
Institute for Economic Freedom
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
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From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Tuesday, December 5, 2017 1:56 PM
To: Bakst, Daren <Daren.Bakst@heritage.org>
Cc: Gordon, Robert <Robert.Gordon@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

I was on a series of calls, and may have another …

We can condense our discussion. My main question on who will be there is whether there will be anyone else with extensive WOTUS experience, like AFBF, the mining association, home builders?

As far as the substance of our discussion:

- I especially agree we should discuss, and try to raise with Pruitt, concerns about the rulemaking process. For example, we should suggest that he bolster his position for change if EPA cites legal concerns with the WOTUS rule.

- I don't object to most of the discussion about what should go in the new rule, but some of that may be in the weeds for folks who aren't into it and possibly Pruitt.
- We might also discuss what more can/should be done to reign in bureaucrats who are acting as if nothing has changed. I want to suggest that EPA/Corps might come up with some enforcement policy priorities that state what violations are priorities and what are not, which might help get bureaucrats to change behavior during the rulemaking process.

From: Bakst, Daren [mailto:Daren.Bakst@heritage.org]
Sent: Tuesday, December 05, 2017 11:47 AM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Cc: Gordon, Robert <Robert.Gordon@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

Todd,

Rob and I just chatted; he is out of the office.

Even though we are allotted 30 minutes, we should expect about 15 minutes, with you and I presenting for about 10 minutes.

Our audience is going to be our friends, e.g. CEI, Capital Research Center, Heartland, etc. There will be about 30-40 people.

I thought we could discuss:

- The latest developments and process to develop a new definition (the two-step process and the recent and current comment period)
- Our ideas on what a new definition should look like, highlighting key principles such as CWA expressly envisions a significant state role, having clear and objective definitions, and then going through what waters we think should constitute "waters of the U.S." in any new rule.

It seems our goal should be to get buy-in from the group on the substance of any new definition.

Also, if we have time, we might want to propose some ideas on how the EPA and Corps could improve the enforcement of the CWA during this interim period before a new rule goes into effect. For example, could the EPA and Corps direct that certain actions, even if currently in litigation, being reviewed by the central offices?

Best,

Daren

My plan, based on what you said, is to provide an update on what is happening, the issues that exist regarding defining "waters of the U.S.", and what we have argued the definition should look like. My goal is to get buy-in on our general principles and definition.

There is one issue that I am not sure if we should address but it is important:

Daren Bakst
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Institute for Economic Freedom
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From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Tuesday, December 5, 2017 11:24 AM
To: Bakst, Daren <Daren.Bakst@heritage.org>
Cc: Gordon, Robert <Robert.Gordon@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

Glad to try to come up with an agenda, but it would be helpful for me to know who else will be attending, in part to know who else is an expert or up to speed on WOTUS issues. Can you or Rob send me a list of attendees?

From: Bakst, Daren [mailto:Daren.Bakst@heritage.org]
Sent: Tuesday, December 05, 2017 10:40 AM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Subject: Tomorrow on WOTUS
Importance: High

Todd,

You and I will be discussing WOTUS tomorrow. It seems like it would be good if we could come up with a game plan on how to organize the presentation. I am around today if you can chat. It would be good if we could divide up what we would like to present.

Thanks,

Daren

Daren Bakst
Research Fellow in Agricultural Policy
Institute for Economic Freedom
The Heritage Foundation
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Washington, DC 20002
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Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 7/20/2018 5:51:52 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition carbon tax bills alert

The Cooler Heads Coalition will not meet in August. Our next meeting will be on Monday, 10th September, beginning at 12 noon at CEI, 1310 L Street, N. W., Seventh Floor.

Items:
Curbelo carbon tax bill introduction next week and two events on Monday, 23rd July.
House vote on Scalise anti-carbon tax resolution.

Curbelo Carbon Tax Bill

Two events on Monday—Pro and Con:

Pro:

Representative Carlos Curbelo (R-Fla.) will introduce his carbon tax bill early next week. Curbelo will speak at a press conference 9 to 10:15 AM on Monday at the National Press Club sponsored by the faux-libertarian Niskanen Center and the Center on Global Energy Policy at Columbia U.
You may register to attend here: http://energypolicy.columbia.edu/events-calendar/congressman-curbelo-and-carbon-tax-policy. Or you can watch it live on the web here: http://energypolicy.columbia.edu/livestream. I have pasted the details below.

Con:

Americans for Tax Reform is holding a press conference at 11 AM also at the National Press Club. I haven't seen the list of speakers, but I expect Grover Norquist will be there, and I know my colleague Marlo Lewis is on the list. To Rsvp or for more details, please e-mail John Kartch at jkartch@atr.org. I have pasted ATR's alert on the Curbelo bill below.

Americans for Tax Reform: Details of the Job-Crushing Curbelo Carbon Tax Bill

Posted by ATR on Friday, July 20th, 2018, 10:29 AM PERMALINK

On Monday July 23 Rep. Carlos Curbelo (R-Fla.) will introduce a bill to impose a massive carbon tax on his constituents and the American people.

Details:

Imposes a massive tax directly on American manufacturers. Bill excerpt: "*The point of taxation shall be for products manufactured in the United States, the manufacturing facility.*"

Gives unfettered power to the EPA chief to impose carbon taxes. The bill makes a long list of industries subject to the carbon tax, and then lets the EPA boss add to that list at will. Bill excerpt: The EPA Administrator may *"add any product to this list by rule."*

Encourages states to impose carbon taxes on top of the federal carbon tax. Americans will end up paying federal AND state carbon taxes.

Abusive penalties for non-payment of carbon taxes. The penalty amount is "equal to 3 times the applicable amount". Bill excerpt: Americans *"shall be liable for payment to the Secretary, without demand, of a penalty equal to 3 times the applicable amount specified by those sections for the same tax year as the year in which the person failed to comply with such requirements."*

Authorizes a UN-style "National Climate Commission."

Authorizes said "National Climate Commission" to shovel taxpayer money to "consultants". The left wing activists who authored the bill wrote themselves in as beneficiaries. Bill excerpt: *"The Commission is authorized to procure the services of experts and consultants".*

"This is a direct attack on American manufacturing and competitiveness," said Grover Norquist, president of Americans for Tax Reform. **"It also sets up an earmark for left wing activists who would be paid as 'consultants' with taxpayer money."**

Columbia-Niskanen press conference at the National Press Club at 9 AM Monday

On behalf of Columbia University's Center on Global Energy Policy and the Niskanen Center, please join us for an event with **Congressman Carlos Curbelo (FL-26)** to discuss the Market Choice Act, legislation he will introduce that day. After a 1-1 conversation between Congressman Curbelo and **Jason Bordoff**, Founding Director of the Center on Global Energy Policy, we will move to a panel conversation on the energy, economic and emissions effects of the Congressman's proposal and carbon pricing more broadly. Our distinguished panelists will include:

- **Noah Kaufman**, Research Scholar, Center on Global Energy Policy
- **Nat Keohane**, Senior Vice President, Environmental Defense Fund
- **Lynn Scarlet**, Co Chief External Affairs Officer, The Nature Conservancy
- **Jessica Hogle**, Senior Director, Federal Affairs, PG&E Corporation
- Moderator: **Joseph Majkut**, Director of Climate Policy, Niskanen Center

Read our analysis of the Congressman's legislation here:

H. Con. Res. 119

The House passed the Scalise anti-carbon tax resolution on Thursday by a 229 to 180 vote. Six Republicans voted against the resolution and seven Democrats voted for it. We'll see who gets re-elected.

Republicans voting no: Curbelo (Fla.), Fitzpatrick (Penna.), Hollingsworth (Ind.), Love (Ut.), Rooney (Fla.), Ros-Lehtinen (Fla.).

Democrats voting yes: Bishop (Ga.), Cuellar (Tex.), Lamb (Penna.), Gonzalez (Tex.), Murphy (Fla.), O'Halleran (Az.), Sinema (Az.).

Two Members voting present: Costello (R-Penna.) and Lujan Grisham (D-NM).

Seventeen members did not vote.
Republicans: Bergman (Mich.), Black (Tenn.), Garrett (Va.), Granger (Tex.), Jones (NC), Royce (Calif.).
Democrats: Brady (Penna.), Cardenas (Calif.), Crowley (NY), Ellison (Minn.), Fudge (Ohio), Hanabusa (Hi.), Lawson (Fla.), Peterson (Minn.), Richmond (La.), Speier (Calif.), Walz (Minn.).

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct:
Tel mobile
E-mail: Myron.Ebell@cei.org
Ex. 6
Stop continental drift!

Message

From: Costigan, Michael [Michael.Costigan@heritage.org]
Sent: 12/7/2017 2:20:27 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Thanks

Thanks for coming, Tate. Please let the Administrator know that we really enjoyed the conversation – it was exactly what we were hoping for. If you need anything, please don't hesitate to call. Mike

Michael Costigan
Senior Advisor, Strategic Outreach
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, December 6, 2017 6:17 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: Thanks

All-

Administrator Pruitt asked me to thank each of you for hosting him this evening. I will reach out to some of you individually on some follow-up items, but wanted to make sure everyone had our contact information.

Have a wonderful evening and talk soon.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 12/21/2017 10:40:24 PM
To: Bluey, Rob [rob.bluey@heritage.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Mike Thompson [mthompson@CRCPublicRelations.com]
Subject: Re: January meeting

Yes sounds good. Looking forward to it

Sent from my iPhone

On Dec 21, 2017, at 5:06 PM, Bluey, Rob <rob.bluey@heritage.org> wrote:

> Could you meet at Heritage on Tuesday, Jan. 9, at noon or 12:30? It would be nice to lock in a set time for each month—maybe the second Tuesday. Please let me know.

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org


Message

From: Ford, Hayley [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4748A9029CF74453A20EE8AC9527830C-FORD, HAYLE]
Sent: 1/4/2018 5:28:23 PM
To: mworley@atr.org
CC: Kundinger, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e3c9a5d16e2244079e222f342bf9992f-Kundinger,]; Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: FW: ATR Dinner Invite
Attachments: ATR Policy Dinner Information Sheet.pdf; Pruitt.pdf; EPA Administrator Pruitt Speaker Request Form.docx

Hello Megan,

I apologize that I'm just now responding to your invitation for Administrator Pruitt. With the holidays and end of the year craziness, we are now finalizing 2018 scheduling requests.

We very much look forward to having Administrator Pruitt speak with ATR! I've attached our standard request form here. Could you please complete and send back to us with additional details? Our Scheduling & Advance team will then be reaching out to set up a phone call with you to talk through your ideas.

Thank you so much and we appreciate the invitation!

Hayley Ford
Deputy White House Liaison and Personal Aide to the Administrator
Environmental Protection Agency
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: **Ex. 6**

From: Megan Worley [mailto:mworley@atr.org]
Sent: Thursday, December 7, 2017 11:03 AM
To: Schwab, Justin <Schwab.Justin@epa.gov>
Subject: ATR Dinner Invite

Hi Justin –

I hope all is well!

Please find attached an invitation for Mr. Pruitt to join us as our special guest at an ATR Policy Roundtable Dinner in 2018. We will work around your schedule selecting a date – any time next year that works for you.

Please also find a copy of an information sheet attached.

The dinner will be held at ATR's downtown office from 6:30-8:30pm on an evening of your choosing. The evening begins with a 30 minute cocktail reception followed by a 1 hour dinner. We conclude with very brief, informal remarks.

The entire event is off the record. Attendees include government relations representatives from the trade association community and some of the largest companies in America. All dinner guests are supporters of ATR.

Please let me know if you have any questions. I look forward to working with you on this.

Happy Holidays!

All the best,
Megan

Megan Worley
Americans for Tax Reform | o: 202-785-0266 | d. **Ex. 6**
& Americans for Tax Reform Foundation | www.atr.org | Facebook | Twitter



AMERICANS for TAX REFORM

722 12th Street N.W.
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20005
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F:(202)785-0261
www.atr.org

ATR Policy Dinner Information Sheet

Location:

The dinner will be held at ATR's downtown office, located at 722 12th Street, NW (12th Street between G and H).

There is street parking, valet parking across the street at the Marriott Metro Center or a parking garage in the alley next to the office. We are also located across the street from the 12th and G exit of Metro Center.

Format:

The evening begins with a 30 minute cocktail reception.

Dinner consists of 3-20 minute courses during which Grover Norquist, the Special Guest and a policy staffer for the Special Guest rotate among 3 tables for each course. The idea is for every guest attending the dinner to get a chance to sit with the Special Guest. This is the most important part of the evening and all courses are perfectly timed to ensure no table is slighted.

After dinner, Grover Norquist will thank the Special Guest for joining us, ask if they would like to make any brief, informal remarks or take any questions. The remarks are completely optional and the content usually consists of a timely issue or a subject that was discussed at one of the tables.

The entire event lasts about two hours and everything is off the record.

Attendees:

Attendees include government relations representatives from the trade association community and some of the largest companies in America. All dinner guests are supporters of ATR .

An attendee list with affiliations will be provided in the days preceding the dinner.

Contact Info:

Megan Worley will be the ATR contact for the dinner
Email is mworley@atr.org
Direct office line is Ex. 6
Cell phone is Ex. 6

ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM
U.S. Environmental Protection Agency

Deadline for Acceptance: _____

Requesting Individual / Affiliation: _____

Event Title: _____

Event Date: _____

Is the Above Date Flexible: _____

Event Time & Duration: _____

Type of Event: *Reception, Conference, Meeting*

Purpose of the Event: *Brief Description*

Role of the Administrator: *E.g., speaking engagement, keynote, panel, roundtable, attendance*

Requested Presentation Topic, if Speaking Involved: _____

Requested Presentation Format: *Keynote, Panel, Q&A, Introduction, etc.*

Speech/Presentation Duration: *Length of Remarks*

Would You Consider a Surrogate: _____

Event Location: *Location Name*
Street Address, City, State, Zip
Location Telephone Number
Room Name/Number

Event Audience: *Size of audience and brief description. E.g., 100 in attendance made up of attorneys, business owners, students, industry, employees, etc.*

Event Host(s)/Organizer(s): *List all hosts organizing the event*

Host(s)' Relationship to EPA: _____

Run of Show/ Agenda: *Provide full agenda of the event, including events immediately following the Administrator speaking.*

Is there a Hold Room Available for the Administrator? _____

ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM
U.S. Environmental Protection Agency

Open Press/Closed Press? _____

Dress Code: *Casual/Business/Black Tie Optional/Black Tie/Etc.*

Teleprompter Available: _____

Microphone / Room Setup: *What kind of microphone will be used? What is the room setup?*

Honorable Guests Attending: *Name & Title*

Notable Federal, State or Local Appointed or Elected officials attending: *Name & Title*

Individual Introducing Administrator: *Name & Title*

Person to contact for media purposes: *Name & Title; Email; Office Number, Cell Number*

Is this event held Weekly, Monthly, Annually? _____

Day of Event Point of Contact: *Name & Title; Email; Office Number, Cell Number*

Security Contact: *Name & Title; Email; Office Number, Cell Number*

Suggested Entrance/ Exit to Event Venue: _____

Is the host of the event a registered 501(c)(3), (4), or has a 527 Political Action Committee (PAC): _____

Will there be a "gift" presented to the Administrator? If so, what is the US currency value of the gift? _____

Will a meal be provided, if so what is the US currency value? _____

Please return this completed form to Hayley Ford at ford.hayley@epa.gov



AMERICANS for TAX REFORM

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www.atr.org

December 7, 2017

Mr. Scott Pruitt
Enviornmental Protection Agency
William Jefferson Clinton Federal Building
1200 Pennsylvania Avenue, NW
Washington‹ DC 20460

Dear Mr. Pruitt;

Thank you for your leadership and all of the important work you do on behalf of taxpayers to promote lower taxes, less government and more freedom. We have made great strides but there is much still to do.

Each year, Americans for Tax Reform hosts a series of policy roundtable dinners where we bring together a Cabinet official, Governor, or a leader from Congress and free-market, government relations representatives from the trade association community and some of the largest companies in America.

We would be most honored if you would agree to join us in 2018. The date is of your choosing.

The dinner will be held at ATR's downtown office, located at 722 12th Street, NW. The format consists of a short cocktail reception followed by dinner with 30 ATR supporters and brief, informal remarks. The entire event lasts about two hours.

I greatly appreciate your consideration of this request. I know you have a busy schedule but I sincerely hope you will join us. For your convenience, I have included an information sheet on the dinner. Megan Worley from my office will follow up with your staff regarding this invitation. She can be reached at Ex. 6 or mworley@atr.org.

Once again, thank you for your leadership.

Onward,

Grover G. Norquist

Message

From: Pat Michaels [PMichaels@cato.org]
Sent: 12/5/2017 9:41:13 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Info for you (pt 1)
Attachments: LIST OF FIFTY POTENTIAL RED TEAM MEMBERS.docx

Attached.

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, December 05, 2017 4:13 PM
To: Pat Michaels <PMichaels@cato.org>
Subject: RE: Info for you (pt 1)

Hey Pat! Good to see you today. Thanks for following up with me here. Do you have the list of scientists handy?

From: Pat Michaels [mailto:PMichaels@cato.org]
Sent: Tuesday, December 5, 2017 4:10 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Info for you (pt 1)

Here's with regard to the "anticipated acceptable range"

First, a primer on what happened:

http://science.sciencemag.org.mutex.gmu.edu/content/354/6311/401.full

Now the tell-all paper

http://journals.ametsoc.org/doi/full/10.1175/BAMS-D-15-00135.1

"It would also be valuable to produce and document two or more versions of the same model that would differ only by their tuning. One can imagine changing a parameter that is known to affect the sensitivity, keeping both this parameter and the ECS in the **anticipated acceptable range** and retuning the model otherwise with the same strategy toward the same targets"

Attached is the climate chapter from my upcoming book "Science versus Liberty" which goes into detail about how to take down the technical support document for the EF.

More to come.

LIST OF FIFTY POTENTIAL RED TEAM MEMBERS.

Most have published in the refereed climate literature; a few are either economists, public intellectuals, or synthesizers of science.

Annan, James
Ausubel, Jesse
Balling Jr, Robert
Braswell, William
Cass, Oren
Christy, John
Covey, Curt
Curry, Judith
Dahl-Jensen, Dorthe
Davis, Robert
de Jong, Rogier

Frauenfeld, Oliver
Goldblatt, Colin
Hargreaves, Julia
van Hatteren, Hans
Hoerling, Martin
Holgate, Simon
Idso, Craig
Jakobsson, Martin
Johnstone, James

Johnston, Jason
Kealey, Terence
Klotzbach, Philip
Knappenberger, Paul
Landsea, Christopher
Lewis, Nic
Lindzen, Richard
Lins, Harry
Loehle, Craig
Mantua, Nathan

Masters, Troy
Maue, Ryan
Monaghan, Andrew
Myneni, Ranga

McCabe, Gregory
McIntyre, Steven
McKitrick, Ross
McNider, Richard
Michaels, Patrick
Otto, Alexander

Norris, William
Pielke Sr., Roger
Pielke Jr., Roger
Peiser, Benny
Singer, S. Fred
Skeie, Ragnhild
von Storch, Hans
Waggoner, Paul
Whitehouse, David
Wolock, David

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 1/8/2018 3:21:05 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Reminder: Cooler Heads Coalition meeting Monday, 8th January

Dear Tate, Please bring forty copies. See you all soon. Yours, Myron.

Myron Ebell
Director, Center for Energy and Environment
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Washington, DC 20005, USA
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Tel mobile: **Ex. 6**
E-mail: Myron.Ebell@cei.org
Stop continental drift!

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Saturday, January 6, 2018 4:35 PM
To: Myron Ebell <Myron.Ebell@cei.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: Reminder: Cooler Heads Coalition meeting Monday, 8th January

Hey there, Myron.

Sorry for the delay. So we are confirmed and will be there at noon on Monday. Per your offer, if you could be so kind as to slide us into one of the first slots, it would be much appreciated. It will be myself, Liz, Clint Woods and potentially David Harlow.

Liz and I will open up with a brief 2017 recap (3-5 min max). Liz will distribute the Weekly Standard and National Journal profile pieces on Pruitt that came out in December as handouts. She might have a third as well but TBD. Roughly how many copies of each do you think we will need to bring?

We will then introduce Clint Woods with our Office of Air, whom you know well, and David Harlow, both of who, can speak to NSPS.

We'd love, however, to spend a bulk of the time time fielding questions if that is at all possible. We truly would enjoy the opportunity to interact with folks on broader themes and issues (we might not have the answers to more parochial questions, but can speak to larger themes/ the Admin's top priorities).

Let me know the number of copies of each piece we need to bring and if this plan sounds OK?

Tate

On Jan 5, 2018, at 1:35 PM, Myron Ebell <Myron.Ebell@cei.org> wrote:

Reminder: the Cooler Heads Coalition will hold its January strategy meeting beginning at 12 noon on Monday at CEI, 1310 L Street, N. W., Seventh Floor. There is a lot going on, so we will have a full agenda.

The big news this week has been Interior's new offshore plan. Pasted below is what I wrote about it for today's Cooler Heads Digest. It has links to relevant documents and useful stories.

Interior Announces Ambitious New Offshore Oil Plan

Secretary of the Interior Ryan Zinke on 4th January announced an ambitious oil and gas leasing plan for the federal Outer Continental Shelf (OCS) for 2019 to 2024. The Draft Proposed Plan (DPP) partially replaces the Obama administration's plan for 2017-22.

According to the Department of the Interior's press release, the DPP "proposes to make over 90 percent of the total OCS acreage and more than 98 percent of undiscovered, technically recoverable oil and gas resources in federal offshore areas available to consider for future exploration and development. By comparison, the current program puts 94 percent of the OCS off limits. In addition, the program proposes the largest number of lease sales in U.S. history."

Interior proposes to open 25 of the 26 planning areas and to conduct 47 lease auctions in the five-year period. The DPP, however, is just the first step in a process that will take several years to determine which areas will actually be opened and which lease sales will be held. The process begins with publication of a notice of intent to prepare a draft Environmental Impact Statement. The DPP and the EIS will be open for public comments beginning 8th January, and public meetings will be held around the country beginning 16th January. More information is available here.

Opposition to the plan came immediately from governors from ten coastal states. Florida Governor Rick Scott, a Republican, announced that he would fight to have areas off Florida's coast removed from the plan. Maine Governor Paul LePage, also a Republican, is the only Atlantic or Pacific state governor in favor of oil production off his state's coast.

Offshore oil production would be more popular in these states if the federal government shared royalties with them. Oil and gas royalties from production on federal lands have been shared with states under the Mineral Leasing Act of 1920. Royalties from new production in the Gulf of Mexico have been shared with Louisiana, Texas, Mississippi, and Alabama for the past decade. Congress could pass legislation to extend royalty sharing to all coastal states. It seems to me likely that the prospect of tens of billions of dollars of new revenue would eventually change the minds of California's elected officials.

Environmental pressure groups will also oppose the plan and file multiple law suits. They have already raised the argument that leasing new areas for offshore drilling will never happen because of low oil and gas prices. If that is true, then opponents should be able to relax now. But the Trump Administration is planning for the possibility that prices won't remain low forever.

Curiously, the reverse argument was made two decades ago. When President Bill Clinton vetoed legislation to open a small portion of the coastal plain of the Arctic National Wildlife Refuge (ANWR) to oil exploration in 1995, one environmental group argued that opening ANWR wouldn't do anything to lower gasoline prices, which were then high, because it would take ten years for the oil to start flowing. My view is that we should expect our elected officials to think more than a few months ahead. That is what the Congress did last month when it included opening ANWR in the tax cuts bill, thereby concluding a forty-year debate, and this is what Secretary Zinke is doing with the new offshore plan.

The geopolitical impacts of the plan were noted by Katharine MacGregor, principal deputy assistant secretary for land and minerals management: "This plan is an early signal to the global marketplace that the United States intends to remain a global leader in responsible offshore energy development and produce affordable American energy for many decades to come." The shale oil and gas revolution has already changed the global energy balance of power in favor of the United States. The mere possibility of similarly vast increases in American offshore production will tip it even further.

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Message

From: Bluey, Rob [rob.bluey@heritage.org]
Sent: 12/6/2017 8:22:13 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: In a meeting

I can call you a little later.

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org


Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 12/11/2017 6:49:39 PM
To: Myron Ebell [Myron.Ebell@cei.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Cooler Heads Coalition next meeting and invitation to Hill briefing

Sounds good; Merry Christmas and Happy New Year (if we don't see you/talk to you before then!)

From: Myron Ebell [mailto:Myron.Ebell@cei.org]
Sent: Monday, December 11, 2017 1:46 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Cooler Heads Coalition next meeting and invitation to Hill briefing

Dear Liz and Tate, I try to keep our longest segment to twenty minutes, unless we're dealing with some crises. So plan to speak for ten or less and then have ten or more minutes of questions and discussion. As for Tate's question in another e-mail, we usually have between 30 and 45. I will not advertise that you will be at the meeting unless you want it. Yours, Myron.

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From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Monday, December 11, 2017 1:32 PM
To: Myron Ebell <Myron.Ebell@cei.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Cooler Heads Coalition next meeting and invitation to Hill briefing

Great, thank you Myron. How much time would put folks speak of the 75?

Sent from my iPhone

On Dec 11, 2017, at 12:49 PM, Myron Ebell <Myron.Ebell@cei.org> wrote:

> Dear Tate, Cooler Heads only meets once a month, so I'm glad you couldn't make it today. Our next meeting is Monday, 8th January, beginning at 12 noon at CEI. I've put you on the list, so you'll get notices. If you can make it on the 8th, I'll put you near the top of the agenda in case you need to leave early. Meetings usually last from 75 to ninety minutes. Yours, Myron.

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From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, December 11, 2017 12:45 PM
To: Myron Ebell <Myron.Ebell@cei.org>
Subject: RE: Cooler Heads Coalition next meeting and invitation to Hill briefing

Myron,

Are you all having a meeting next week? Liz and I were pulled into a conference call and could not attend today.

Best.

Tate

From: Myron Ebell [mailto:Myron.Ebell@cei.org]
Sent: Monday, December 4, 2017 10:31 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Cooler Heads Coalition next meeting and invitation to Hill briefing

Dear Tate, Next meeting will be Monday, 8th January, at 12 noon. Yours, Myron.

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From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, December 4, 2017 10:23 AM
To: Myron Ebell <Myron.Ebell@cei.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Cooler Heads Coalition next meeting and invitation to Hill briefing

Hey Myron! Unfortunately Erik can't make it and Liz and I both have previous conflicts. We were trying to make this week work last minute, but it's looking like this won't be the case this week. Can we get on

the agenda for the NEXT meeting? Assuming that is next week/Monday? Hopefully Liz or I can both attend and can bring someone from GC Office. Thank you!

From: Myron Ebell [mailto:Myron.Ebell@cei.org]
Sent: Thursday, November 30, 2017 12:26 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Cooler Heads Coalition next meeting and invitation to Hill briefing

Thanks.

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, November 30, 2017 12:17 PM
To: Myron Ebell <Myron.Ebell@cei.org>
Subject: Re: Cooler Heads Coalition next meeting and invitation to Hill briefing

Sue and settle and other issues

On Nov 30, 2017, at 11:49 AM, Myron Ebell <Myron.Ebell@cei.org> wrote:

> Dear Tate, Yes. What do you want to talk about? And the attendees will have some questions on a variety of energy issues. No worries if Erik can't answer some of them, though. Thanks, Myron.
>
> Myron Ebell
> Director, Center for Energy and Environment
> Competitive Enterprise Institute
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> Washington, DC 20005, USA
> Tel direct:
> Tel mobile: **Ex. 6**
> E-mail: Myron.Ebell@cei.org
> *Stop continental drift!*
>
> ---
>
> **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> **Sent:** Thursday, November 30, 2017 11:35 AM
> **To:** Myron Ebell <Myron.Ebell@cei.org>
> **Cc:** Bowman, Liz <Bowman.Liz@epa.gov>
> **Subject:** Re: Cooler Heads Coalition next meeting and invitation to Hill briefing
>
> Erik Baptist will attend but needs to be back at EPA by 1. Can he have one of the first speaking spots
>
> On Nov 29, 2017, at 3:38 PM, Myron Ebell <Myron.Ebell@cei.org> wrote:
>
> > Dear Liz and Tate, I'll put you on the Cooler Heads list. Our next meeting is Monday the 4th beginning at 12 noon at CEI, 1310 L Street, N. W., Seventh Floor. Let me know if you or anyone is coming and what you'd like to talk about. Our agenda is usually quite long, but many

issues are dealt with quickly and most of the ninety minutes is spent on the top one or two items. This month we will definitely be talking about the Kigali amendments as one of the main agenda items. Ryan, Samantha, Mandy, and Brittany are on the distribution list (and Richard Yamada and John Konkus, I think), and Mandy and Brittany have attended many Cooler Heads meetings over the years and one or two since they joined EPA. Yours, Myron.

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Stop continental drift!

From: Myron Ebell
Sent: Monday, November 27, 2017 9:32 AM
To: Myron Ebell (mebell@cei.org) <mebell@cei.org>
Subject: Cooler Heads Coalition next meeting and invitation to Hill briefing

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

Also, don't forget our Hill briefing on Tuesday, 28th December, at 4 PM in 2322 Rayburn. Our speaker is Rupert Darwall, author of the recently published Green Tyranny: Exposing the Totalitarian Roots of the Climate Industrial Complex, and in 2013 of the Age of Global Warming: a History. Copies of Green Tyranny will be provided to attendees compliments of CEI. Here's the invitation pasted below.

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: Oren Cass [ocass@manhattan-institute.org]
Sent: 1/16/2018 8:57:22 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Dravis, Samantha [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ece53f0610054e669d9dffe0b3a842df-Dravis, Sam]
Subject: RE: Meeting with Administrator Pruitt on Thursday
Attachments: 170321-The Problem with Climate Catastrophizing (FA).pdf; 180118-Challenges in Evaluating the Costs of Climate Change (EPA Presentation).pdf

Samantha and Tate,

Attached are two files that might be useful to you or Administrator Pruitt in advance of our discussion on Thursday.

- The first is the presentation that I am hoping we can go through during the meeting, looking at the current state of climate economics and the need for greater scrutiny of the assumptions that go into those studies.

- The second is an essay I wrote last year for Foreign Affairs that outlines my thoughts on how best to think and communicate about climate change – not sure whether that will be relevant to the meeting, but I figured it is worth sending in case.

For the presentation, I definitely do not need a projector, in fact I'd prefer if we can just sit around a table to discuss. But would it be possible for someone there to print copies of the presentation and bring them to the meeting? If not, I can print and bring them along – please just let me know.

Thank you,
Oren

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, January 15, 2018 5:31 PM
To: Oren Cass
Cc: Dravis, Samantha; Ford, Hayley
Subject: Re: Meeting with Administrator Pruitt on Thursday

Hi Oren! We are looking forward to Thursday.

We will have roughly 30-45 minutes for the meeting, but I'm Hayley Ford in case that has changed. We were thinking this meeting could be purely informative in nature, and not necessarily in the context of a specific EPA exercise.

That is correct- the Administrator is interested in emissions baselines and economic analyses of clime change (and the extent to which humans contribute). We would like to focus on 1) your specific findings and research in these areas and 2) what other existing research narratives/ schools are currently being circulated and your take on them. Samantha, is that your take as well?

If you have a presentation or materials already prepared, we can certainly get them to him ahead of time. However, no need to recreate the wheel if it's easier for you to send along the key reports in advance.

Looking forward to seeing you.

Tate

On Jan 15, 2018, at 4:23 PM, Oren Cass <ocass@manhattan-institute.org> wrote:

> Samantha and Tate,
>
> I just wanted to check in with you briefly regarding the plan for our meeting on Thursday morning, which I have on the calendar for 9:30am. A few questions:
>
> - How long will we have for the discussion?
>
> - I expect generally that the objective is to discuss the opportunity to examine emissions baselines and economic analyses of climate change in the context of a red-team/blue-team exercise. Is that right?
>
> - Would it be helpful for me to send anything for the Administrator to read in advance, or to bring a formal (e.g., PowerPoint) presentation, or should I just be prepared with a brief agenda for discussion? (At a minimum, I would bring copies of some of the key reports and studies that we might discuss, as well as some of the figures from my own forthcoming report.)
>
> Thank you,
> Oren

Oren M. Cass
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SNAPSHOT March 21, 2017 Climate Change

The Problem With Climate Catastrophizing

The Case for Calm

By Oren Cass

Climate change may or may not bear responsibility for the flood on last night's news, but without question it has created a flood of despair. Climate researchers and activists, according to a 2015 *Esquire* feature, "When the End of Human Civilization is Your Day Job," suffer from depression and PTSD-like symptoms. In a poll on his Twitter feed, meteorologist and writer Eric Holthaus found that nearly half of 416 respondents felt "emotionally overwhelmed, at least occasionally, because of news about climate change." For just such feelings, a Salt Lake City support group provides "a safe space for confronting" what it calls "climate grief."

Panicked thoughts often turn to the next generation. "Does Climate Change Make It Immoral to Have Kids?" pondered columnist Dave Bry in *The Guardian* in 2016. "[I] think about my son," he wrote, "growing up in a gray, dying world—walking towards Kansas on potholed highways." Over the summer, National Public Radio tackled the same topic in "Should We Be Having Kids In The Age Of Climate Change?" an interview with Travis Rieder, a philosopher at Johns Hopkins University, who offers "a provocative thought: Maybe we should protect our kids by not having them." And Holthaus himself once responded to a worrying scientific report by announcing that he would never fly again and might also get a vasectomy.

Such attitudes have not evolved in isolation. They are the most intense manifestations of the same mindset that produces regular headlines about "saving the planet" and a level

of obsession with reducing carbon footprints that is otherwise reserved for reducing waistlines. Former U.S. President Barack Obama finds climate change "terrifying" and considers it "a potential existential threat." He declared in his 2015 State of the Union address that "no challenge—no challenge—poses a greater threat to future generations." In another speech offering "a glimpse of our children's fate," he described "Submerged countries. Abandoned cities. Fields that no longer grow. Political disruptions that trigger new conflict, and even more floods of desperate peoples." Meanwhile, during a presidential debate among the Democratic candidates, Vermont Senator Bernie Sanders warned that "the planet that we're going to be leaving our kids and our grandchildren may well not be habitable." At the Vatican in 2015, New York Mayor Bill de Blasio shared his belief that current policy will "hasten the destruction of the earth."



A boy flies his kite on dry and cracked farmland in San Juan town, Batangas province, south of Manila, April 18, 2010.

ROMEO RANOCO / REUTERS

And yet, such catastrophizing is not justified by the science or economics of climate change. The well-established scientific consensus that human activity is causing the climate to change does not extend to judgments about severity. The most comprehensive and often-cited efforts to synthesize the disparate range of projections—for instance, the United Nations' Intergovernmental Panel on Climate Change (IPCC)

and the Obama administration's estimate of the "Social Cost of Carbon"—consistently project real but manageable costs over the century to come. To be sure, more speculative worst-case scenarios abound. But humanity has no shortage of worst cases about which people succeed in remaining far calmer: from a global pandemic to financial collapse to any number of military crises.

What, then, explains the prevalence of climate catastrophism? One might think that the burgeoning field of climate psychology would offer answers. But it is itself a bastion of catastrophism, aiming to explain and then reform the views of anyone who fails to grasp the situation's desperate severity. *The Washington Post* offers "the 7 psychological reasons that are stopping us from acting on climate change." Columbia University's Center for Research on Environmental Decisions introduces its guide to "The Psychology of Climate Change Communication" by posing the question:"Why Aren't People More Concerned About Climate Change?" In its 100-page report, the American Psychological Association notes that "emotional reactions to climate change risks are likely to be conflicted and muted," before considering the "psychological reasons people do not respond more strongly to the risks of climate change." The document does not address the possibility of overreaction.

Properly confronting catastrophism is not just a matter of alleviating the real suffering of many well-meaning individuals. First and foremost, catastrophism influences public policy. Politicians regularly anoint climate change the world's most important problem and increasingly describe the necessary response in terms of a mobilization not seen since the last world war. During her presidential campaign, Democratic candidate Hillary Clinton promised a "climate map room" akin to Roosevelt's command center for the global fight against fascism. Rational assessment of cost and benefit falls by the wayside, leading to questions like the one de Blasio posed in Rome: "How do we justify holding back on any effort that may meaningfully improve the trajectory of climate change?"

Catastrophism can also lead to the trampling of democratic norms. It has produced calls for the investigation and prosecution of dissenters and disregard for constitutional limitations on government power. In *The Atlantic*, for example, Peter Beinart offered climate change as his first justification for an Electoral College override of the election of Donald Trump as U.S. president. The Supreme Court has taken the unprecedented step of halting implementation of the Clean Power Plan, Obama's signature climate policy, before a lower court even finished considering its constitutionality; his law-school mentor, professor Larry Tribe, likened the "power grab" of his star pupil's plan to "burning the Constitution."

The alternative to catastrophism is not complacency but pragmatism. Catastrophists typically condemn fracked natural gas because, although it results in much lower greenhouse-gas emissions than coal, it does not move the world toward the zero-emissions future necessary to avert climate change entirely. Yet fracking has done more in recent years to reduce carbon-dioxide emissions in the United States than all renewable energy investments combined. It has boosted U.S. economic growth as well.

The idea that humanity might prepare for and cope with climate change through adaptation is incompatible with catastrophists' outlook. Yet if the damage from climate damage can be managed, anticipating challenges through research and then investing in smart responses offers a more sensible path than blocking the construction of pipelines or subsidizing the construction of wind turbines. Catastrophists countenance progress only if it can be fueled without carbon-dioxide emissions. Yet given the choice, bringing electricity to those who need it better insulates them from any climate threat than does preventing the accompanying emissions.

The cognitive fault lines separating catastrophists from others cause both sides to reach radically different conclusions from the same information. Catastrophists assume that their interpretation is correct, and so describe other thinking as distorted. But if the catastrophists have it wrong, perhaps the distortions are theirs.

CLIMATE CHANGE COSTS

A strong scientific consensus holds that human activity is producing climate change. But from that starting point, scientists have produced a range of estimates in response to a variety of complicated questions: How quickly will greenhouse gases accumulate in the atmosphere? What amount of warming will any given accumulation cause? What effect will any given level of warming have on ecosystems and sea levels and storms? What effect will those changes in the environment have on human society? The answers to all of these questions are much debated, but broad-based efforts to synthesize the best research in the physical and social sciences do at least offer useful parameters within which to assess the nature of the climate threat.

On scientific questions, the gold-standard summary is the Assessment Report created every few years by thousands of scientists under the auspices of the United Nations' Intergovernmental Panel on Climate Change (IPCC). By averaging widely varying projections and assuming no aggressive efforts to reduce greenhouse-gas emissions, they estimate an increase of three to four degrees Celcius (five to seven degrees Fahrenheit) by the year 2100. The associated rise in sea levels over the course of the twenty-first century, according to the IPCC, is 0.6 meters (two feet).

Most of the rise in sea levels results not from melting glaciers, but from the thermal expansion of ocean water as it becomes warmer. Melting ice from Greenland and Antarctica, which may eventually threaten a dramatic increase in sea levels, will barely begin in this century—in the IPCC analysis, the Antarctic ice sheet will have almost no effect and may even slow sea level rise as increased precipitation adds to its snowpack. Meanwhile, melting from Greenland's ice sheet will contribute 0.09 meters (3.5 inches). In fact, "the near-complete loss of the Greenland ice sheet," which could raise sea levels by seven meters, the IPCC reports, "would occur over a millennium or more."

What about ecology? Predicting or quantifying damage to vulnerable ecosystems and specific species is notoriously difficult, but the IPCC offers a helpful heuristic for the likely magnitude of damage from climate change: "With 4°C warming, climate change is projected to become an increasingly important driver of impacts on ecosystems, becoming comparable with land-use change." In other words, the impact should be similar to that which human civilization has imposed on the natural world already. Substantial and tragic, to be sure; but not something that modern society deems intolerable or a threat to human progress.

Economic tools called "integrated assessment models" attempt to convert the potential effects of climate change—on sea level and ecosystems, storms and droughts, agricultural productivity, and human health—into tangible cost estimates. This exercise is as much art as science, but it represents the best available exploration of how the impacts of climate change will likely stack up against society's capacity to cope with them. Three of these models form the basis of the Obama administration's analysis of the "Social Cost of Carbon"—the U.S. government's official estimate of how much climate change will cost and thus what benefits come from combatting it. Economists and policymakers who want to place a price (that is, a tax) on carbon-dioxide emissions to force emitters to pay for potential damage resulting from climate change typically embrace the analysis as well.

According to the assessment models, a warming of three to four degrees Celcius by 2100 will cost the world between one and four percent of global GDP in that year. To put the high end of that range concretely, the Dynamic Integrated Climate-Economy (DICE) model developed by economics professor William Nordhaus at Yale University estimates that in a world without climate change, the global economy's GDP would grow from $76 trillion in 2015 to $510 trillion in 2100 (an annual growth rate of 2.3 percent). A rise in temperatures of 3.8 degrees Celcius would cost 3.9 percent of GDP ($20 trillion) that year, effectively reducing GDP to $490 trillion.



A man wears a polar bear costume and holds a banner with the message, "Climate Change is Unbearable" as he participates in a demonstration near the Eiffel Tower in Paris, France, as the World Climate Change Conference 2015 (COP21) continues near the French capital in Le Bourget, December 12, 2015.

MAL LANGSDON / REUTERS

Twenty trillion dollars is a very large number—representing a cost greater than the entire annual economic output of the United States in 2016. But from the perspective of 2100, such costs represent the difference between the world being 6.5 times wealthier than in 2015 or 6.7 times wealthier. In the DICE model, moreover, the climate-change-afflicted world of 2105 is already more prosperous than the climate-change-free world of 2100. And because the impacts and costs of climate change emerge gradually over the century—0.3 percent of GDP in 2020, 1.0 percent in 2050—in no year does the model foresee a reduction in economic growth of even one-tenth of a percentage point. Average annual growth over the 2015–2100 period declines from 2.27 percent to 2.22 percent.

To be sure, economic estimates are incomplete. They cannot incorporate the inherent value to a community of remaining in its ancestral lands or any obligation humanity might have to protect other species and habitats. Even within the economic sphere, the assessment models depend on subjectively chosen inputs and averages across disparate forecasts; they rest atop numerous other models, each with their own subjectively chosen inputs and averages. Among the three models the Obama administration picked

for its analysis alone, the range of outputs is enormous: the DICE model's four percent-of-GDP estimate is near the 95th percentile of the projections from the middle-case model, while the low-case model's one percent-of-GDP estimate is below the middle-case's 5th percentile. But nowhere is catastrophe to be found.

Limitations and all, such estimates remain the best available. Further, the shortcomings of the integrated assessment models have little to do with their lack of support for catastrophism. The gap between what the models describe and what catastrophists fear does not emerge because the models disregard the heritages of indigenous cultures or the intangible value of every species. Nor do catastrophists disagree with particular inputs or outputs, expecting that tweaks to certain assumptions might validate their views. Rather, the societal collapse that catastrophists envision—one that poses an "existential" threat beyond the scope of other human problems, one that makes procreation an ethically dubious proposition—is simply irreconcilable with the outlook the science and economics offers.

Indeed, the logic of catastrophism seems to run backward: from the conclusion that significant human influence on the climate must portend unprecedented danger to the search for facts to support that narrative. But forecasts on these scales of time and magnitude exceed common experience and thus defy intuition, which facilitates misinterpretation and frustrates self-correction. Placing the problem in proper perspective requires appreciating the long-term costs in the context of the distant future when they will arise, distinguishing costs spread over long time periods from those borne all at once and, finally, applying separate analyses to expected outcomes and worst case scenarios. Catastrophists get these things wrong.

COSTS IN THE DISTANCE

The power of compounding growth is the most crucial and counterintuitive phenomenon for understanding long-term projections. Many first encounter it in the tale of the ancient chessmaster who offers to train the emperor in return for one grain of rice on the board's first square, two grains on the second, four on the third—doubling on each square through the sixty-fourth. This sounds quite affordable, but the payment for the last square turns out to be just over nine quintillion (million-trillion) grains.

An economy growing by some percentage each year follows a similar trajectory. If GDP rises by just three percent per year, the economy will grow almost 20-fold in a century. In constant 2009 dollars, U.S. GDP was less than $1 trillion in 1930. Eighty-five years later, after growing at an average compounding rate of 3.4 percent, it exceeded $16 trillion. Eighty-five years from now, even at half that growth rate, U.S. GDP will approach $70 trillion. For the majority of the world population, which resides in the

developing world and thus starts further behind, progress will likely be faster—more closely mirroring the booms in the United States and other now-developed countries in the last century. A $500 trillion global economy in 2100 in which most of the world approaches the standard of living already enjoyed in the West may sound fantastical. But it only requires steady progress.

The first cognitive fault line separating catastrophists from others emerges here, over how to interpret the severity of climate-change damages in a world so radically different and more prosperous than our own. The standard narrative holds that most people improperly discount or ignore costs in the distant future. To the extent that those people are rational, their discounting of future problems must mean that they are immoral. "People scratch their heads and say: Why don't people do what's right?" remarked Harvard geology professor Daniel Schrag in a 2013 lecture. "Well, maybe they're rational. It's hard to accept. But in fact, maybe they actually don't value the future as much as some of us do. The benefits will go to their children, to their grandchildren, and beyond."

But what if, rather than not caring about their grandchildren, people have confidence that their grandchildren will enjoy a far higher standard of living and have a greater capacity to cope with whatever climate change might bring? In purely economic terms, both seem likely. Even after accounting for climate change, the DICE model forecasts a world 6.5 times richer than today's for a population only 40 percent larger. Condemn mainstream economic estimates as hopelessly optimistic, increase the annual cost estimate for 2100 tenfold from $20 trillion to $200 trillion, and the world is still four times richer than today.

The abstract GDP totals represent more than just a hypothetical capacity to absorb costs. The concrete implications of this growth will be leaps forward in societal resilience and technological capability of the same magnitude achieved in the last century. Without predicting the future, analogs from the past indicate the kinds of change to expect. In many cases, they address squarely the central concerns raised by climate change.

Environmentalists, for example, have long worried about global population outstripping food supply. In 1970, the biologist Paul Ehrlich warned that, due to population growth, "at least 100-200 million people per year will be starving to death during the next ten years." Instead, a technological revolution caused agricultural yields to surge. Today, even as concern grows about potential water crises around the world, the seeds of their resolution may be sprouting as well. Israel, suffering from the same drought often blamed for helping plunge Syria into civil war, is using desalination technology to make the desert bloom. Recently, it found itself with a water surplus. India is constructing

more than one million irrigation ponds that will increase agricultural yields by as much as 300 percent and buffer against changes in the timing of the monsoon season.

Continued progress in public health, through new breakthroughs and the transfer of best practices to the developing world, will likely ensure that life expectancy and quality will continue to increase regardless of how the climate changes. Perhaps climate change will increase the range of tropical diseases compared to a no-climate-change world. But in absolute terms, the prevalence of and mortality from such diseases should plummet. The public health challenges of 2100 will be as distant from today's as today's are from those of the early 1900s, prior to the development of either antibiotics or vaccines, when one in three American deaths were from pneumonia, tuberculosis, or diarrhea and enteritis.

To offer one more example, human infrastructure continues to triumph over the challenges and disasters of the natural world. Richer countries experience significantly lower fatality rates from natural disasters and also significantly lower damages relative to the size of their economies. The World Health Organization reports that in the three cyclones of maximum severity striking Bangladesh in 1970, 1991, and 2007, total fatalities declined from 500,300 to 138,958 to 4,234. The diffusion of existing technologies worldwide, and the development of new ones—coupled with unprecedented resources for implementation—should ensure that these trends continue.

Incremental improvements in water management, public health practices, and infrastructure are a conservative vision of progress. But innovation beyond today's imagination, in directions by definition unpredictable, is likely as well. Robin Hanson, a researcher at Oxford University's Future of Humanity Institute, wrote a well-received book called *The Age of Em* in which he argued that by 2100, computer simulations of humans will dominate an economy that doubles in size every month. James Lovelock, the British scientist, has likewise argued that, "before we've reached the end of this century, even—I think that what people call robots will have taken over."

Conversely, if innovation and economic growth stall; if the developing world halts its development; if wealthy nations begin to move backward—climate change will be the least of humanity's worries. The world's economic system of debt-based capitalism, predicated on continued growth, would collapse. The political systems built on that economic system would collapse as well. In that world, as in the prosperous one, the effects of climate change are a marginal consideration.

At its extreme, the conflation of future impacts with present circumstances produces incoherent results. Take, for instance, the EPA's "Climate Change Risks and Analysis"

project. Among its most prominent claims: Unmitigated climate change will cause more than 12,000 annual deaths from extreme heat in major U.S. cities by 2100. (The U.S. Centers for Disease Control and the EPA report fewer than 500 heat-related deaths in 2014, a figure that has been on a downward trajectory over the past 15 years). To reach 12,000 by 2100, the analysis took each city's mortality rate from extreme heat in 2000 and applied it to the hotter temperatures forecast for 2100. It concluded that, by 2100, the heat in New York City would be killing at 50 times the rate in Phoenix in 2000 (even though the New York City of 2100 is not expected to be as hot as the Phoenix of 2000). If one believes that residents of New York City will be dropping like flies from heat in the future, climate change must seem terrifying indeed. But that is not a rational belief.

COSTS OVER TIME

A second cognitive fault line emerges over interpretation of climate change's slow-motion onset. Catastrophists lament this characteristic and blame it for humanity's failure to feel properly alarmed. The frog-in-boiling-water parable is popular here, even appearing in Al Gore's *An Inconvenient Truth*: try to throw a frog into a pot of boiling water, and it will leap out; but heat the frog in a pot of cool water, and it will sit there until dead.

The problem is that the parable turns out to be completely wrong. A frog tossed into boiling water will be killed or badly injured; one heated up will jump out when it becomes uncomfortable. In this, people are something like frogs: the one thing worse than a slow-motion crisis is a rapid one.

In the climate context, even from the vantage point of a prosperous 2100, the sudden inundation of coastal cities or disappearance of the monsoon would produce civilization-rattling disruptions. "Just imagine, for example, monsoon patterns shifting in South Asia where you have over a billion people," warned Obama in 2016. "If you have even a portion of those billion people displaced, you now have the sorts of refugee crises and potential conflicts that we haven't seen in our lifetimes." Catastrophists frequently cite this specter of hundreds of millions of refugees, which offers a vague but ominous scenario that might derive from any number of catastrophes and cause any number of others.

But would shifting monsoon patterns displace so many? Remember, growing wealth and infrastructure in the developing world will ensure a level of resilience far greater than today's. Of equal importance, gradual challenges invite adaptation: even if fully half of global agricultural production must relocate over a century, the required shift each year is only 0.5 percent of total production. For comparison, annual additions to global food production have averaged more than two percent over the past 50 years.

Even stipulating that adaptations will displace hundreds of millions of people, that displacement will not happen all at once. Spread over decades, such a disruption would look little different from the status quo. China alone currently supports a domestic migrant worker population of 278 million. According to estimates by the United Nations, there are currently 232 million international migrants. The organization projects that the figure will grow by several million each year. By 2050, the World Bank estimates that 2.5 billion people will migrate to cities for reasons unrelated to climate change. Climate change may thus be among the forces that cause the twenty-first century to witness upheavals and migrations on a scale similar to those of the nineteenth and twentieth—other forces were on full display in 2016—but that can hardly earn it the designation of "unprecedented" or "existential."

The costs of climate adaptation can also appear deceptively large if the alternative of maintaining the status quo is imagined to be free. But regardless of climate change, almost every component of the global economy's capital base—from city sewers to farm silos—will be fully depreciated and will need to be replaced by new investment over the next 100 years, both because existing infrastructure will deteriorate and because new alternatives will be worth installing. In that way, major coastal cities will be entirely rebuilt regardless of whether rising seas threaten them. If people allocating capital—be they small-town farmers, resort designers, or mayors—have the information and incentives to incorporate climate adaptation into their planning, it need not impose sudden and unmanageable recovery costs.

Recall Obama's warning: "Submerged countries. Abandoned cities. Fields that no longer grow." The statement actually began with the caveat that it is "a glimpse of our children's fate if the climate keeps changing faster than our efforts to address it." But certainly the climate is not yet changing too fast for society to address. And if societies continue to exhibit and build upon the adaptability they displayed in the lastcentury, the glimpsed fate will never come to pass.

Faced with the claim that total climate costs of $20 trillion in 2100 represent an entirely manageable burden, the catastrophist might respond that $20 trillion must be implausibly low for the extent of disruption climate change might entail. He or she might also emphasize that climate change is not a one-time phenomenon: its effects will accumulate and compound, striking year after year against societies with a constrained capacity to respond.

But that argument gets the dynamic backward. Although climate impacts may be permanent and on-going, costly adaptation—if done wisely—need occur only once. A Manhattan properly insulated from rising waters will not require new protection each time sea level climbs another foot. Conversely, that hypothetical $20 trillion represents

the resources that society might commit to the problem in the single year 2100. In Nordhaus' DICE model, the total allocated to climate costs between 2050 and 2150 is more than $2.5 quadrillion, all without ever slowing annual growth by more than one-tenth of one percentage point. The world's productive capacity, bolstered by innovation and adaptation over time, is orders of magnitude larger than the demands climate change is expected to impose. Such adaptation may represent a tragic long-term drain on society's resources, but that does not mean it will noticeably alter the trajectory of human civilization.

COSTS IN THE EXTREME

To the climate catastrophist, even a credible argument that climate change is manageable may offer little comfort. So what if the IPCC's best guess of sea-level rise by 2100 is only two feet? Some scenarios contemplate much worse outcomes, and what if those come true?

The *Esquire* article describes the views of Michael Mann, the climatologist who created the famous "hockey-stick" chart used to argue that centuries of climate stability were giving way to sharp warming in recent decades. "As Mann sees it, scientists like [NASA's Gavin] Schmidt who choose to focus on the middle of the curve aren't really being scientific. ... A real scientific response would also give serious weight to the dark side of the curve." In Mann's own words: "Maybe it is true what the ice-sheet modelers have been telling us, that it will take a thousand years or more to melt the Greenland Ice Sheet. But maybe they're wrong; maybe it could play out in a century or two."

Catastrophists worry that warming temperatures will set off an uncontrollable feedback loop, begetting ever-accelerating warming that leaves the planet uninhabitable; ocean currents might suddenly reverse, sending local climates into wild gyrations; unexpected ice-sheet dynamics might produce rapid glacial melting that causes sea levels to rise rapidly by multiple meters; agricultural yields could collapse, triggering widespread famine and conflict. Perhaps. If nothing else, such claims are unfalsifiable.

But it is difficult to know how to weigh such extreme hypotheticals. Emphasizing them risks departing the world of empirical research and model-based forecasting for one governed by fear. A variety of other long-term challenges with truly existential worst-case scenarios already exists, from the archetypical nuclear war to the emergence of artificial super-intelligence hostile to humans, to the global spread of an engineered pandemic, to coordinated cyberattacks on physical and financial infrastructure. Working with a catastrophic mindset and a century-long timeline, one can construct an apocalyptic scenario from almost any problem.

Here, the third fault line emerges over placement of climate change in broader context. Catastrophists see their worries about extreme climate change as unique from, and more concrete than, other speculative fears. But when held up for comparison, extreme climate change does not justify a special status. In objective terms, the worst case for climate change does not even place it among the worst of worst cases. For instance, the Global Priorities Project at Oxford observes that climate change could "render most of the tropics substantially less habitable than at present," as compared to the hundreds of millions or billions of deaths associated with other challenges. Another Oxford study surveyed conference participants about the extinction-level risks of various catastrophes and neglected to even consider climate change; respondents gave molecular nanotechnology, superintelligent AI, and an engineered pandemic all at least a two percent chance of erasing humanity by 2100.

A climate change worst-case scenario also differs from others in its speed. Although genuinely existential threats to civilization might circle the globe in months, days, or even minutes, total climate catastrophe unfolds over decades or centuries. One might not like humanity's chances of reversing or coping with such a threat, but the chances must be higher than for threats striking hundreds or thousands of times faster.

These factors place catastrophists in a catch-22. To locate climate-change impacts of sufficient magnitude, they envision scenarios that require temperatures to climb and dominos to fall across multiple centuries. But extending the timeframe dilutes costs faster than it can increase them. No matter how apocalyptic, impacts forecasted hundreds of years in the future are inherently less alarming than those under discussion for the year 2100.

Several factors may help to explain why catastrophists sometimes view extreme climate change as more likely than other worst cases. Catastrophists confuse expected and extreme forecasts and thus view climate catastrophe as something *we know will happen*. But while the expected scenarios of manageable climate change derive from an accumulation of scientific evidence, the extreme ones do not. Catastrophists likewise interpret the present-day effects of climate change as the onset of their worst fears, but those effects are no more proof of existential catastrophes to come than is the 2015 Ebola epidemic a sign of a future civilization-destroying pandemic, or Siri of a coming Singularity.

Catastrophists express frustration that the diffuse and intangible impacts of climate change prevent the threat from receiving sufficient attention—"if global warming took out an eye every now and then," Dan Gilbert, professor of psychology at Harvard University, wrote in 2006, "OSHA would regulate it into nonexistence." But as compared to other long-term challenges, claims of climate impact appear constantly.

Natural disasters, extreme temperatures, and even geopolitical events find themselves linked to discussions of climate change or, if no link is available, cited as the kind of thing climate change might make more common. Greater obsession with climate change produces more coverage of it, stoking greater obsession. Meanwhile, arguments against catastrophism rarely reach the audience that might benefit most from hearing them.

Finally, "motivated reasoning" likely plays a role. A charge issued frequently by catastrophists is that anyone expressing inadequate concern must be avoiding the problem because he dislikes the consequences of taking action—bigger government, more regulation, less growth. But this presumably cuts both ways. The policy agenda and social outlook demanded by the catastrophist perspective tends to align closely with the pre-existing preferences of catastrophists. Perhaps tellingly, when proposals arise that are less to their liking—nuclear power and fracked natural gas as substitutes for coal, carbon taxes paired with other tax cuts, use of conservation land for renewable power, research on geo-engineering—the overriding imperative to address climate change has tended to fall by the wayside.

COSTS TO CREDIBILITY

The errors of today's climate catastrophists repeat those made by the last generation of environmental doomsayers. As Paul Romer, the chief economist of the World Bank, recently observed:

> *During the 1970s, the Club of Rome famously argued that our economic system was on the verge of collapse because we were running out of fossil fuel. This analysis was flawed not simply because it got the magnitudes wrong. It got the signs wrong. The problem facing the world is not that the earth's crust contains too little fossil fuel and that we won't have enough innovation to solve this problem. The real problems are that the earth's crust contains far too much fossil fuel and that too much [innovation] is making this problem much worse.*

In other words, even though the Club of Rome was wrong in the 1970s, Romer believes its broader perspective should be embraced. Seemingly oblivious to the irony, he attributes the failure last time around to "an instance of motivated reasoning. Advocates seem to have been too eager to generate a sense of pessimistic urgency."

Schrag, the Harvard geology professor, is even more blunt. Reflecting on Ehrlich's predictions of eminent mass starvation in the 1970s, Schrag acknowledges that "none of his predictions came true." Nevertheless, says Schrag, "It's quite amazing that we're

actually able to feed the world at all. Ehrlich wasn't wrong in '68, he's just wrong today." In this view, the catastrophist is not accountable for considering how growth, innovation, and adaptation might avert catastrophe. But Ehrlich was indeed wrong in 1968, for the same reasons his intellectual heirs are likely wrong about climate change today.

Some catastrophists do acknowledge, at least implicitly, the limits of their case. Unfortunately, this leads them to demand the creation of new evidence. Nicholas Stern, lead author of the United Kingdom's climate assessment, wrote recently in *Nature*: "The next IPCC report needs to be based on a much more robust body of economics literature, which we must create now. It could make a crucial difference." Stern expressed concern that the current generation of economic models fails to adequately account for the risk of shocks "such as the thawing of permafrost, release of methane, and other potential tipping points," or of social costs "such as widespread conflict as a result of large-scale human migration to escape the worst-affected areas."

Dave Roberts, whose TedX presentation entitled "Climate Change Is Simple" warns of "Hell on Earth" by 2100, suggests that the integrated assessment models should use surveys of "expert opinion" to produce "better, more representative modeling." But the DICE model, as an example, already incorporates such a survey. Undoubtedly, new models designed to vindicate the catastrophists' perspective will soon emerge. But perhaps the existing models are saying something very important about the nature of human progress and long-term challenges that catastrophists need to hear.

Or perhaps they hear more than they let on. Obama catastrophized in speeches, but seldom when the prospect of a follow-up question loomed. Pressed by *New York Times* reporter Mark Landler whether he "believe[s] the threat from climate change is dire enough that it could precipitate the collapse of our civilization," Obama relied on his legalistic rather than rhetorical gifts: "Well, I don't know that I can look into a crystal ball and know exactly how this plays out. But what we do know is that historically, when you see severe environmental strains of one sort or another on cultures, on civilizations, on nations, that the byproducts of that are unpredictable and can be very dangerous." True enough—and the same could be said for a whole host of other challenges. For instance, try replacing Obama's phrase "severe environmental strains" with "strains of militant religious extremism."

As for Bry, the newspaper columnist; Rieder, the philosophy professor; and Holthaus, the meteorologist? They each decided to have kids after all.

Challenges in Evaluating the Costs of Climate Change

Oren Cass

Senior Fellow, Manhattan Institute for Policy Research

January 18, 2018

All Analyses Are Preliminary, for Discussion Purposes Only

Summary

- Most climate science is rigorously conducted and subject to careful scrutiny; consensus statements tend to be framed conservatively and should be taken seriously by policymakers as they anticipate and prepare for future challenges

- By contrast, climate economics has become overrun by poorly constructed studies that rely on unreasonable assumptions to generate large cost estimates
    - Early "Integrated Assessment Models" made good-faith efforts to forecast costs, but their estimates are not large
    - More recently, abstract "temperature studies" have sought to establish statistical correlations between higher temperatures and outcomes like higher mortality or slower growth, and then extrapolate these forward; this produces strange results:
        - A forecast that Pittsburgh's heat-related mortality rate in 2100 will be 75 times higher than Phoenix's is today
        - A forecast that Iceland and Mongolia will be the leading economies of the twenty-first century
- Studies like these, which accounted for more than 80% of the costs identified in the recent GAO report on climate cost, are ripe for scrutiny
- The Environmental Protection Agency could play a central role in strengthening climate research by endorsing high-quality scientific evidence while setting clear standards for the economic and policy studies built atop that foundation

Studies discussed in this presentation

Syntheses of Individual Studies

Robert Kopp, Solomon Hsiang, et al., "American Climate Prospectus: Economic Risks in the United States," Rhodium Group, Oct. 2014.

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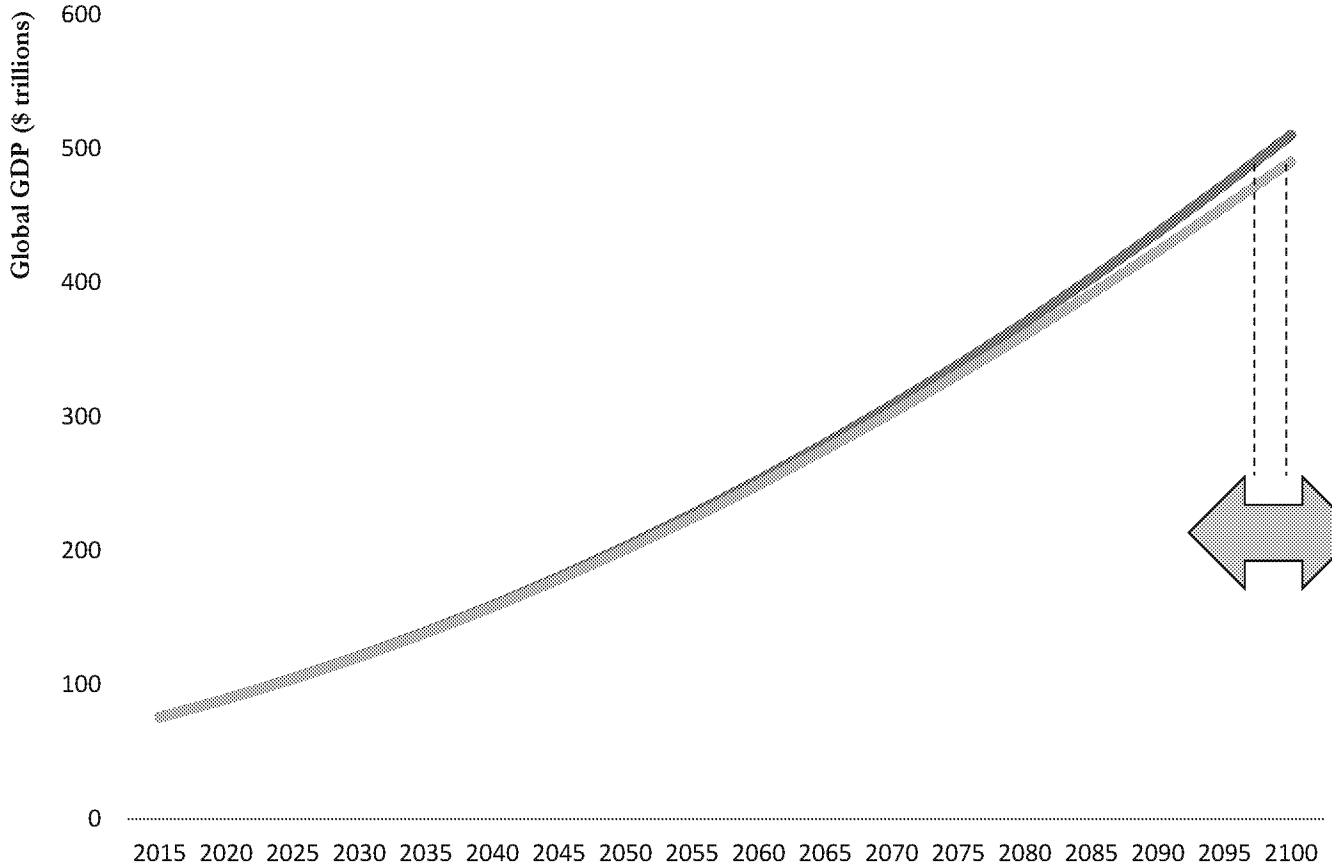
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The high-end cost estimate in Obama "Social Cost of Carbon" analysis amounts to slowing growth by ~2 years over a century

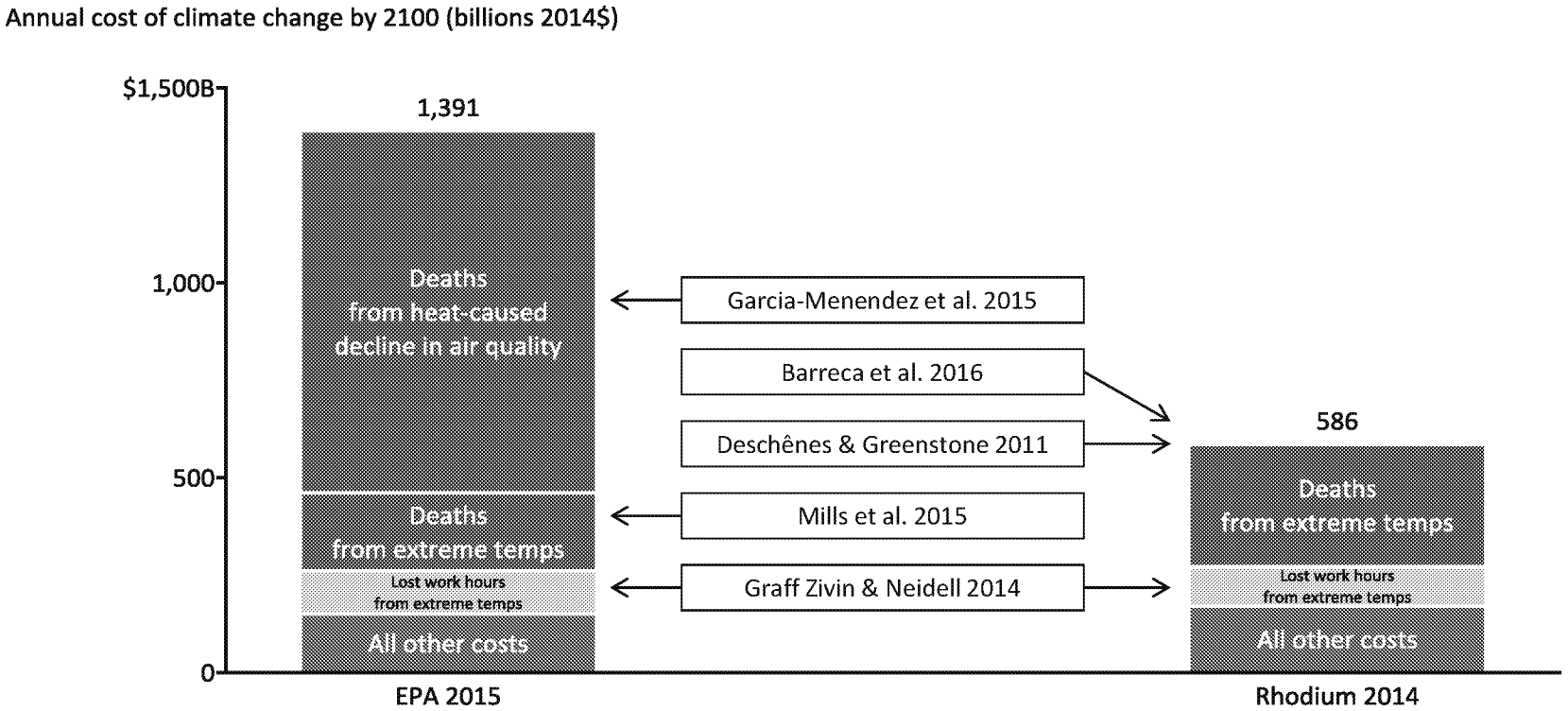


- $20 trillion annual cost by 2100, but…
- Postpones prosperity by less than five years
- World still 6.5X wealthier than 2015 (instead of 6.7X)
- Annualized growth rate shifts from 2.27% to 2.22% over the century

Source

William Nordhaus, DICE-2013 integrated assessment model.

84% of climate-change costs identified by recent GAO survey come from a group of five "temperature studies" cited in two synthesis reports



Sources

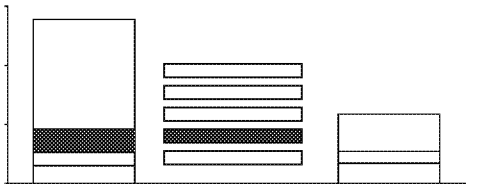
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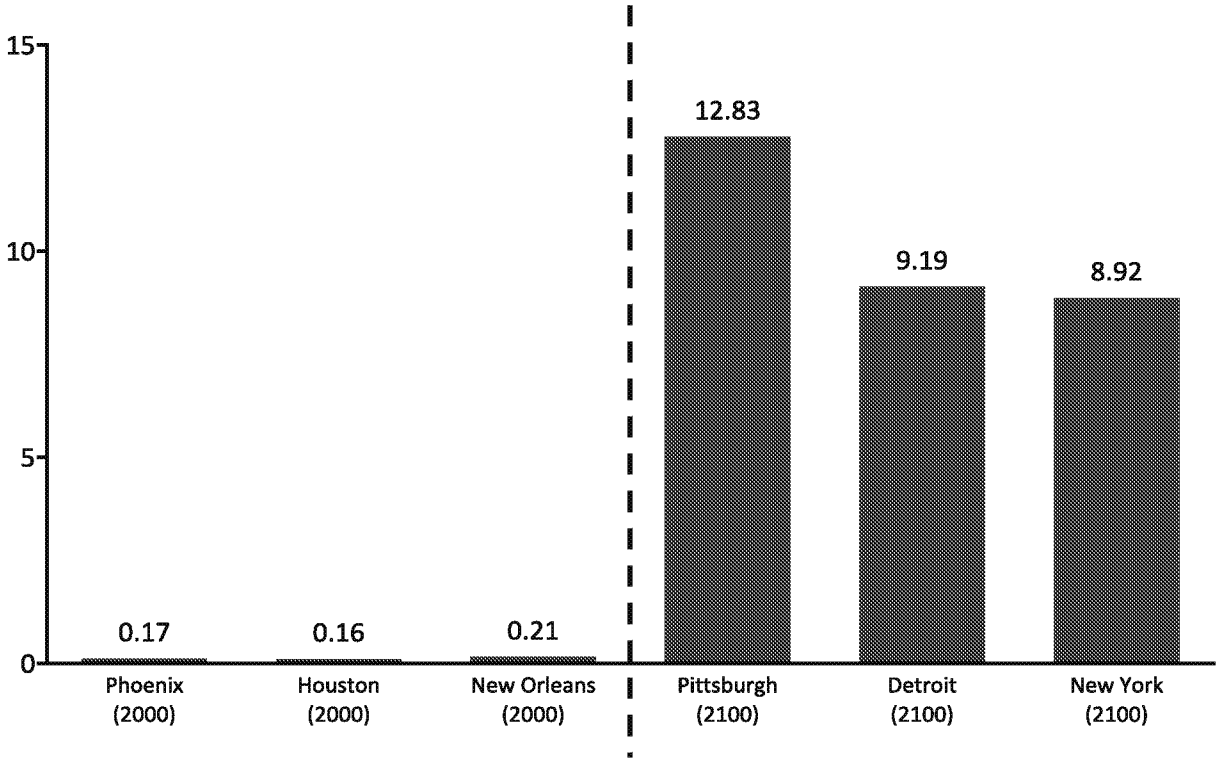
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All Analyses Are Preliminary, for Discussion Purposes Only

Heat-death estimates require absurd assumptions about failure to adapt to rising temperatures over time



Estimated net mortality from extremely hot and cold days
(deaths per 100,000 residents)



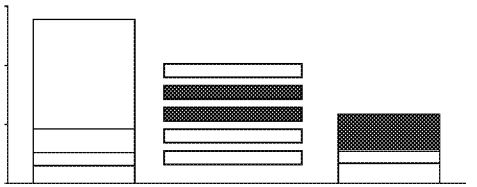
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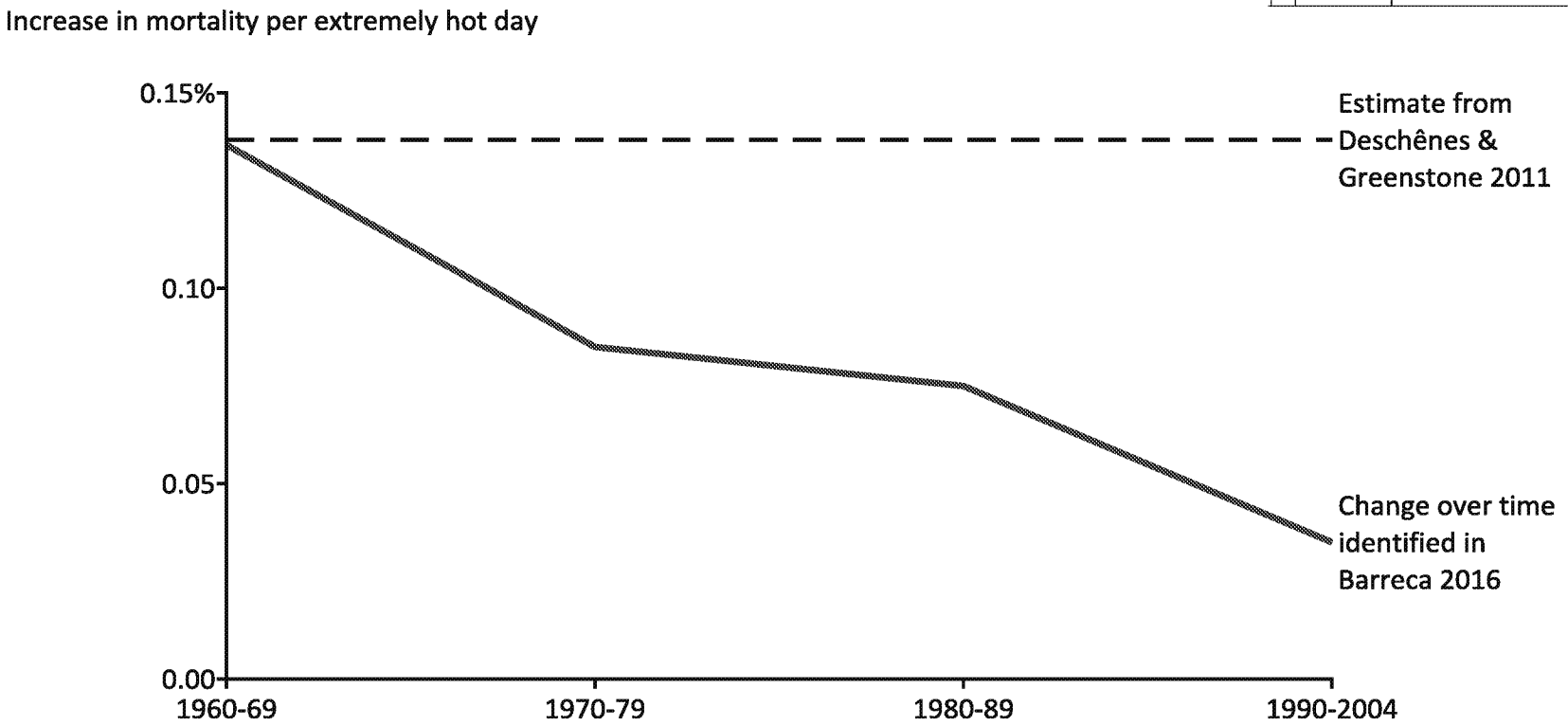
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All Analyses Are Preliminary, for Discussion Purposes Only

Rhodium cites two studies in support of its temp-deaths claim, but only uses the higher, no-adaptation estimate





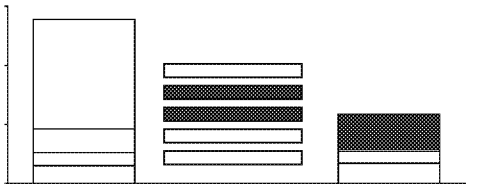
Sources

Robert Kopp, Solomon Hsiang, et al., "American Climate Prospectus: Economic Risks in the United States," Rhodium Group, Oct. 2014.

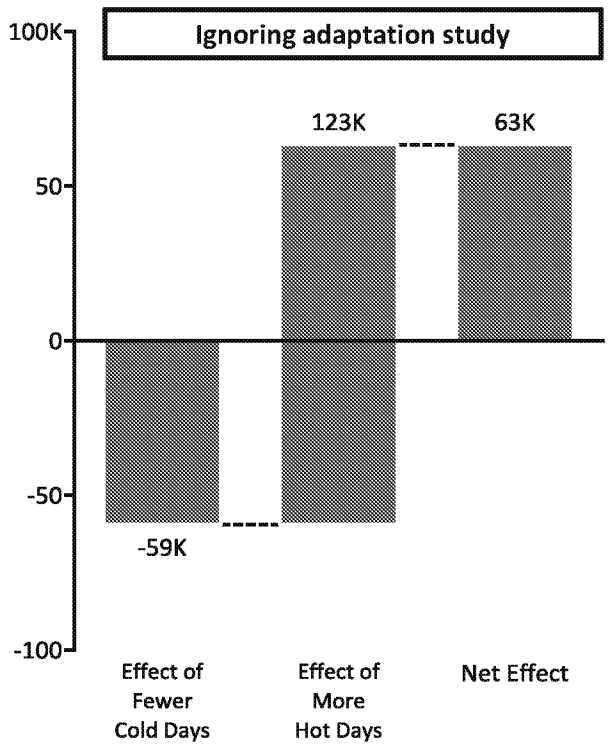
Olivier Deschênes and Michael Greenstone, "Climate Change, Mortality, and Adaptation: Evidence from Annual Fluctuations in Weather in the US," *Applied Economics* 3, no. 4 (Oct. 2011): 152-85.

Alan Barreca et al., "Adapting to Climate Change: The Remarkable Decline in the US Temperature-Mortality Relationship over the Twentieth Century," *Journal of Political Economy* 124, no. 1 (Feb. 2016): 105-59.

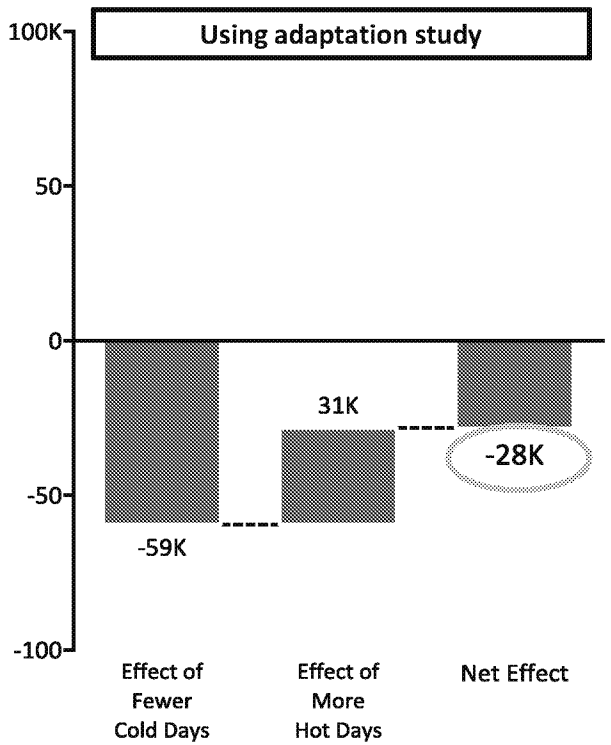
Just accounting for already-observed adaptation switches the net effect of extreme temp deaths to a reduction in mortality



Increase in annual deaths from extreme temperatures by 2100



Increase in annual deaths from extreme temperatures by 2100



Accounting for air conditioning, climate change is estimated to save tens of thousands of lives annually, eliminating 2/3 of Rhodium cost estimate

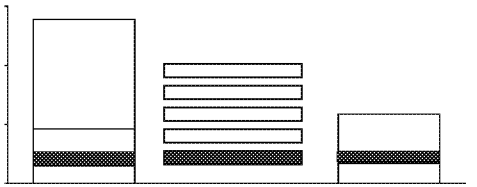
Sources

Robert Kopp, Solomon Hsiang, et al., "American Climate Prospectus: Economic Risks in the United States," Rhodium Group, Oct. 2014.

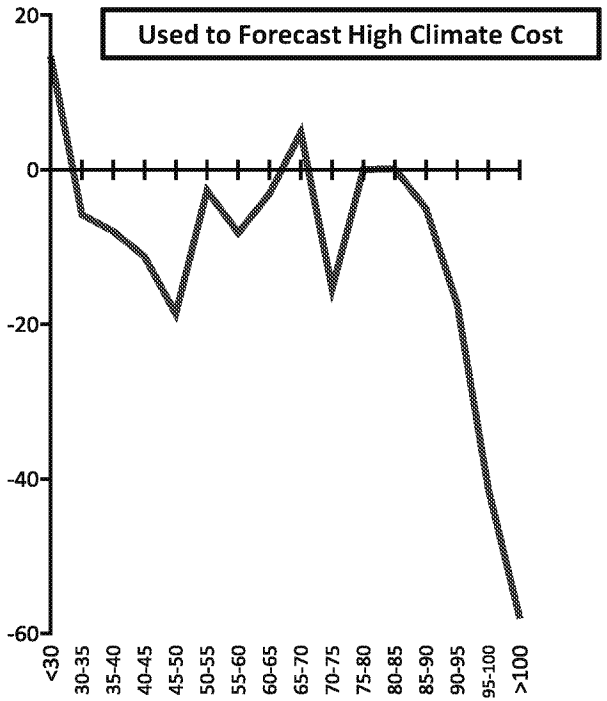
Olivier Deschênes and Michael Greenstone, "Climate Change, Mortality, and Adaptation: Evidence from Annual Fluctuations in Weather in the US," *Applied Economics* 3, no. 4 (Oct. 2011): 152-85.

Alan Barreca et al., "Adapting to Climate Change: The Remarkable Decline in the US Temperature-Mortality Relationship over the Twentieth Century," *Journal of Political Economy* 124, no. 1 (Feb. 2016): 105-59.

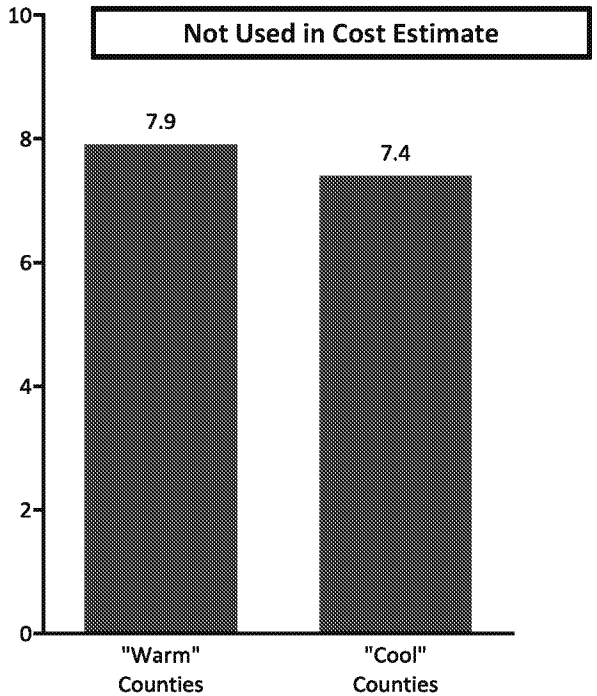
The study finding that higher temperatures reduce labor output also finds higher labor output in hotter states



Change in minutes worked by daily temp
(degrees Fahrenheit, high-risk industries)



Hous worked per day in July-August
(high-risk industries)



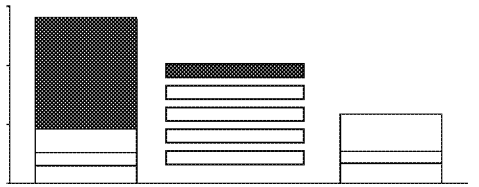
Sources

Robert Kopp, Solomon Hsiang, et al., "American Climate Prospectus: Economic Risks in the United States," Rhodium Group, Oct. 2014.

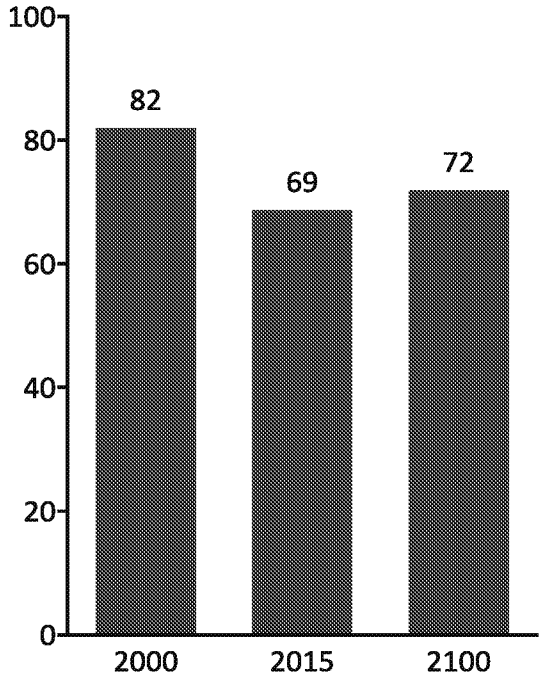
U.S. Environmental Protection Agency, "Climate Change in the United States: Benefits of Global Action," June 2015.

Joshua Graff Zivin and Matthew Neidell, "Temperature and the Allocation of Time: Implications for Climate Change," *Journal of Labor Economics* 32, no. 1 (Jan. 2014): 1-26.

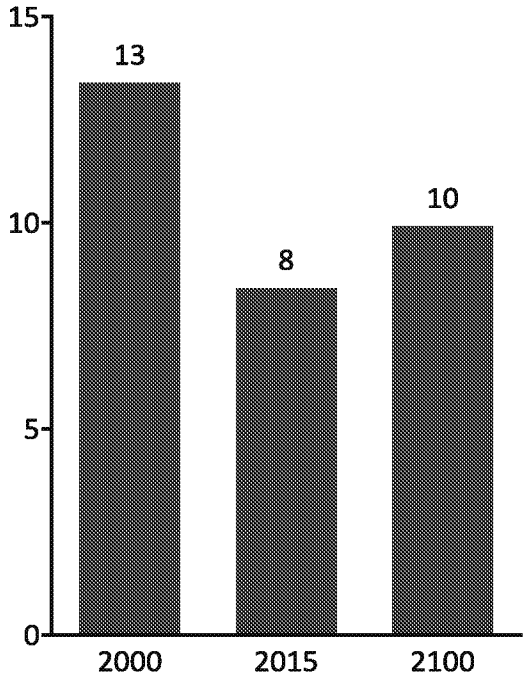
EPA analysis attributes 59,000 deaths and $930B of cost annually by 2100 to minute air-quality changes



Ozone, ppb
(ground-level 8-hr max)



PM2.5, micrograms per cubic meter



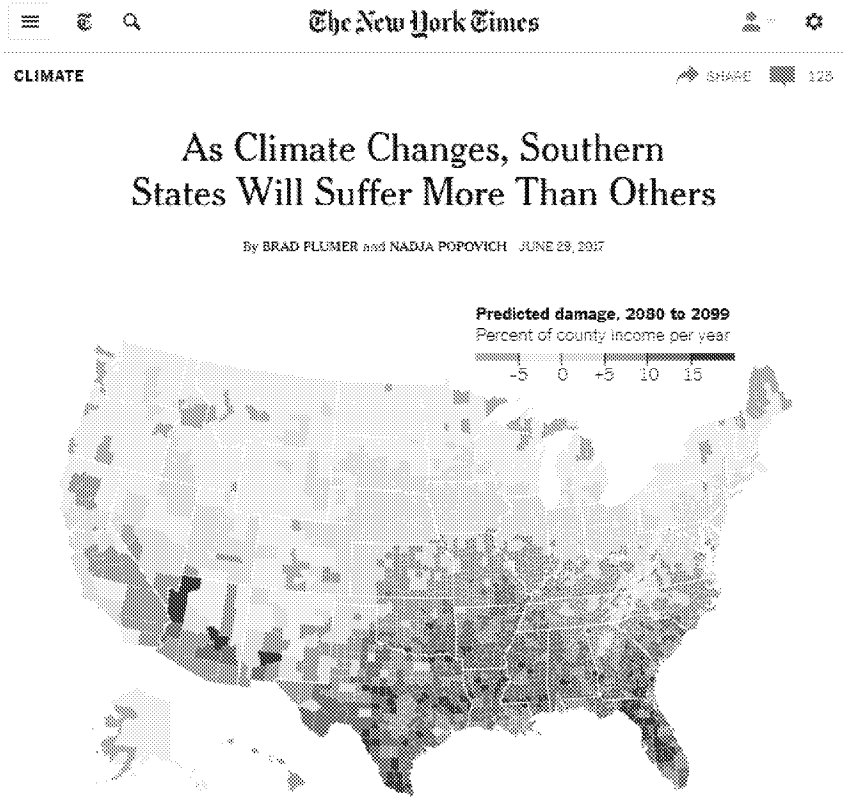
Sources

U.S. Environmental Protection Agency, "Climate Change in the United States: Benefits of Global Action," June 2015.

Fernando Garcia-Menendez et al., "U.S. Air Quality and Health Benefits from Avoided Climate Change under Greenhouse Gas Mitigation," *Environmental Science & Technology* 49, (June 2015): 7580-33.

All Analyses Are Preliminary, for Discussion Purposes Only

Another study, based on Rhodium and published in *Science*, claims to provide county-level cost estimates



The New York Times

CLIMATE

SHARE 128

As Climate Changes, Southern States Will Suffer More Than Others

By BRAD PLUMER and NADJA POPOVICH JUNE 29, 2017

Predicted damage, 2080 to 2099
Percent of county income per year

-5 0 +5 10 15

As the United States confronts global warming in the decades ahead, not all states will suffer equally. Maine may benefit from milder winters. Florida, by contrast, could face major losses, as deadly heat waves flare up in the summer and rising sea levels eat away at valuable coastal properties.

In a new study in the journal Science, researchers analyzed the economic harm that climate change could inflict on the United States in the coming century. They found that the impacts could prove highly unequal: states in the Northeast and West would fare relatively well, while parts of the Midwest and Southeast would be especially hard hit.

In all, the researchers estimate that the nation could face damages worth 0.7 percent of gross domestic product per year by the 2080s for every 1 degree Fahrenheit rise in global temperature. But that overall number obscures wide variations: The worst-hit counties — mainly in states that already have warm climates, like Arizona or Texas — could see losses worth 10 to 20 percent of G.D.P. or more if emissions continue to rise unchecked.

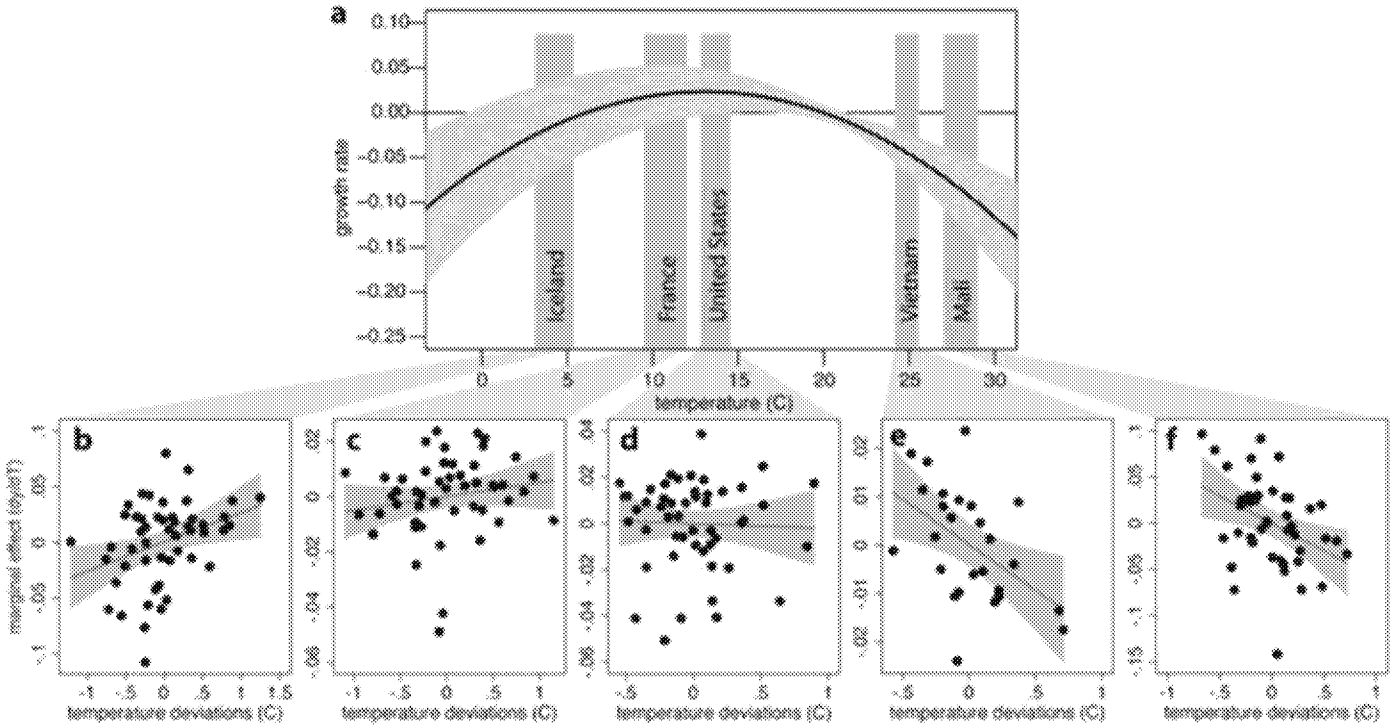
The map shows median estimates of economic damage per year in 2080 to 2099 under a high-emissions scenario (RCP8.5). Damage is calculated as a percentage of county G.D.P., factoring in agriculture, mortality, crime, labor productivity, coastal impacts and energy demand. Counties with negative damage (green) are projected to see economic benefits. In the chart, the ranges labeled "likely" refer to outcomes with a two-thirds chance of occurring.

Sources

Solomon Hsiang et al., "Estimating Economic Damage from Climate Change in the United States," *Science* 356, no. 6345 (June 30, 2017): 1362-69.

Brad Plumer and Nadja Popovich, "As Climate Changes, Southern States Will Suffer More Than Others," *New York Times* (interactive), June 29, 2017.

A different study, published in *Nature*, attempts to use annual changes in growth rates to identify climate's affect on growth

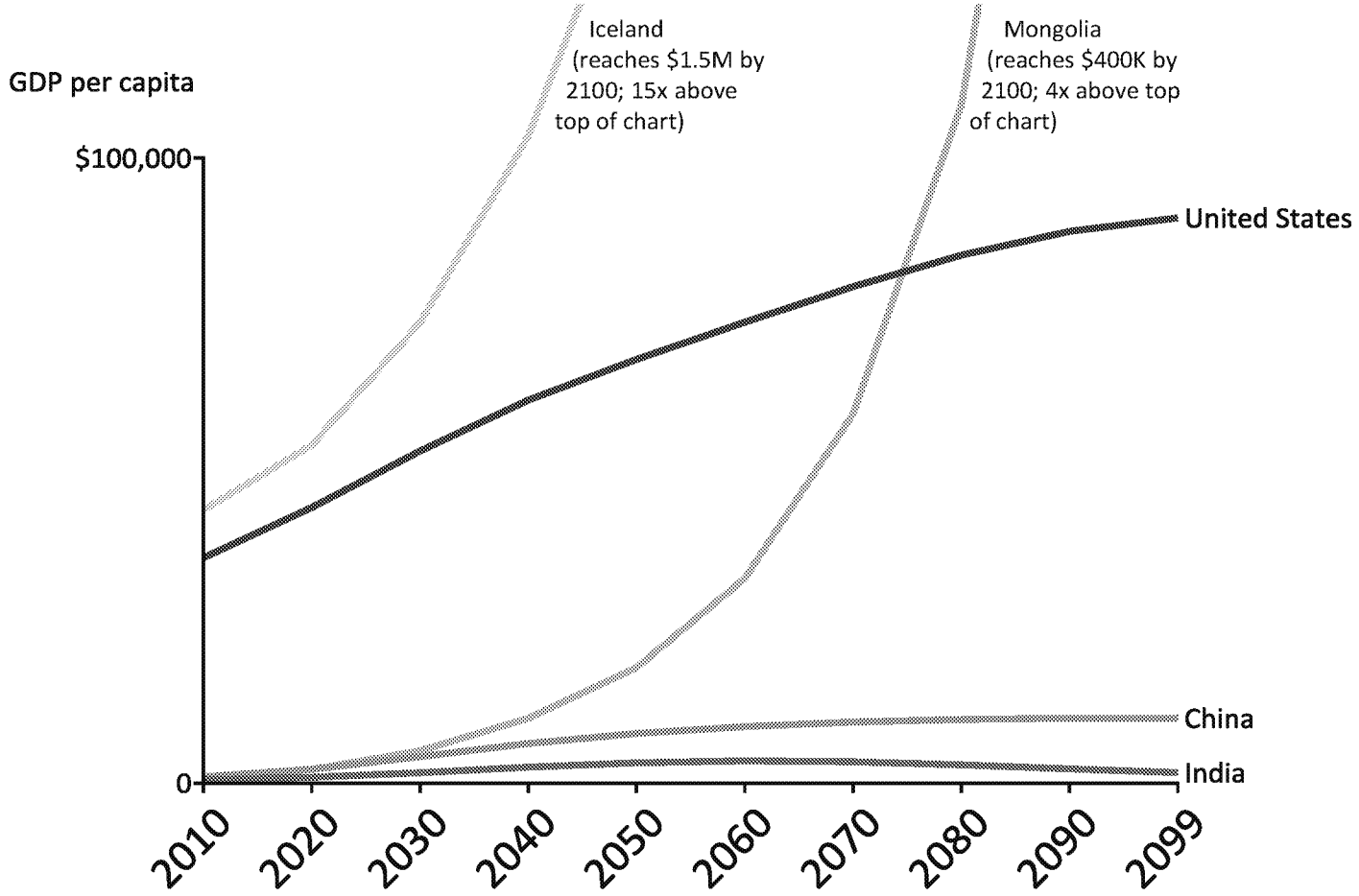


Washington Post: "Sweeping study claims that rising temperatures will sharply cut economic productivity"
Bloomberg: "Climate Change Slams Global Economy in a New Study From Stanford and Berkeley"

Source

Marshall Burke, Solomon Hsiang, and Edward Miguel, "Global Non-Linear Effect of Temperature on Economic Production," *Nature* 527 (Nov. 2015): 235-39.

The GDP growth study relies upon absurd projections for future economic growth based on a country's climate

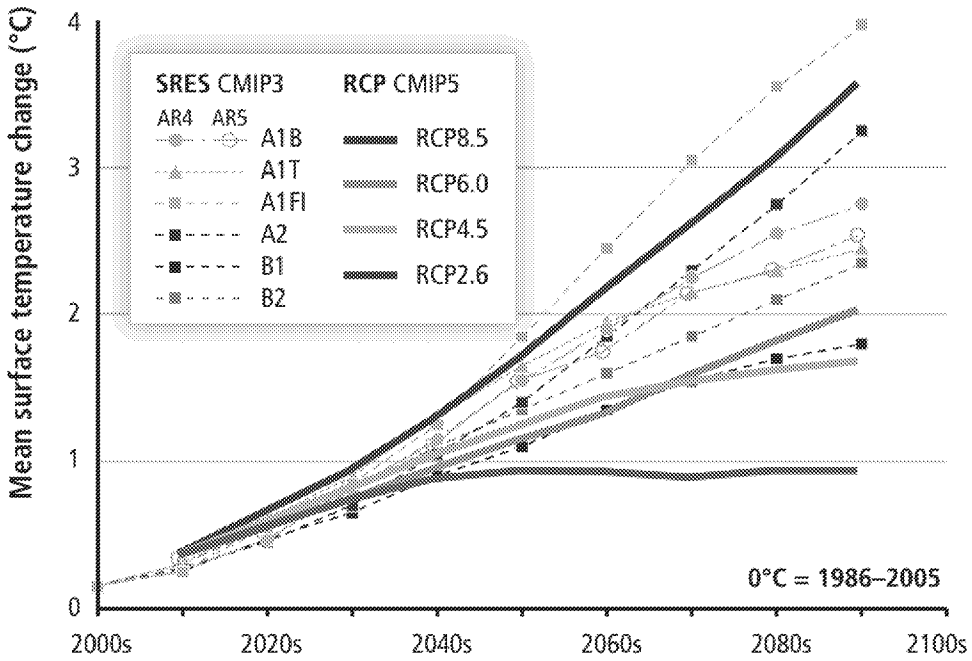


Source

Marshall Burke, Solomon Hsiang, and Edward Miguel, "Global Non-Linear Effect of Temperature on Economic Production," *Nature* 527 (Nov. 2015): 235-39.

Appendix: Baselines

IPCC Fifth Assessment Report, WG2 Fig 1-4



Justin Richie and Hadi Dowlatabadi, "Why Do Climate Change Scenarios Return to Coal?," *Energy* 140, no. 1 (December 2017): 1276-91.

"This paper finds climate change scenarios anticipate a transition toward coal because of systematic errors in fossil production outlooks based on total geologic assessments like the LBE model. Such blind spots have distorted uncertainty ranges for long-run primary energy since the 1970s and continue to influence the levels of future climate change selected for the SSP-RCP scenario framework. Accounting for this bias indicates RCP8.5 and other 'business-as-usual scenarios' consistent with high CO2 forcing from vast future coal combustion are exceptionally unlikely. Therefore, SSP5-RCP8.5 should not be a priority for future scientific research or a benchmark for policy studies."

Analyses still using RCP8.5: Third and Fourth National Climate Assessments, EPA CIRA, Climate Impact Lab, *New York Times* assessments of Paris, etc.

Notes

Pg 5: Midpoints shown where analyses provide both high and low estimates. Rhodium 2014 reports estimates in 2011$, updated here to 2014$ using BEA GDP deflator. GAO overview of Rhodium 2014 reports duplicative totals for "lost lifetime labor supply" and "storm losses," excluded here. EPA 2015 provides no 2100 estimate for power-systems savings; 2050 value used here. EPA estimate understates sea-level impact by comparing it to mitigation case in which sea levels still rise.

Pg 6: Estimates for both 2000 and 2100 use modeled forecasts of temperature.

Pg 7: Deschênes & Greenstone 2011 estimates increased mortality for all days with temperatures >80°F whereas Barreca 2016 estimates the impact of temperatures >90°F. However, Barreca's estimates for the effect of temperatures between 80-89°F are extremely low and the study reports that, "the impact of days with a mean temperature exceeding 80°F has declined by about 75 percent over the course of the twentieth century in the United States, with almost the entire decline occurring after 1960." The Deschênes & Greenstone 2011 estimate in terms of mortality per day is calculated as 5.8% increase in hot-day mortality divided by 42.3 additional days with temperature >90°F. The Barreca 2016 estimate is converted from data reported in its Figure 3 by dividing by 6 to annualize from the two-month window used in its analysis.

Pg 8: See prior note; change in "Effect of More Hot Days" results from changing the increase in mortality on such days from 5.81% to 1.48%.

Pg 9: The study only reports hours worked in warm versus cool states on an aggregate basis, including for individuals who were not working at all. Figures here are scaled up to work-hours per person working using the ratio reported for the overall population. "Warm" counties are the 1/3 of U.S. counties in the top third of the 1980-89 July-August temperature distribution; "Cool" counties represent the bottom 1/3 of the distribution.

Pg 10: The study uses population-weighted pollution concentrations whereas EPA data reports nationwide levels. Thus, the 2000 and 2015 data points show the nationwide concentrations reported by EPA, whereas the 2100 data points are calculated as the 2015 values plus the changes in population-weighted concentrations forecasted by the study.

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 12/18/2017 3:32:31 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition next meeting Monday, 8th January

The Cooler Heads Coalition will hold its January strategy meeting beginning at 12 noon on Monday, 8th January, at CEI, 1310 L Street, N. W., Seventh Floor. Please e-mail or ring me at Ex. 6 with agenda items or questions.

The tax bill conference report drops most of the House reforms of the wind, solar, and electric vehicle handouts, but includes opening a small part of section 2002 of the Arctic National Wildlife Refuge to oil and gas exploration. Producing oil in ANWR has been an issue since around 1977. When Congress created ANWR in 1980, it delayed deciding on whether to allow drilling in the coastal plain. It's taken forty years, and we aren't done yet. Actual exploration is still some years away. There will be lease sales, litigation at every step, protests, and lots more direct mail fundraising by the 'viros.

However, enactment of the tax bill will be the first step forward—and a huge one—since the Interior Department released their report in 1986 that recommended oil production in the coastal plain. It feels odd that after huge fights and bitter defeats in the mid-nineties and the mid-oughts, opening ANWR is finally being accomplished without much of a scuffle or even public attention. My guess is that the Trump Administration's multi-front assault on the 'viros' entrenched positions is taking its toll. On top of all the progress made at the EPA this year toward undoing the previous administration's climate agenda and the President's decision to get out of the Paris Climate Treaty, ANWR will be an encouraging way for the Congress to close its mostly dysfunctional year. Perhaps now the Senate will even confirm a bunch of nominees before the end of the year.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct:
Tel mobile: Ex. 6
E-mail: Myron.Ebell@cei.org
Stop continental drift!

Message

From: Gordon, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7C8FB4D82BFF4EEC98F5C5D00A47F554-GORDON, STE]
Sent: 12/5/2017 2:42:02 PM
To: Joseph Verruni [JVerruni@cato.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Kundinger, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e3c9a5d16e2244079e222f342bf9992f-Kundinger,]
Subject: RE: Cato Visit

Thanks Joe. I am planning to be at Cato around 10:15 before the Administrator arrives.

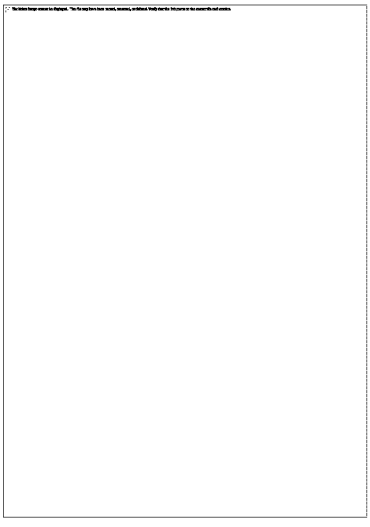
Stephen L. Gordon Jr.
Deputy Director for Public Engagement
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1301
Gordon.Stephen@epa.gov

From: Joseph Verruni [mailto:JVerruni@cato.org]
Sent: Tuesday, December 5, 2017 9:37 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Kundinger, Kelly <kundinger.kelly@epa.gov>; Gordon, Stephen <gordon.stephen@epa.gov>
Subject: RE: Cato Visit

Thank you, Tate--we look forward to having you today!

On Dec 5, 2017 9:35 AM, "Bennett, Tate" <Bennett.Tate@epa.gov> wrote:

Hi Joe! Also, and sorry for the late notice, but here is a good intro in case you want it for today:



E. Scott Pruitt

Administrator of the United States Environmental Protection Agency

Scott Pruitt was confirmed as the 14th Administrator of the U.S. Environmental Protection Agency on February 17, 2017.

Administrator Pruitt believes that environmental stewardship is among the lifeblood priorities of the government, and the EPA is vital to that mission. He is a firm believer that environmental law, policy and progress should be rooted in the foundation of cooperation between the states and federal government, as well as cooperation between regulators and the public.

The Federalist Society has called him a "national leader in the cause to restore the proper balance between the states and federal government", and he established Oklahoma's first federalism unit to combat unwarranted regulation and overreach by the federal government."

The Washington Post recently reported the Administrator has done as much as anyone else in the executive branch to advance President Trump's goal to deconstruct the administrative state and declared him a rock star "on the right."

Leading the agency for just under a year, Pruitt spearheaded over two dozen significant regulatory reform actions including the review of the Waters of the United States rule and the Clean Power Plan.

He also played a major role in President Trump's decision to withdraw from the Paris Climate Accords that put foreign interests before those of America's.

Prior to serving on President Trump's cabinet, Pruitt served as Oklahoma's Attorney General where he became a national leader through a career of advocating to keep power in the hands of hard-working Americans. He has a proven track record of working with others – including industry, farmers, ranchers, landowners and small business owners - who want to do the right thing by the environment.

Pruitt also served eight years in the Oklahoma State Senate in addition to formerly co-owning and managing Oklahoma City's Triple-A minor league baseball affiliate.

Pruitt played baseball for the University of Kentucky, earned his bachelor's degree from Georgetown College and graduated from the University of Tulsa College of Law. He and Marlyn, his wife of 27 years proudly raised their two children in Tulsa.

From: Bennett, Tate
Sent: Monday, December 4, 2017 3:51 PM
To: 'Joseph Verruni' <JVerruni@cato.org>
Cc: Kundinger, Kelly <kundinger.kelly@epa.gov>
Subject: RE: Cato Visit

Hey Joe! I know you spoke with Kelly earlier. Can I get a list of attendees and topics from you? We would suggest the following topics on our end:

Sue and Settle

Red Team Blue Team

Science Advisory Board Announcement

Recent Hardrock Mining Decision

Agency restructure

From: Joseph Verruni [mailto:JVerruni@cato.org]
Sent: Sunday, December 3, 2017 9:14 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Ford, Hayley <ford.hayley@epa.gov>
Subject: Re: Cato Visit

Absolutely--I'm available any time after 10am.

On Dec 3, 2017 9:12 PM, "Bennett, Tate" <Bennett.Tate@epa.gov> wrote:

> Hey there! Can we check in tomorrow about our upcoming visit? Is there a good time that works for you?
>
> On Nov 15, 2017, at 3:27 PM, Joseph Verruni <JVerruni@cato.org> wrote:
>
> > Perfect! I will confirm a room and send an updated attendee list ASAP.
> >
> > The best point of contact for security issues is our building manager, Michael Boone. He can be reached at mboone@cato.org or Ex. 6
> >
> > Joseph L. Verruni Jr.
> > Project Manager
> > Center for the Study of Science
> > The Cato Institute
> > Ex. 6
> >
> > ---
> >
> > **From:** Ford, Hayley
> > **Sent:** Wednesday, November 15, 2017 1:38 PM
> > **To:** Joseph Verruni
> > **Cc:** Bennett, Tate
> > **Subject:** RE: Cato Visit
> >
> > Hi Joe,

Sure, we can work that into his schedule. Please let us know where he should go for the meeting. Our advance team will likely come the day before just to see the space so please let me know if you are the POC to arrange that as well.

Thank you and we look forward to it!

Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator

Environmental Protection Agency

ford.hayley@epa.gov

Phone: 202-564-2022

Cell: **Ex. 6**

From: Joseph Verruni [mailto:JVerruni@cato.org]
Sent: Tuesday, November 14, 2017 3:06 PM
To: Ford, Hayley <ford.hayley@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Cato Visit

Hi Hayley,

Our CEO can do the timeframe, but would prefer to have the meeting here as he has other obligations thereafter at Cato. Could we possibly convince you to join us here?

Thank you,

Joe

Joseph L. Verruni Jr.
Project Manager
Center for the Study of Science
The Cato Institute
Ex. 6

From: Ford, Hayley
Sent: Tuesday, November 14, 2017 10:35 AM
To: Joseph Verruni
Cc: Bennett, Tate
Subject: RE: Cato Visit

Hi Joe,

Not a problem. I was confused myself for a second! We'd be happy to get another date on the calendar. Let's do Dec 5 morning if that still works. We'd be happy to host you at the EPA headquarters. Would 10:30-11AM work for your group?

Let us know if that works and I can send directions and additional info. Thanks!

Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator

Environmental Protection Agency

ford.hayley@epa.gov

Phone: 202-564-2022

Cell: Ex. 6

From: Joseph Verruni [mailto:JVerruni@cato.org]
Sent: Monday, November 13, 2017 4:18 PM
To: Ford, Hayley <ford.hayley@epa.gov>
Subject: RE: Cato Visit

Hayley—

I'm so sorry—I spoke with Tate and I think we've clarified exactly what I've gotten wrong here and we're going to see if another date may be available. Our CEO is out of DC through December—he'll be available December 1, 4, 5 (before 3), 11, and 14. Would any of these possibly work for your team?

Thank you, and apologies again,

Joe

Joseph L. Verruni Jr.
Project Manager
Center for the Study of Science
The Cato Institute
Ex. 6

From: Joseph Verruni
Sent: Sunday, November 12, 2017 12:48 PM
To: Ford, Hayley
Cc: Bennett, Tate
Subject: RE: Cato Visit

That'd be perfect—our CEO is available until 4:30; I'll get us a room.

Joseph L. Verruni Jr.
Project Manager
Center for the Study of Science
The Cato Institute
Ex. 6

From: Ford, Hayley
Sent: Sunday, November 12, 2017 10:28 AM

To: Joseph Verruni
Cc: Bennett, Tate
Subject: RE: Cato Visit

Joe,

I apologize, but Tate and I just connected and could we actually do Tuesday at 3PM at Cato? Please let me know if that works for you and where we should go.

Tate is going to respond on attendees.

Thank you!!

Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator

Environmental Protection Agency

ford.hayley@epa.gov

Phone: 202-564-2022

Cell: **Ex. 6**

From: Ford, Hayley
Sent: Sunday, November 12, 2017 10:19 AM
To: 'Joseph Verruni' <JVerruni@cato.org>
Cc: Tate Bennett (Bennett.Tate@epa.gov) <Bennett.Tate@epa.gov>
Subject: RE: Cato Visit

Joe,

Would 4:30PM on Wednesday afternoon work? I will let Tate comment on attendees as I'm not sure what she was thinking. Also, did you two discuss the Administrator coming to Cato?

Thank you and we look forward to it!

Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator

Environmental Protection Agency

ford.hayley@epa.gov

Phone: 202-564-2022

Cell: **Ex. 6**

From: Joseph Verruni [mailto:JVerruni@cato.org]
Sent: Sunday, November 12, 2017 10:15 AM
Cc: Ford, Hayley <ford.hayley@epa.gov>
Subject: Re: Cato Visit

Hello Hayley,

Wednesday works for our team here at Cato--do you wish to keep it to just Cato folks, or would you like for us to reach out to some of our collaborators and friends at other think tanks?

Hope you've had a lovely weekend,

Joe

Joseph L. Verruni Jr.
Project Manager
Center for the Study of Science
The Cato Institute
Ex. 6

On Nov 10, 2017 1:28 PM, "Bennett, Tate" <Bennett.Tate@epa.gov> wrote:

Hi there! Just responded to his previous email about your CEO being unavailable Thursday. We can aim for Weds, I think, but I will let Hayley (CC'd) take it for here. On my end, all I will need is a list of topics and an attendee list.

On Nov 10, 2017, at 1:01 PM, Joseph Verruni <JVerruni@cato.org> wrote:

Hello Ms. Bennett,

I manage the Center for the Study of Science here at the Cato Institute; my colleague David Boaz told me there was an interest from the Administrator to visit, but details had not yet been ironed out. I was hoping I could offer my assistance. Are there particular dates and times that work best for your team?

Best,

Joe

Joseph L. Verruni Jr.
Project Manager
Center for the Study of Science
The Cato Institute
Ex. 6

Message

From: Diane Wood [DWood@neefusa.org]
Sent: 12/21/2017 9:42:36 PM
To: Ken Strassner [Ex. 6]; Gibson, Art (arthur_gibson@baxter.com) [arthur_gibson@baxter.com]; Carlos Alcazar (calcazar@cultureoneworld.com) [calcazar@cultureoneworld.com]; David Kiser [Ex. 6] Diane Wood [DWood@neefusa.org]; George Basile [george.basile@asu.edu]; Jeniffer Harper-Taylor [jeniffer.harper@siemens.com]; Kevin Butt [kevin.butt@toyota.com]; Megan Cayten [megan@cayten.com]; rgarcia@cityprojectca.org [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0e854c6dec4b4456a0701e041d0fe812-rgarcia@cityprojectca.org]; S. Decker Anstrom [Ex. 6] Shannon Schuyler (shannon.schuyler@pwc.com) [shannon.schuyler@pwc.com]; Wonya Lucas [wylucas@pba.org]; Angela Hernandez-Marshall [Angela.Hernandez-Marshall@ed.gov]; Christopher Strager [christopher.strager@noaa.gov]; Clarissa Childers [Clarissa.Childers@EE.DOE.Gov]; Ericka Reid [reidel@niehs.nih.gov]; Louisa Koch [Louisa.Koch@noaa.gov]; Maureen Sullivan [Maureen.sullivan18.civ@mail.mil]; Michiko Martin [michikojmartin@fs.fed.us]; Newman, Sara [sara_newman@nps.gov]; Nora Savage [nosavage@nsf.gov]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Brennan, Thomas [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78caa4c8d91743c887c1bb5dc8cdb369-Thomas Brennan]; William Cibulas Phd [wic1@cdc.gov]
CC: Dalia Johnson [DJohnson@neefusa.org]; Sheilah Watts [sheilah.watts@pba.org]; Cheryl Everhart [bqf5@cdc.gov]; Montrese Diggs [montrese.diggs@NOAA.GOV]; Nicha Jumsil [nicha.jumsil.ctr@mail.mil]; tisha.hansen@noaa.gov
Subject: Thank you.

Dear fabulous board members

On this "shortest day of the year" I wanted to write you a short note of thanks for all you do for NEEF. I brag about you to fellow non-profit leaders. I personally have been able to rely on every one of you on multiple occasions. You are always responsive to my requests for advice, wisdom, candor and connections. It is wonderful to assemble a strong mix of public and private sector members to work together to ensure all Americans have access to meaningful, relevant environmental knowledge they can apply in their daily lives for themselves and their families. NEEF is stronger because of all of you and all you do for this organization.

Thank you also for your support as I move on to a new phase in my life. I love this work, love being here at NEEF, thrive on our challenges and enjoy our super staff. That must strike some people as odd that I would then choose to leave/retire, but I know this is the right decision for me and for NEEF. I am of course torn-excited about what lies ahead when I start living for the first time I can recall without a plan- yet sad to move on from all I enjoy here at NEEF and with you. As promised I will stay until my successor is named and while here be here 100%. I am taking a mini-break the 22nd through the first but will be keeping an eye on e-mail.

In the meantime best wishes to all of you for a fabulous holiday season wherever you are with your families and friends. Safe travels to those of you venturing far from home.

By all accounts the sun will still rise tomorrow and each day will be a bit longer. Enjoy every minute of it.

Warmest regards, Diane



Diane Wood
President

National Environmental Education Foundation
4301 Connecticut Ave., NW, Suite 160
Washington, DC 20008

Direct Ex. 6
General 202-833-2933
Fax 202-261-6464
NEEFusa.org

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 1/2/2018 5:16:15 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition meeting, Monday, 8th January, at CEI

Reminder: the Cooler Heads Coalition will meet beginning at 12 noon on Monday, 8th January, at CEI, 1310 L Street, N. W., Seventh Floor. Please e-mail or ring me at **Ex. 6** with questions or agenda items.

Here is an amusing list of Climate Central's top ten climate stories in 2017:
http://www.climatecentral.org/news/the-10-most-important-us-climate-stories-in-2017-21785?utm_medium=email&utm_campaign=News

Here is the W. Post's top nine energy and environment stories of 2017. The top six are all positive (1st is Paris and 2nd is EPA). It's been a great year!
https://www.washingtonpost.com/news/energy-environment/wp/2017/12/27/the-most-consequential-environmental-stories-of-2017/

Here is my summary of the past year and hopes (not predictions) for 2018. (I know—I left out a couple things.) It's been a great year!
https://cei.org/blog/banner-year-deregulation-energy-climate-and-environment

But will the good news continue in 2018?
Here is Politico Morning Energy's take on what's to come in 2018:
https://www.politico.com/morningenergy/

And here is what Amy Harder at Axios Generate thinks will be the top stories this year. She actually seems to think that beating a dead horse (carbon taxes!) is going to make news.
https://www.axios.com/eight-energy-and-climate-issues-to-watch-in-2018-2519370363.html

Science is making great progress. Climate scientists can now attribute bad weather events to global warming. My question is, can we now attribute mild, sunny spring days to global warming?
https://www.scientificamerican.com/article/scientists-can-now-blame-individual-natural-disasters-on-climate-change/

Here is an example of attribution of a specific event from Popular Mechanics. The cold weather is caused by increasing temperatures!

http://www.popularmechanics.com/science/environment/a14517105/why-the-eastern-us-is-so-cold-right-now/?src=nl&mag=pop&list=nl_pnl_news&date=010218

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct:
Tel mobile: Ex. 6
E-mail: Myron.Ebell@cei.org
Stop continental drift!

Message

From: Pat Michaels [PMichaels@cato.org]
Sent: 12/5/2017 9:09:33 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Info for you (pt 1)
Attachments: clichapterNov11.doc

Here's with regard to the "anticipated acceptable range"

First, a primer on what happened:

http://science.sciencemag.org.mutex.gmu.edu/content/354/6311/401.full

Now the tell-all paper

http://journals.ametsoc.org/doi/full/10.1175/BAMS-D-15-00135.1

"It would also be valuable to produce and document two or more versions of the same model that would differ only by their tuning. One can imagine changing a parameter that is known to affect the sensitivity, keeping both this parameter and the ECS in the **anticipated acceptable range** and retuning the model otherwise with the same strategy toward the same targets"

Attached is the climate chapter from my upcoming book "Science versus Liberty" which goes into detail about how to take down the technical support document for the EF.

More to come.

ENDANGERED SCIENCE AND THE EPA'S FINDING OF ENDANGERMENT FROM CARBON DIOXIDE

While we have mentioned the matrix of professional incentives that distort science, the field of climate science has been especially politicized, with an annual federal research and technology development 2013 outlay of roughly $6.4 billion. There is only one provider of climate research funding, and that is the federal government. A 2013 Office of Management and Budget report lists total "Federal Climate Change Expenditures" as a 2013 outlay of $22.6 billion.[1] It is inconceivable that one important policy-related recipient of this largesse, the Environmental Protection Agency , would ever declare that carbon dioxide-induced climate change was not exceedingly dangerous to human health and welfare.

Thus did appear, on December 7, 2009, EPA's "Finding of Endangerment" from carbon dioxide and other greenhouse gases.

History of the Endangerment Finding

In 2006, the Supreme Court granted a writ of *certiorari* to "Massachusetts v. EPA", a case in which Massachusetts (alongwith 11 other states, the District of Columbia,and a plethora of environmental advocacy organizations) claimed that Clean Air Act Amendments of 1992 contained language requiring that EPA limit emissions of carbon dioxide from cars, because it was a "pollutant", something that endangered human health and welfare. EPA held that this was not the case because of scientific uncertainty concerning the amount of climate change actually caused by it. In 2005, the Appellate Court upheld by a 2-1 vote EPA's original decision that it did not have such authority, although the 38-page dissenting opinion by Judge David S. Tatel was impressive.[2]

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[1] Source: Office of Management and Budget, 2013. Federal Climate Change Expenditures: Report to Congress. 48pp. This includes $2.5 billion for the U.S Global Change Research Program, and additional funds that only seem justified by the climate issue, such as funding the Global Environmental Facility or the Clean Technology Fund, etc...resulting in a 2013 actual spending total of $6.4 billion. The entire annual total given for all categories in the Report to Congress is $22.6 billion.

[2] 38 pp. in https://www.cadc.uscourts.gov/internet/opinions.nsf/131F165AA3EA9E328525742B0055906B/%24file/03-1361a.pdf

There were serious questions, acknowledged by the Supreme Court in its majority decision, that the Peitioners might have lacked sufficient standing to bring the case forward, but, nonetheless, writing for the majority, Justice John Paul Stevens said, "the unusual importance of the underlying issue persuaded us to grant the writ". The June, 2007, 5-4 decision Supreme Court said that if the EPA deemed carbon dioxide a pollutant harming health and welfare, then it indeed could regulate under the Act. This being late in the George W. Bush Administration, EPA took a pass until after the 2008 election.

That changed about three minutes into the first Obama Administration, when global warming was the second action item in his First Inaugural Address (after health care). A mere 90 days later, EPA came out with a "Preliminary Finding of Endangerment", foreshadowing its final Finding eight months later. The December 7 date was timed to provide a *bona fide* for the just-started 15th Conference of the Parties to the UN's Framework Convention on Climate Change in Copenhagen, where the world was to meet to finally and definitively hammer out a new Agreement to replace the failed 1997 Kyoto Protocol to reduce emissions.

The Endangerment Finding has to be based upon some assumptions about future climate as modified by increasing atmospheric carbon dioxide, and we really have limited tools to make this important forecast. It is not simply a matter of going back in geological time to see when atmospheric concentrations of carbon dioxide were what they might be in 2100, and then looking for proxy indicators of global temperature. By 2100, concentrations will be what they were prior to the major glaciations that began roughly two million years ago. Even in the warm interglacial periods within the current glacial regime, large amounts of ice remained over Antarctica and Greenland likely also retained a substantial (though reduced) ice volume. The last time Earth saw such concentrations there was very little land ice.

One might infer cause-and-effect and say that the Greenland ice cap, as well as a substantial portion of Antarctic ice will be lost. Maybe—but it's not going to occur anytime soon, but time is the essential matter here. If it takes only one or two hundred years, that's catastrophic. If it takes thousands, the resultant sea level rise will be gradual enough for adaptation. It is noteworthy that around 125,000 years ago, for reasons having more to do

with the sun than with atmospheric chemistry, Greenland averaged 6°C (11°F) warmer than the 20th century average for approximately 6,000 years, and still only lost about 30% of its ice.[3]

One can extrapolate from the known changes the radiation balance from atmospheric carbon dioxide associated with the recent glacial cycles. Even though the changes in its concentration were much smaller than what we anticipate in the future, the warming effects of carbon dioxide are known be the largest at its lowest concentrations, so there is some legitimacy to this approach. This method tends to reduce the expected warming from prospective computer models by about one-third.[4,5]

The scientific bases for the Endangerment Finding are in an accompanying "Technical Support Document", which ignores the historical studies and instead relies solely on the projections of what are called General Circulation Models (GCMs).[6] These are complicated computer simulations of the earth's atmosphere altered by human emissions of carbon dioxide. If these can be invalidated, then so can the Endangerment Finding.

The importance of the Endangerment Finding as it stands is that it will serve as the touchstone for continual litigation of any attempt to weaken, roll back, or eliminate greenhouse gas regulations by an Administration opposed to them.

The rationale for invalidation would obviously be a demonstration that the GCMs are systematically failing in their forecasts of warming. The evidence for this is as stark as two illustrations from Dr. John Christy at University of Alabama-Huntsville.[7,8] The first shows

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[3] NEEM Community Members, 2013. Eemian Interglacial Reconstructed from a Greenland Folded Ice Core. *Nature* **493**, 489–494.

[4] Schmittner, A., et al., 2011. Climate Sensitivity Estimated from Temperature Reconstructions of the Last Glacial Maximum. *Science* **334**, 1385-1388.

[5] Hargreaves, J. C., et al., 2012. Can the Last Glacial Maximum Constrain Climate Sensitivity. *Geophys. Res. Lett.* **39**, L24702.

[6] US Environmental Protection Agency, 2009. Technical Support Document for the Endangerment and Cause or Contribute Findings for Greenhouse Gases. 198pp.

[7] Christy, J. R., "U.S. House Committee on Science, Space & Technology, 29 Mar 2017",https://science.house.gov/sites/republicans.science.house.gov/files/documents/HHRG-115-SY-WState-JChristy-20170329.pdf

[8] Christy, J. R., 2017. State of the Climate in 2017. Special supplement to *Bulletin of the American Meteorological Society* **98**, Figure S10.

predicted and observed tropical (20°N-20°S) temperatures in the middle of the earth's active weather zone—technically the mid-troposphere, roughly from 5,000ft to 30,000ft elevation. The predicted values are from the 102 climate model realizations from 32 different base model groups. These are from the most recent science compendium of the UN's Intergovernmental Panel on Climate Change (IPCC).[9]

[9] United Nations Intergovernmental Panel on Climate Change, 2013. Climate Change 2013. The Physical Science Basis. Cambridge, 1535pp.

The observations are running means of the three principal analyses of lower atmospheric temperatures determined from satellite-sensed changes in the microwave emissions of oxygen, which vary with temperature, the average of the four commonly used compilations of weather-balloon sensed temperatures, and a "reanalysis" set of lower atmospheric temperatures derived from the initialization temperature fields from three different daily weather forecasting models.

The difference between to predicted changes observed changes is striking, with only one model, the Russian INCM4, appearing realistic. In its latest iteration, its climate sensitivity (the net warming calculated for a doubling of the atmosphere's carbon dioxide concentration) is 1.4°C (2.5°F) compared to the average of 3.2°C (5.8°F) in the family of models used in the IPCC science compendium.

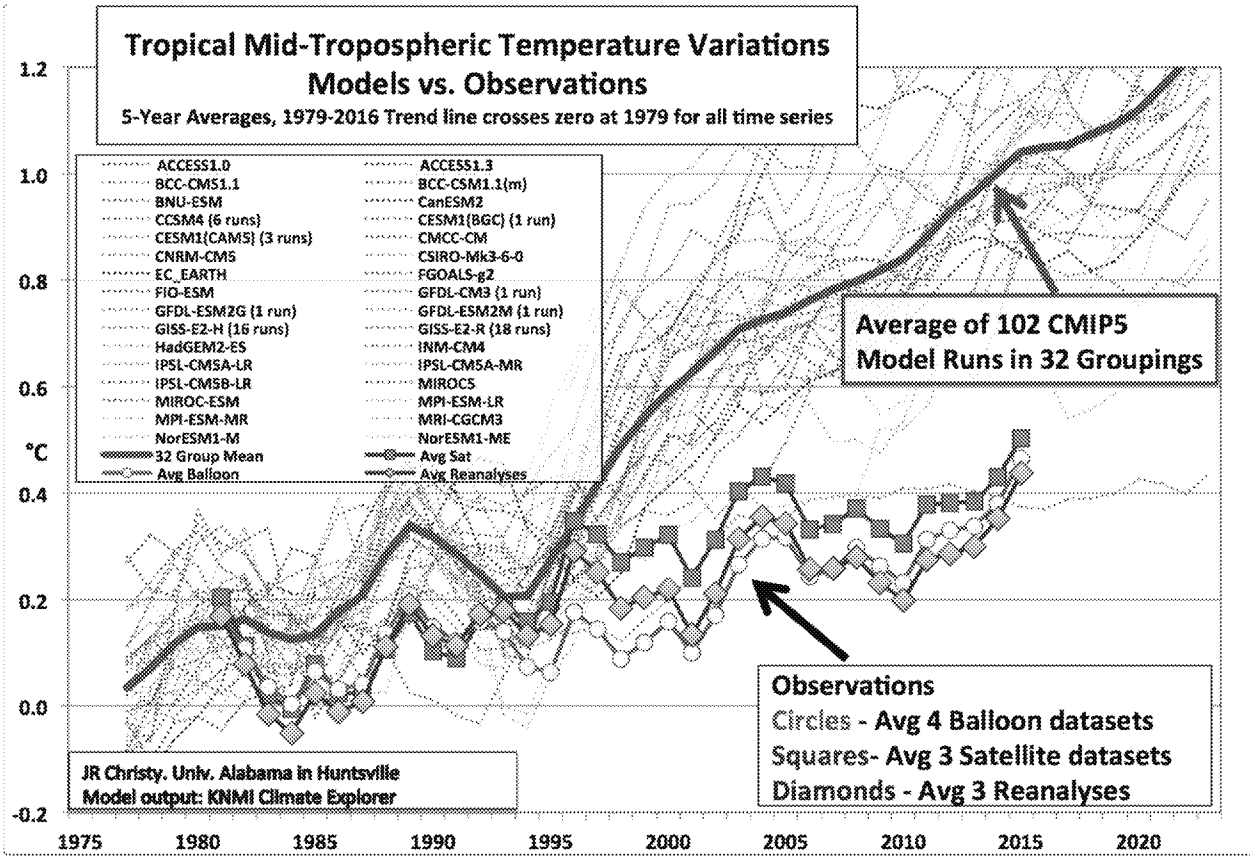


Figure x.1. Observed and predicted (colored "spaghetti" plots; see legend) temperatures in the lower atmosphere from John Christy, University of Alabama-Huntsville, beginning in 1979,

when the satellite data begins. From the testimony of John Christy to the House Science Committee, March 29, 2017. Data also shown in tabular form in the *Bulletin of the American Meeorological Society.*[8]

Next is a somewhat more complicated illustration. It shows vertical temperatures in the tropics. The Y-axis is height, and the x-axis is temperature change since 1979 predicted by the average of the 108 models (red) and observed from weather balloons (green). The altitude is given as the atmospheric pressure in hectaPascals (hPa)[10], with approximate values also given in feet. In reality, the altitude of different pressure surfaces vary slightly with the average temperature of the layer through which the balloon has ascended.

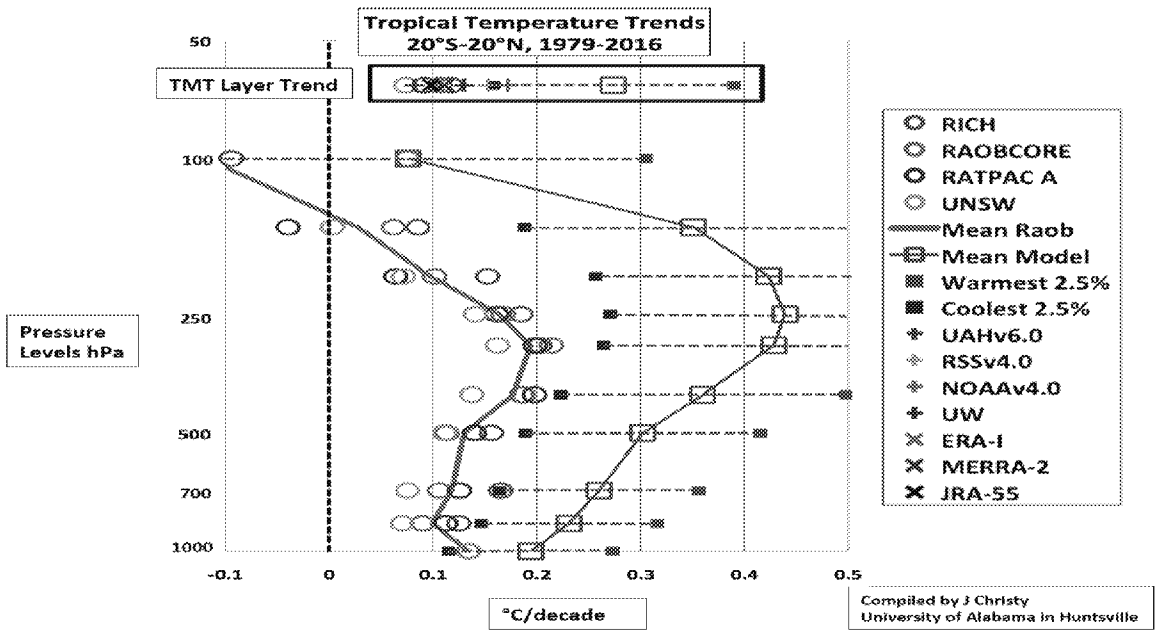


Figure x.2. Predicted (red) and observed (green) temperature trends (°C/decade). From testimony of John Christy to the House Science Committee, March 28, 2017, and the *Bulletin of the American Meteorological Society*.[8] See text for explanation.

It is obvious that there is a massive systematic problem with the climate models over the vast tropics since 1979. They clearly forecast a "tropical hot spot" centered from a

[10] A note on units. The entire weight of the atmosphere is approximately 1000 hectapascals (hPa). Therefore a when the balloon senses 500 hPa, about half of the atmosphere (by weight) is above it, and half is below.

pressure of approximately 500hPa (approximately 18,000 feet in altitude) to the top of the earth's active weather zone, known as the tropopause (literally translated as "where motion stops") when compared to warming near the surface (1000hPa). The predicted warming rate at the surface is almost twice the observed value, and, at the level of around 50,000 feet, the predicted rate is around seven times what is being observed.

The consequences of this error are enormous. The vertical distribution of temperature in the tropics is central to the formation of precipitation. When the difference between the surface and the upper layers is large, surface air is more buoyant, billowing upwards as the cumulonimbus cloud of a heavy thunderstorm. When the difference is less, storm activity is suppressed. As shown on the chart, the difference is supposed to be becoming less and less, which would result in a general tendency for tropical drying. In reality, the vertical temperature changes at the surface are very similar to those aloft (the green line is the average of four observed datasets) until roughly 35,000 feet. Above that level the warming rate is much *less* than at the lower levels, which should result in an *increase* in clouds, rather than the decrease forecast by the climate models.

Missing the tropical hot spot provokes an additional cascade of errors. When the sun shines over a wet surface, the vast majority of its incoming energy is shunted towards the evaporation of water rather than direct heating of the surface. This is why in the hottest month in Manaus, Brazil, in the middle of the tropical rainforest and only three degrees from the equator, high temperatures average only 91^{o}F (Not appreciably different than humid Washington DC's 88^{o}F). To appreciate the effect of water on surface heating of land areas, high temperatures in July in bone-dry Death Valley average 117^{o}F

Getting the surface temperature wrong will have additional consequences for precipitation. If the tropical hot spot were there, the resultant decline in precipitation, combined with very hot temperatures, could force the climate-vegetation models to generate scrub vegetation or even a semidesert when in reality a region remains a lush and vibrant tropical rainforest.

Every person actively involved in running a climate model knows all of the above. They know that much of the downstream "weather" resulting from an inaccurate hot spot over the entire tropics (which cover nearly 40 per cent of the planet) will simply be wrong, or if it is right, only fortuitously so.

We can sum up the implications of Figures x.1 and x.2 as **Endangerment Finding Flaw #1: The climate models are making multiple systematic errors with regard to three-dimensional atmospheric temperatures that disqualify them as the basis for the Endangerment Finding.**

Model Tuning

Left to their own devices, it has long been known that climate models run with increasing atmospheric carbon dioxide produce too much warming. As a result, internal parameters that ultimately predict future climate are altered in search of what has been called an "anticipated acceptable range".[11]

With regard to tuning, a fortuitous flap of a chaotic butterfly wing has unleashed the perfect storm for the climate models and therefore for the Endangerment Finding.

The story begins in 2010, when 32 modelling complexes were required to submit "frozen code" output so that standardized models could be compared for the upcoming 2013 IPCC scientific summary. This process is overseen by the U.S. Department of Energy (DOE), and it is called a "Climate Model Intercomparison Projecct" (CMIP). This was the fifth iteration of the intercomparison, or CMIP5.

But where and when to freeze the code? That turns out to be highly subjective. In 2010, the Max-Plank Institut (MPI) needed to submit its version to DOE, but the lead researcher, Erich Roeckner, was unavailable. So it devolved to the postdocs, junior scientists, and graduate students to get the model in shape to be shipped. Which they could not do with ease. It appears that Roeckner alone had the facile expertise to tune certain model parameters in

[11] Hourdin, F., et al., 2017. The art and science of climate model tuning. *Bulletin of the American Meteorological Society*.Https://doi.org/10.1175/BAMS-D-15-0013335.1

order for it to produce something that looked like a realistic climate. They finally produced a proper model, but it projected over 7°C of warming as a result of doubled atmospheric carbon dioxide.[12] This would make their model by far the hottest of any that would appear in the subsequent IPCC compendium. Despite having told *Science* that "it was a damn good model", they tuned that large warming away by adjusting other parameters, such as the dispersal of heat through the ocean. Finally, after many months, MPI had a product for the CMIP.

However, for the first time in recent memory, Roekner's group decided to document what they had done. Thorsten Mauritsen, another of MPI's senior scientists published the 2012 paper in *Journal of Advances in Modelling Earth Systems*, noting that this paper was hardly the definitive encyclopedia of tuning, because it is apparently impossible to know what was done to the models over their historical development. In Mauritsen's words, "model development happens over generations, and it is difficult to describe comprehensively".[13]

That's because so many of the people who work on these models are temporary or ephemeral, like graduate students and postdoctoral fellows, and they don't always leave notes about what they did, tuning-wise. In fact, they generally don't. Significant portions of climate models are therefore black boxes with varying degrees of subjectivity. It is the subjective modeler and not the objective model that determines future climate

The tendency for carbon dioxide-driven models to overheat was explicitly recognized by the United Nations' Intergovernmental Panel on Climate Change in it's 1995 "Second Assessment Report", when it stated that "most GCMs [climate models] produce a greater warming than has been observed, unless a lower climate sensitivity is used", and it claimed "growing evidence that increases in sulfate aerosols are partially counteracting the [warming].[14]

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[12] P. Voosen, 2016. Climate Scientists Open up their Black Boxes to Scrutiny. *Science* **354,** 401-402

[13] Mauritsen, T., et al, 2012. Tuning the Climate of a Global Model. *J. Adv. Modelling Earth Systems* **4**, DOI: 10.1029/2012MS000151

[14] "Sensitivity" is the amount of warming that ultimately develops for a concentration of atmospheric carbon dioxide that is doubled from the preindustrial background of 280 parts per million. As such it is a largely theoretical concept as by the time that warming is ultimately realized, the concentration is likely to have gone far beyond a H

This latter hypothesis has always troubled those critical of the models because the huge uncertainty previously associated with the sulfate cooling can easily be used to tune the models to reproduce the climate of the 20th century, and Voosen's blockbuster *Science* report noted that all climate models are tuned to do so.[15] Indeed, in Mauritsen et al. we find a tremendous number of tuned parameters. It seems telling that while almost all models are tuned to replicate known global temperature of the 20th century, the range of various model sensitivities is on the order of several degrees Celsius. According to the paper,

> Rational explanations are that 1) either modelers somehow changed their climate sensitivities, 2) deliberately chose suitable forcings, or 3) that there exists an intrinsic compensation such that models with strong aerosol forcing also have a high climate sensitivity.

The problem with model tuning is that code is changed in ways that may not be physically realistic in search of the match with the 20th century global temperature history. As a result, these same alterations, now existing in "frozen code" for the IPCC climate compendium, make their 21st century predictions with parameters that in some cases are simply not correct. This is a very plausible explanation for the massive departures from reality in both horizontal and vertical temperatures that have developed and are growing, as shown in figures x.1 and x.2.

A more comprehensive discussion of the pros and cons of model tuning was published in 2017 by Frederic Hourdin, Mauritsen and 13 coauthors. Called "The art and science of climate model tuning" it reveals several disturbing facts that could be used to vacate EPA's Endangerment Finding.[16]

The paper was certainly published with trepidation. In the aforementioned *Science* article about a preprint of it, reporter Paul Voosen said

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[15] From Voosen, 2016: "Indeed, whether climate scientists like to admit it or not, nearly every model has been calibrated precisely to 20th century climate records—otherwise it would have ended up in the trash. "It is fair to say that all models have tuned it", says Isaac Held, a scientist at the Geophysical Fluid Dynamics Laboratory, another prominent modelling center in Princeton, New Jersey."

[16] Ibid (11).

> For years, climate scientists had been mum in public about their "secret sauce": What happened in the models stayed in the models. The taboo reflected fears that climate contrarians would use the practice of tuning to seed doubt about [the] models[17]

Voosen went on to describe what happened with the MPI model. When preparing their frozen code model for the Department of Energy

> MPIM hadn't tuned for sensitivity before—it was a point of pride—**but they had to get that number down.** [emphasis added]

It his landmark paper, Hourdin described the process:

> One can imagine changing a parameter which is known to affect the sensitivity, keeping both this parameter and the ECS [equilibrium climate sensitivity] in the **anticipated acceptable range**...[emphasis added]

Voosen was right: "contrarians would use the practice of tuning to seed doubt on [the] models", only, more accurately, "could" should have been substituted for "would".

The core claim that will be used against the endangerment finding, which is solely based upon these models for future climate, is this: Rather than the physics of the model determining future warming, it is the modeler that will ultimately choose what warming is scientifically acceptable. Tuning climate model matters because there are so many tunable parameters, and the range of possible parameter values can be so large as to allow any result.

Hourdin et al. (2017) note that the various model tunings are not even required model documentation by the Department of Energy team that supplies them to the U.N. "In fact, the tuning strategy was not even part of the required documentation in the CMIP5 simulations", which refers to the periodical collations of climate models made by DOE for model intercomparions. Hourdin et al. go on:

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[17] Ibid (12)

> Why such a lack of transparency? Maybe because tuning is often seen as an unavoidable but dirty part of climate modeling...There may also be some concerns that explaining that models are tuned, may strengthen arguments of those claiming to question the validity of climate change projections.

On her popular blog, Climate etc.. (www.judithcurry.com), now-retired Georgia Tech climate scientist Judith Curry wrote about the Hourdin et al. paper, "[i[f ever in your life you are to read one paper on climate modeling, this is the paper that you should read."

ENDANGERMENT FINDING FLAW #2: Climate models are "tuned" to produce what is a subjectively determined "acceptable" about of climate change. They are simply not mature enough to be used as the basis for expansive policies.

It is fair game to ask what prompted the publication of Hourdin's candid manuscript on model tuning. According to the *Bulletin of the American Meteorological Society*, it was received in final form on July 9, 2016, and published online on March 17, 2017. It's fair to say that the manuscript was in preparation for much of 2015. If submitted around January, 2016, the date of final manuscript would mean it was probably subject to two revisions at the suggestion of reviewers.

Obviously, copies (one that I have) were circulating everywhere prior to official publication. Curry's highly-cited blog post was published on August 1, 2016, and Voosen's very widely read *Science* news story was October 28, 2016. It interviews authors of the paper but never mentions the manuscript itself, obviously to keep *Science* in the good graces of the American Meteorological Society by not scooping it.

As noted by Voosen, modelers felt that revealing the extent and the subjectivity of the tuning process could jeopardize climate policy, except for one fact that was for sure true: At the time, *there was no way on earth that Donald Trump would be elected president, and every reason to believe Hillary Clinton was the next Chief Executive*. In that case there would be some noises made by the usual suspects when the paper ultimately appeared, but it is ludicrous to think that it would have caused Clinton to reverse or moderate Obama administration policies, including his legacy Clean Power Plan and Paris Agreement on climate change. Not only was it

OK to publish, but it was also very likely that a Clinton Administration would substantially increase support in an effort to ameliorate the tuning problem.

Systematic Flaws in U.S. National Climate Assessments

As noted above the Technical Support Document (TSD) for EPA's Endangerment Finding is model-based, which, given recent scientific developments. The TSD in turn heavily relies on the second of four serial documents put out by what is usually called the U.S. Global Change Research Program (USGCRP). According to the Global Change Research Act of 1990, which created the USGCRP and mandated that it produce periodic assessments of the effects of global climate change on the U.S. For brevity, these are called "National Assessments", the first of which appeared in November, 2000, after Election Day (but not after the Election was settled!) and before the inauguration of George W. Bush.

It was a prospective document that used the temperature and precipitation output of two climate models to drive "effects" models on various sectors, such as agriculture, forestry and human health. The USGCRP Synthesis Team, headed by Tom Karl, then-Director of the National Climatic Data Center in Asheville, North Carolina, had nine such models to choose from, and it settled upon two: one from the Canadian Climate Centre, and the other from the Britain's Hadley Center, a portion of the United Kingdom Meteorolgical Office that specialized in climate modeling.

It turns out that the Canadian model produced the largest temperature changes of any of the nine models, and the Hadley version produced the largest precipitation changes. When I asked the director of the USGCRP, Mike MacCracken about this, he replied that they "wanted to look at the most extreme possibilities".

SIDEBAR SIDEBAR SIDEBAR

Testing a Model

Every scientific "model" is actually a hypothesis about the way a system behaves, and hypotheses need to be tested with real-world data to see if they can continue to be entertained, or of they need to be modified.

In the case of a climate model, the hypothesis is that the model is significantly simulating temperature changes in the real atmosphere as carbon dioxide rises. Having read earlier that all models are tuned to be able to mimic the global temperature history of the 20th century, this should seem like a cinch, right?

Except that the global models used in the 2000 National Assessment were chosen because they simulated the largest changes in temperature (Canadian model) and precipitation (Hadley model) of the nine considered models. Could that mean that they might be exaggerating observed climate change in the U.S.?

In this case we (myself and Paul C. Knappenberger) were looking at 10-year running means of U.S. temperatures, i.e. 1901-1910, 1902-1911, etc...This would seem to be a very simple test. We first looked the period-to-period variability of the raw data. If a model is working and we apply it to this data, what's left over (i.e. *not* explained by the model) will have a variability that is significantly less than the raw data. In other words, the model will "explain" a portion of the variability of the raw data. If this isn't the case, and somehow the model-minus-observed data variability is *greater* than that of the raw data, the model has seemingly done the impossible. It has added negative knowledge.

This is no different than a student scoring less than 25% on a four-option multiple choice exam. It means that his or her synthesis of the subject matter is somehow worse than it was before taking the course. This is precisely the behavior of the two climate models that underpinned the first National Assissment.[18]

END SIDEBAR END SIDEBAR END SIDEBAR

Now that you've read our sidebar, let's see how the First National Assessment models worked.

They didn't. Both the Canadian and Hadley models somehow *added* variability to the raw data when applied to it.

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[18] Documented in: Michaels, P. J., 2003. Science or Political Science? An Assessment of the U.S. National Assessment of the Potential Consequences of Climate Variability and Change. In Gough, M., Ed., *Politicizing Science: The Alchemy of Policymaking*. Hoover, Palo Alto. 313pp.

So, after completing my peer review, I reported my findings to Karl. I explained to him my finding, adding that to use these models to assess the effects of climate change on the U.S. is exactly analogous to a physician prescribing a medication to a patient that she knows has an opposite effect than what is desired. It would be like prescribing Ritalin for high blood pressure, and that would be called malpractice.

Amazingly, Karl emailed back. His team had applied not only my ten-year test to the models, but also to one, five, twenty, and twenty-five year running means. *At all time frames the models added variability to the raw data* instead of reducing it. The relevant illustration is here:

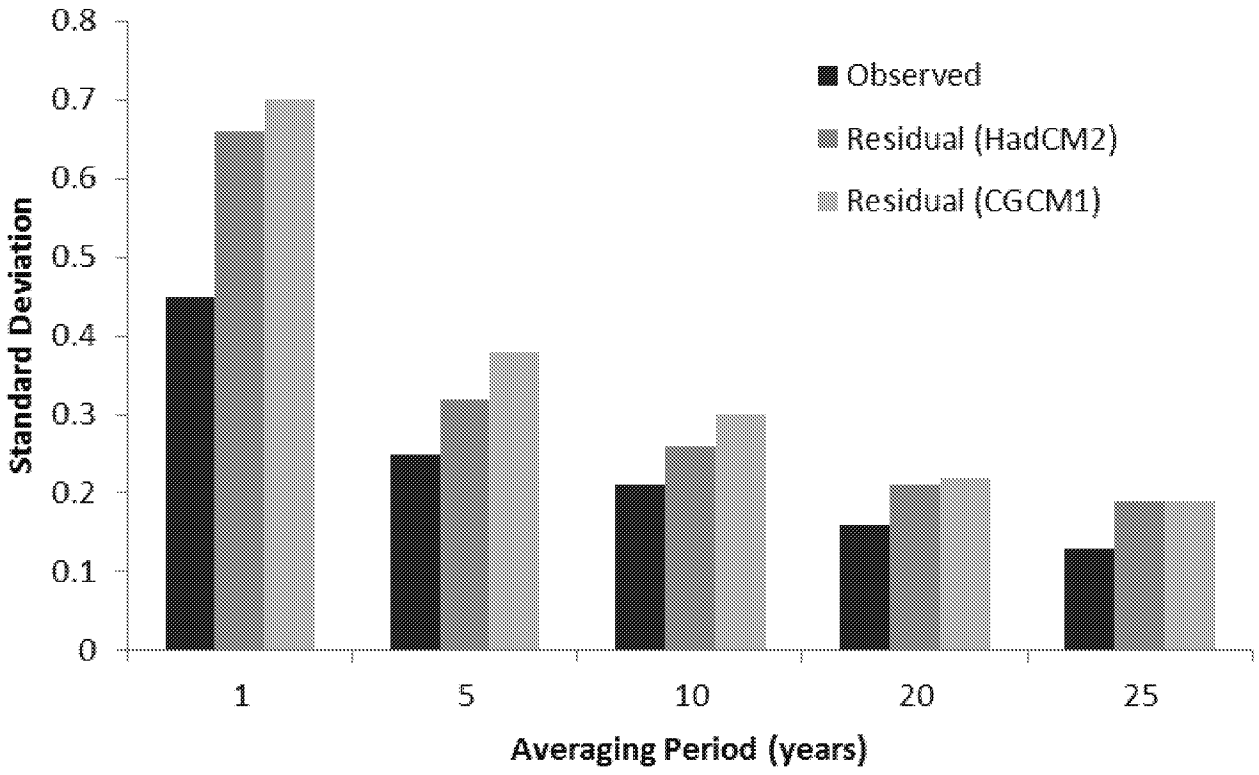


FIGURE X.4. RED—Raw US temperature data variability; DARK BLUE—Variability after the Hadley model was applied; LIGHT BLUE—Variability after the Canadian model was applied. For both models, and at all time intervals, the models did the seemingly impossible—they increased the variability of the data after they were applied. (Original data supplied in personal communication from Tom Karl, 2000.)

The second National Assessment came out soon after the end of the George W. Bush Administration, in June, 2009. It was obviously produced almost exclusively during his

Administration, as such reports take years to develop. Our peer review, dated August, 2008, began with this paragraph:

> Of all of the "consensus" government or intergovernmental documents of this genre that [we] have reviewed in [our] thirty years in this profession, there is no doubt that this is the absolute worst of all. Virtually every sentence can be contested or does not represent a complete survey of a relevant literature.

To prove our point, we assembled a six-person team to produce a palimpsest called "ADDENDUM: Global Climate Impacts in the United States". It was entirely analogous to the 2009 federal report. For example, under "Key Findings", the government version says

> 7. **Risks to human health will increase.** Harmful health impacts are related to increasing heat stress, waterborne diseases, poor air quality, extreme weather events, and diseases transmitted by insects and rodents. Reduce cold stress provides some benefits. Robust public health infrastructure can reduce the potential for negative impacts (p.89).

The Cato palimpsest says:

> **7. Life expectancy and wealth are likely to continue to increase.** There is little relationship between climate and life expectancy and wealth. Even under the most dire climate scenarios, people will be much healthier and wealthier in the year 2100 than they are today (pp 139-45, 158-61).

The ADDENDUM was especially richly referenced in the "Agriculture" and "Ecosystems" sections, two fields that have a much more balanced literature than, say, climate science. The reasons this occurred are documented in my 2016 book *Lukewarming*. In part, because of that substantial literature, the ADDENDUM had nearly twice as many scientific citations as did the second federal National Assessment. The lead author of the second Assessment was none other than Tom Karl[19]

---

[19] Karl, T., J. Melillo, and T. Peterson (Eds.) (2009) Global Climate Change Impacts in the United States. Cambridge University Press, Cambridge, United Kingdom.

As noted above, the second Assessment was a critical component of the Technical Support Document for the EPA's 2009 Endangerment Finding. Its prospective forecasts on all of the impact areas (agriculture, human health, etc...) and regions (Southeast, Northeast, etc...) are all based upon models that have massive systematic errors including an incapability to simulate the evolution of lower atmospheric temperatures since 1979, and an erroneously project upper-atmospheric "hot spot" over the entire tropics, a substantial portion of the globe, as shown earlier in this chapter.

The Technical Support Document for the Endangerment Finding is largely based upon the 2009 National Assessment, which itself necessarily summarized a literature heavily biased by the incentive structure in modern science, as detailed in our chapter on the nature of Big Science.

In addition, the models themselves turn out to be much more arbitrary and subjective than previously thought, thanks to what was probably a major political miscalculation by the modeling community with regard to the 2016 presidential election in the U.S.

ENDANGERMENT FINDING FLAW #3: The Technical Support Document for the Endangerment Finding is largely based upon the 2009 National Assessment, which is itself based upon a literature demonstrably biased towards dire climate findings.

Five years later, the third Assessment was published. This one was blatantly couched in the context of the Obama Administration activism on climate change. In fact, in the May 6, 2014 introduction, the National Oceanic and Atmospheric Administration wrote that

> The report, *a key deliverable of President Obama's Climate Action Plan*, is the most comprehensive and authoritative scientific report ever generated about climate changes that are happening now in the United States and further changes that we can expect to see throughout this century [emphasis added].[20]

[20] Melillo, J. M., et al., eds., 2014. *Climate Change Impacts in the United States: The Third National Climate Assessment* (Washington DC: Government Printing Office, 2014).

All three National Assessments are deeply flawed. The first broke a cardinal and normative rule of science: that models only should be used if they have explanatory capability. The second was so incomplete that it could provoke an entire palimpsest with nearly twice as many refereed citations, and the third was specifically designed as a part of the Obama Administration policy thrusts on climate change.[21]

[21] A fourth National Assessment was in press at the time of this writing. The same problems inherent in the second and third Assesments also accrue here.

Message

From: Diane Wood [DWood@neefusa.org]
Sent: 1/2/2018 3:48:16 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]; Brennan, Thomas [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78caa4c8d91743c887c1bb5dc8cdb369-Thomas Brennan]; Carlos Alcazar [calcazar@cultureoneworld.com]; Kevin Butt (TMNA) [kevin.butt@toyota.com]
Subject: RE: Following up our November 27th meeting

Happy new year Tate!
Nice to hear from you. Ex. 6

Ex. 6

Ex. 6 I am back today and pleased our note struck a good chord with you. I will work with Tom on how best to follow up and keep our conversation going.

Hope you had a great holiday!
Best, Diane

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, December 26, 2017 6:44 PM
To: Diane Wood <DWood@neefusa.org>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>; Brennan, Thomas <Brennan.Thomas@epa.gov>; Carlos Alcazar <calcazar@cultureoneworld.com>; Kevin Butt (TMNA) <kevin.butt@toyota.com>
Subject: Re: Following up our November 27th meeting

Hi there! Hope everyone is enjoying the holiday season. Sorry for the delay here.

Thanks, Diane, for the thoughtful ideas and follow-up here. Will take a look and circle back in the coming days.

At first blush however this looks outstanding and I'm happy to make connections with the trades you've identified once we digest everything.

On Dec 21, 2017, at 1:48 PM, Diane Wood <DWood@neefusa.org> wrote:

> Dear Tate,
>
> My senior team here at NEEF and I have taken some time to reflect on the conversation Carlos, Kevin and I had with you. We have identified some areas where we see potential synergies with the priorities you shared with us. On behalf of Carlos, Kevin and the NEEF senior team I offer ideas here as starting points for what I hope will be future conversations with Tom, you and others you would designate.
>
> **Rx for Outdoor Activity**: NEEF began this program in 2010 to draw attention to the value time outside, especially in nature, can offer to address health problems young children are facing due to sedentary lifestyles and poor nutrition. Science has demonstrated that time in nature reduces stress and can help children who face the added challenges associated with ADD or ADHD. In addition, just spending more time exploring the outdoors and playing in the outdoors can counter childhood obesity and Type 2 diabetes. NEEF has created a training program for health care practitioners to introduce them to the health benefits time outdoors offers. We call the participants who complete the course "nature champions". We have worked primarily with pediatricians. Perhaps we could meet with staff in EPA's

Office of Children's Health Protection (OCHP) to discuss ways this training course could be offered via all EPA Regions.
Currently our **Rx** program has focused on children, but there is more and more evidence that time in nature is good for anyone young or old. Twenty minutes in nature reduces the stress hormone, cortisol, and we believe this could apply to veterans suffering from PTSD. For example, we are in conversations with Harley Davidson regarding how we might introduce more bikers to the benefits of making time to stop and enjoy our public lands as part of a ride. A large percent of Harley riders are veterans. Perhaps we could explore how to expand Rx for Outdoor Activity to include adults and work with EPA to partner with DOI and US Forest Service as an effort to address significant public health issues while spending time enjoying the benefits of nature on our public lands.

Engaging the public every day: To achieve NEEF's vision that by 2022 300 million Americans actively use environmental knowledge to ensure the well-being of the earth and its people, NEEF partners with large affinity groups trusted and looked up to by their members.. We shared with you our work with the National Basketball Association (NBA) to encourage millions of basketball fans to implement energy efficiency actions that can help families save money, improve the quality of their lives and help the environment. NEEF is now identifying new audiences beyond the sports community. When we met I mentioned our interest in engaging homeowners through the National Association of Realtors and National Association of Homebuilders. There are 75.6 million homeowners in the USA. You raised issues of importance to EPA such as food waste and soil erosion as well as water management. We believe that these issues can be addressed through a focus on the homeowner. NEEF has a range of environmental education approaches that could be adapted to this audience in partnership with the Real Estate Agents Association and Association of Homebuilders. Whether buying a home, building a new home or maintaining a home, homeowners need to think about landscaping to prevent soil erosion and stormwater runoff, disposal of waste and energy efficiency. Native species gardens, pollinator gardens and vegetable gardens are all good options as is weatherizing one's home. A reminder on basic recycling, composting etc. is also relevant to homeownership. Location of a home near public green spaces for recreation ranging from picnicking to fishing is part of choosing a home. There are many possibilities for this focus that we think could overlap with your priorities. On food waste in particular, EPA's website is full of useful resources: We could promote this EPA link during NEEF's National Environmental Education Week April 23-29, 2018 : https://www.epa.gov/sites/production/files/2017-12/documents/guide_to_conducting_student_food_waste_audit_-_nov_20_2017.pdf
The work with homeowners would most likely cross over into many EPA Offices, but we could work with Tom in OEE as the point person. We would be very grateful for any introductions you could make for NEEF to the Associations of Realtors and of Homebuilders.

Extreme weather resilience grants: This is a concept in development. NEEF runs a strong competitive grants program and we have some private sector funds available to us now that we want to program as restoration/resilience grants for areas hardest hit by hurricanes, flooding or fires. Our focus is on public lands- federal, state or city. We are currently in the fact finding stage interviewing federal agencies about where their public lands were hit the hardest. We are also consulting with colleagues on which resilience actions could leverage the greatest impact. All of these grants would have a community environmental education focus so people living closest to these public lands could learn about resiliency and even apply similar actions on their own properties and in their neighborhoods. EPA input to this initiative would be most welcome.

Tate, I hope these ideas resonate with you as relevant to your goals. I feel I have barely scratched the surface on potential collaboration. Teens are another audience of special focus for us after completing our teen survey indicating 80% of teens prefer being indoors because that is where their technology is. We are also eager to target anglers convinced that fishing is a sport that appeals to people of all backgrounds and economic means. It may even be a great draw for teens to get back outside again. I will stop here, however, before introducing even more ideas ☺ and wait for your thoughts on the above.

I should add that some of these programs are funded and can be carried out "on budget" while others will require us to fundraise before we can initiate them. We can discuss such details once you have had time to react to the preliminary thinking shared here.

Thank you again for taking time to meet and we look forward to future collaboration. I will be on vacation for the week between Christmas and New Year's Day but checking e-mail from time to time. I wish you and your family the best during this holiday season and hope to talk with you again in January.

Warm wishes, Diane

<image002.jpg>

Diane Wood
President

National Environmental Education Foundation
4301 Connecticut Ave., NW, Suite 160
Washington, DC 20008

Direct 202-261-6476
General Ex. 6
Fax 202-261-6464
NEEFusa.org

Message

From: Annie Dwyer [Annie.Dwyer@cei.org]
Sent: 12/6/2017 7:23:37 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Tomorrow

Yep! Ex. 6

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, December 6, 2017 2:09 PM
To: Annie Dwyer <Annie.Dwyer@cei.org>
Subject: Tomorrow

Can I give you a quick call about tomorrow's hearing?

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 7/18/2018 10:16:45 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition action alert on House vote on anti-carbon tax resolution, HConRes 119

The House is scheduled to vote on H. Con. Res. 119 tomorrow.

CEI supports the Scalise/McKinley anti-carbon tax resolution, H.Con.Res 119.

Read the coalition letter signed by 41 free-market groups **here**.

Director of CEI's Center for Energy and Environment **Myron Ebell** said the following about the vote:

"Carbon taxes are not a solution to anything except increasing government revenues and control over people. Carbon taxes will raise the cost of electricity, motor fuels, airfares, manufactured products, transporting freight, food, and anything else that uses energy. Nearly every proposed carbon tax proposal includes an automatic escalator, which means even if the tax starts small it will go up every year—ever increasing tax revenues without having to vote for them.

"Carbon taxes remain political poison around the world. Last month, in Ontario, Canada, the ruling Liberal Party after 15 years in office was overwhelmingly defeated by the Progressive Conservatives. New Premier Doug Ford's top campaign promise was to stop the carbon tax in parliament."

CEI Senior Fellow **Marlo Lewis** also commented on the vote:

"Policymakers need to remember that affordable energy is vital to the growth and competitiveness of the U.S. economy, and the only way a carbon tax 'works' is by making our most plentiful and reliable energy sources more costly. Since taxes have the power to destroy, a carbon tax has the unique potential to bankrupt the coal oil, and natural gas industries, which supply 78 percent of all the energy Americans consume.

"Even a 'revenue-neutral' carbon tax does not mean it would be economically-harmless. It would be short-sighted to believe that Washington would enact something as controversial and unpopular as a new tax that would not bring in federal revenues."

>> Read more from Marlo Lewis: "Carbon Tax: Political Poison for the Conservative Movement."

Read the op-ed by Paul Blair of Americans for Tax Reform in the Washington Examiner at https://www.washingtonexaminer.com/opinion/stop-trying-to-make-the-carbon-tax-a-thing.

Myron Ebell
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Tel direct:
Tel mobile Ex. 6
E-mail: Myron.Ebell@cei.org
Stop continental drift!

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 1/4/2018 9:25:29 PM
To: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Tate and Liz, About Cooler Heads on Monday

Dear Liz and Tate, What do you want to talk about? Plan on ten minutes or so followed by questions and discussion. If you have handouts, please bring forty copies or e-mail a copy to me and I'll include it in the packet. The National Review cover story is an obvious item to include, but NR have put up a paywall, so I don't have access to the whole thing. One thing I want to ask you about is the status of withdrawing the NSPS for greenhouse gas emissions from new power plants. We begin at noon, and I'll put you in the first half hour in case you can't stay. Or if you arrive late, I'll put you next in the agenda. There is a lot to talk about, so the meeting will probably go to 1:30. Happy new year. Yours, Myron.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct:
Tel mobile
E-mail: Myron.Ebell@cei.org
Ex. 6
Stop continental drift!

Message

From: Laura Skaer [lskaer@miningamerica.org]
Sent: 12/2/2017 10:43:30 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Fwd: EPA says no to final Superfund rules | Mining | elkodaily.com

Tate,

From the Elko Free Press, Elko NV

Laura Skaer
Sent from my iPad

Begin forwarded message:

> **From:** Matt Ellsworth <ellsworth@miningamerica.org>
> **Date:** December 2, 2017 at 11:33:02 AM MST
> **To:** Laura Skaer <lskaer@miningamerica.org>, Devon Coquillard <dcoquillard@miningamerica.org>
> **Subject: EPA says no to final Superfund rules | Mining | elkodaily.com**
>
> http://elkodaily.com/mining/epa-says-no-to-final-superfund-rules/article_07833c42-ba1a-552b-8760-6fa5312b988e.html
>
> Elko coverage

Message

From: Laura Skaer [lskaer@miningamerica.org]
Sent: 12/2/2017 10:38:24 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Fwd: PRESS RELEASE: HARDROCK MINING ASSOCIATION APPLAUDS EPA in CERCLA RULE MAKING

Tate,

Here you go.

Laura Skaer
Sent from my iPad

Begin forwarded message:

> **From:** American Exploration & Mining Association <info@miningamerica.org>
> **Date:** December 1, 2017 at 4:50:52 PM MST
> **To:** lskaer@miningamerica.org
> **Subject: PRESS RELEASE: HARDROCK MINING ASSOCIATION APPLAUDS EPA in CERCLA RULE MAKING**
> **Reply-To:** info@miningamerica.org

American
Exploration & Mining
ASSOCIATION

FOR IMMEDIATE RELEASE
December 1, 2017

CONTACT:
Devon Coquillard
dcoquillard@miningamerica.org
509-624-1158 x 117

HARDROCK MINING ASSOCIATION APPLAUDS EPA in CERCLA RULE MAKING

EPA Final Rule Recognizes the Success of Existing Federal & State Programs

Today, the American Exploration & Mining Association (AEMA) responded to the U.S. Environmental Protection Agency's (EPA) final CERLCA 108(b) rule for hardrock mining.

Today's final decision that no additional financial assurance is required was preceded by years of analysis and public input, including a Small Business Advocacy Review (SBAR) Panel where AEMA served as a Small Entity Representative (SER).

"AEMA is pleased that EPA, under Administrator Pruitt, undertook a legitimate, science and fact based analysis. EPA has finally recognized that the robust financial assurance system in place works." said Laura Skaer, AEMA Executive Director. ***"No mine approved by the Bureau of Land Management (BLM) or the United States Forest Service (USFS) since 1990 has been placed on the Superfund list. This undeniable fact, along with robust financial assurance requirements, stringent regulatory requirements and the industry's commitment to the highest environmental standards is what made today's decision the right one."***

The BLM, USFS and individual states currently hold more than $5 billion dollars in financial assurance, covering the vast majority of what EPA originally proposed to cover in the duplicative rule. The Western Governors Association and Interstate Mining Compact Commission both issued strong objections to the rule.

###

American Exploration & Mining Association | MiningAmerica.com

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Message

From: Pat Michaels [PMichaels@cato.org]
Sent: 12/6/2017 5:43:31 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Another Calabrese recent
Attachments: LNTgate-2.pdf

Toxicology Research and Application

Toxicology Research and Application
1–3
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DOI: 10.1177/2397847317694998
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SAGE

LNTgate: The ideological history of cancer risk assessment

Edward J Calabrese

Abstract

This commentary summarizes a spate of recent papers that provide historical evidence that the 1956 recommendation of the US National Academy of Sciences Biological Effects of Atomic Radiation I Genetics Panel to switch from a threshold to a linear dose–response model for risk assessment was an ideologically motivated decision based on deliberate falsification and fabrication of the research record. The recommendation by the Genetics Panel had far-reaching influence, affecting cancer risk assessment, risk communication strategies, community public health, and numerous medical practices in the United States and worldwide. This commentary argues that the toxicology, risk assessment, and regulatory communities examine this issue, addressing how these new historical evaluations affect the history and educational practices of these fields as well as carcinogen regulation.

Keywords

LNT, carcinogen, dose–response, radiation, risk assessment, X-rays

Date received: 12 April 2016; accepted: 2 June 2016

Introduction

A series of papers published over the past few years have revealed that the June 12, 1956, recommendation of the US National Academy of Sciences (NAS) Biological Effects of Atomic Radiation (BEAR) I Committee, Genetics Panel, to switch from a threshold to a linear, nonthreshold (LNT) dose–response model was the most significant risk assessment policy change ever made.[1–12] This recommendation was soon generalized from genetic to cancer risk and rapidly adopted by highly influential national and international advisory committees and would determine the setting of exposure standards for ionizing radiation and chemical carcinogens in the United States and throughout the world down to the present.

The report of the Genetics Panel provided the underlying scientific credibility and public health urgency that helped to create the precautionary principle that influences politicians, regulators, the biomedical community, the media, and the general public. In fact, the report of that BEAR I Genetics Panel was released to an eager media that sensed its importance, rewarding the Panel and the NAS with extremely positive front-page stories on June 13, 1956, in the *New York Times* and *Washington Post*. Many stories would follow in other highly influential outlets such as *US News* and *World Report*, *Life*, *Time*, and others.[11]

The Genetics Panel report is the founding document for modern cancer risk assessment, a veritable Cannon of the environmental movement in the United States. The authors of this Cannon were also the elite of American science, with two Nobel Prize recipients, and others of similar stature, all working under the leadership of the prestigious US NAS and the funding of the Rockefeller Foundation. Appeal to authority has always had an important role in society, but the setting for the BEAR I Genetics Panel was truly exceptional in that regard. Even though all the principals have died, all were known well by many leading scientists alive today.

It has now been revealed that this momentous report of the Genetics Panel was not only profoundly ideologically motivated, it was also based on falsification and fabrication of the research record involving the entire Panel.[3–7] This Panel would even refuse to provide scientific

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Email: edwardc@schoolph.umass.edu

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documentation to support their recommendation when challenged to do so in the months after the major publicity associated with their LNT recommendation.[6] It has also been revealed that the then NAS President, Dr. Detlev Bronk, was made aware of this decision of the Panel and did nothing to prevent it, and as a result failed in his duty as NAS president.[6]

My interest in the history of the LNT is fairly new, starting about 5 years ago as part of research on the history of the hormetic dose–response. During the course of writing a paper on the origins of the LNT, a preliminary draft was criticized by a senior genetic toxicologist who suggested that I had neglected the role of Hermann Muller in shaping the field in this matter. Taking this advice, I devoted considerable effort to learn about Muller, his life, career, publications, controversies, achievements, and final years. It was during the detailed historical assessment of Muller that unexpected irregularities in the scientific record on mutation risk assessment began to emerge,[8,9] all potentially troubling and yet feeding interest to get to the bottom of the story. Thus, there was no inherent desire to challenge Muller, his radiation geneticist colleagues, or the NAS. In fact, most of what has been recently reported is material in the historical record, citing their own words, via correspondence, memos, and similar documents. In other words, these reports tend to let the subjects of this historical tale tell the story in their own way.

Falsifying the research record

With the above as the backdrop to the story, let me share the specific allegation of scientific misconduct by the NAS BEAR I Committee, Genetics Panel. In June 1956, the Panel published a paper summarizing their activities and conclusions in the journal *Science*.[10] I was very familiar with the details of their activities and had acquired substantial materials, such as meeting transcripts, draft reports, many letters between the Panel members, and related material. In my rereading of the *Science* paper, I was struck by the statement indicating that the 12 geneticists on the Panel (actually there were 13 but 1 withdrew from the Panel) were challenged by the Panel Chairman Warren Weaver to estimate genomic risk to the US population from gonadal radiation exposure, but that only 6 took up this challenge and provided detailed estimates. These six estimates were then summarized in the *Science* paper. What troubled me was I had the detailed reports of 9 of the 12 Panel members. I wondered why the *Science* paper would state 6 rather than the 9 geneticists who took up the so-called challenge. Why were three omitted and how was the decision made?

A detailed review indicated that nine substantial reports were submitted by Panel members to Chairman Weaver, within the time period requested (i.e. February 1956 to early March 1956).[11] These were independent assessments by some of the most prominent geneticists in the world. The Panel members represented a broad range of expertise, including bacterial, paramecium, insect, mammalian, and human genetics. The goal of these assessments was to learn how closely these independent analyses would converge on the estimates of population-based genetic damage. It was hoped that there would be close convergence as this would strengthen any recommended policy change to linearity. However, findings revealed that the experts were very uncertain in their own estimates and also offered strikingly divergent estimates when compared to each other. Thus, the estimates lacked confidence and anything resembling a convergence or consensus . . . in fact, the opposite.

The chair of the Panel assigned panelist James Crow to collate the material and make tables that could be shared with all Panel members. However, in the course of this administrative function, Crow became very concerned that the uncertainty among the expert geneticists was quite substantial, expressing his concerns in a series of letters to the chairman (March 7, 12, 29, 1956). He expressed in writing that if their uncertainties became known, then it would strongly undercut the chances of acceptance of the Panel's recommendations. For example, in the March 29, 1956, letter to Weaver (Crow, 1956a), Crow stated, "The limits presented on our estimates of genetic damage are so wide that the readers will, I believe, not have any confidence in them at all." Without any authority to do so, Crow excluded the reports of three geneticists. My analysis indicated that he eliminated the reports with the lowest estimates of risk. This had the effect of substantially reducing the appearance of Panel uncertainty. Thus, the *Science* paper conveyed deliberately false information. It should have stated that 9 of 12 geneticists provided detailed written estimates of genetic damage, but that 3 were excluded, telling how this decision was made. However, as noted above, the paper deceptively and incorrectly stated that only six estimates were provided. This act by Crow that was permitted by the Panel and the NAS president constituted research misconduct by omitting data from the research record.[6] The story actually gets worse, in fact, far worse as the estimates of the remaining six geneticists were dishonestly reported. The *Science* paper indicated that there was reasonably good agreement among the six geneticists, with their collective uncertainty being ± 10-fold around a mean. However, the actual reports reveal that the 100-fold uncertainty was 750-fold, a gross distortion.[7,11] Adding to this series of deceptions was that the Panel actually voted not to share their findings with the scientific community and the general public, thus implicating all the Genetics Panel members in what I now call LNTgate.[6]

LNT: An historical problem

The LNT saga thus all began with the BEAR I Genetics Panel and their influence continues to the present. However, their 1956 report is far more than "an influence" but rather the influence morphed into a dogma (i.e. radiation-induced genetic damage was cumulative and irreversible

Sierra Club v. EPA 18cv3472 NDCA Tier 5 ED_002061_00059533-00002

and the dose–response was linear). Their dogma has become the "creed" for regulatory agencies such as the US Environmental Protection Agency and others. Now we have learned that this creed was based on ideological biases and multiple scientific falsehoods, all with the intention to convert the scientific community, world governments, the medical communities, and others to their views. The Genetics Panel would ensure that such actions were successful by keeping control of the reins of major advisory groups at the national and intentional levels over the next two decades.[12] For example, James Crow, a member of the BEAR I Genetics Panel (1956) chaired the Biological Effects of Ionizing Radiation (BEIR) I (1972) Genetics Subcommittee. This leadership would also effectively discourage any detailed exploration of their historical dishonesties.

So the question is what does it mean to the scientific community, the regulatory agencies, elected officials, and the general public that the belief in LNT and our regulations were founded on deliberate scientific misconduct at this high level? It is certainly time for the toxicology, risk assessment, and regulatory communities to explore, reassess, and rewrite their history and to squarely face how this deliberate deception has impacted the education of generations of scientists, the public, current regulations, and beliefs about the nature of the dose–response in the low-dose zone.

Declaration of conflicting interests

The author(s) declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

Funding

The author(s) disclosed receipt of the following financial support for the research, authorship, and/or publication of this article: Research activities in the area of dose–response have been funded by the US Air Force and ExxonMobil Foundation over a number of years. However, such funding support has not been used for the present manuscript. This research received no specific grant from any funding agency in the public, commercial, or not-for-profit sectors.

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1. Calabrese EJ. The road to linearity: why linearity at low doses became the basis for carcinogen risk assessment. *Arch Toxicol* 2009; **83**(3): 203–225.
2. Calabrese EJ. Origin of the linearity no threshold (LNT) dose–response concept. *Arch Toxicol* 2013; **87**(9): 1621–1633.
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8. Calabrese EJ. Muller's Nobel lecture on dose–response for ionizing radiation: ideology or science? *Arch Toxicol* 2011; **85**(12): 1495–1498.
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12. Calabrese EJ. LNTgate: how scientific misconduct by the U. S. NAS led to governments adopting LNT for cancer risk assessment. *Environ Res* 2016; **148**: 535–546. DOI: 10.1016/j.envres.2016.01.039.

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 12/17/2017 9:11:02 PM
To: Khristine Brookes [KBrookes@cato.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: Lost bracelet

Either of those days work for me!

Sent from my iPhone

On Dec 17, 2017, at 3:45 PM, Khristine Brookes <KBrookes@cato.org> wrote:

> No problem...both the 4th and the 5th would work fine for me! Just let me know what works for you guys.
>
> Khristine Brookes
> Vice President, Communications
> The Cato Institute
> Mobile: Ex. 6
>
> On Dec 17, 2017, at 3:29 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> > Hey Khristine! Any chance we can push lunch to the new year? Say the 4th or 5th? We can touch base when it gets closer. Also, this is a great reminder I still need to go get my bracelet!
> >
> > On Dec 5, 2017, at 2:41 PM, Khristine Brookes <KBrookes@cato.org> wrote:
> >
> > > Yes, Monday the 18th is great. How about Central? Think that is close to you guys?
> > >
> > > **From:** Bowman, Liz [mailto:Bowman.Liz@epa.gov]
> > > **Sent:** Tuesday, December 05, 2017 2:30 PM
> > > **To:** Khristine Brookes <KBrookes@cato.org>
> > > **Cc:** Bennett, Tate <Bennett.Tate@epa.gov>
> > > **Subject:** Re: Lost bracelet
> > >
> > > Monday the 18th would be great; please let us know the location that works for you.
> > >
> > > Sent from my iPhone
> > >
> > > On Dec 5, 2017, at 2:24 PM, Khristine Brookes <KBrookes@cato.org> wrote:
> > >
> > > > Surely --Wednesday or Thursday next week would work for me, or Monday Dec. 18. Any of those good for you guys?

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Tuesday, December 05, 2017 2:12 PM
To: Khristine Brookes <KBrookes@cato.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>
Subject: Re: Lost bracelet

Nice to meet you as well; can we grab coffee or lunch soon? Please let us know if there are any dates that work for you.

Sent from my iPhone

On Dec 5, 2017, at 1:34 PM, Khristine Brookes <KBrookes@cato.org> wrote:

> Absolutely…I'll put in an envelope with your name on it at the front desk!
>
> **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> **Sent:** Tuesday, December 05, 2017 1:24 PM
> **To:** Khristine Brookes <KBrookes@cato.org>; Bowman, Liz <Bowman.Liz@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>
> **Subject:** RE: Lost bracelet
>
> Hi! That would be mine! I can come grab it later this week if that is OK? I forgot I took it off!
>
> **From:** Khristine Brookes [mailto:KBrookes@cato.org]
> **Sent:** Tuesday, December 5, 2017 1:22 PM
> **To:** Bennett, Tate <Bennett.Tate@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>
> **Subject:** Lost bracelet
>
> Hi ladies – so nice to meet you all today…I'll make sure that all of the papers we mentioned in the meeting get sent along. Also…we found a lovely gold bracelet on the floor in the conference room after y'all left. Did any of you lose it?
>
> Khristine Brookes

Vice President, Communications
The Cato Institute
Ex. 6

Message

From: Megan Worley [mworley@atr.org]
Sent: 1/4/2018 7:17:28 PM
To: Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]
CC: Kundinger, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e3c9a5d16e2244079e222f342bf9992f-Kundinger,]; Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: ATR Dinner Invite
Attachments: EPA Administrator Pruitt Speaker Request Form.pdf

Here you go!

Thank you!

From: Ford, Hayley [mailto:ford.hayley@epa.gov]
Sent: Thursday, January 04, 2018 12:28 PM
To: Megan Worley <mworley@atr.org>
Cc: Kundinger, Kelly <kundinger.kelly@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: ATR Dinner Invite

Hello Megan,

I apologize that I'm just now responding to your invitation for Administrator Pruitt. With the holidays and end of the year craziness, we are now finalizing 2018 scheduling requests.

We very much look forward to having Administrator Pruitt speak with ATR! I've attached our standard request form here. Could you please complete and send back to us with additional details? Our Scheduling & Advance team will then be reaching out to set up a phone call with you to talk through your ideas.

Thank you so much and we appreciate the invitation!

Hayley Ford
Deputy White House Liaison and Personal Aide to the Administrator
Environmental Protection Agency
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: Ex. 6

From: Megan Worley [mailto:mworley@atr.org]
Sent: Thursday, December 7, 2017 11:03 AM
To: Schwab, Justin <Schwab.Justin@epa.gov>
Subject: ATR Dinner Invite

Hi Justin –

I hope all is well!

Please find attached an invitation for Mr. Pruitt to join us as our special guest at an ATR Policy Roundtable Dinner in 2018. We will work around your schedule selecting a date – any time next year that works for you.

Please also find a copy of an information sheet attached.

The dinner will be held at ATR's downtown office from 6:30-8:30pm on an evening of your choosing. The evening begins with a 30 minute cocktail reception followed by a 1 hour dinner. We conclude with very brief, informal remarks.

The entire event is off the record. Attendees include government relations representatives from the trade association community and some of the largest companies in America. All dinner guests are supporters of ATR.

Please let me know if you have any questions. I look forward to working with you on this.

Happy Holidays!

All the best,
Megan

Megan Worley
Americans for Tax Reform | o: 202-785-0266 | d. **Ex. 6**
& Americans for Tax Reform Foundation | www.atr.org | Facebook | Twitter

ADMINISTRATOR PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

Deadline for Acceptance:	December 20, 2018
Event Title:	Americans for Tax Reform Dinner Series
Speech Date:	Any Tuesday, Wednesday or Thursday in 2018
Is the Above Date Flexible:	Yes
Speech Time & Duration:	Cocktails: 6:30-7pm Dinner: 7-8pm Remarks: 8-8:15
Speaker Requested:	Administrator Scott Pruitt
Would You Consider a Surrogate:	No
Event Location:	Americans for Tax Reform 722 12th St. NW 6th Floor Washington, DC 20005 Ex. 6 6th Floor Dining Room
Open Press/Closed Press:	Closed – off the record
Is Event Webcast/Recorded/Transcribed:	No
Purpose of the Event:	Small policy roundtable dinner with corporate and trade association supporters of ATR.
Speech Topic:	Current EPA priorities and projects
Requested Presentation Format:	Informal remarks standing in place after dinner
Dress Code:	Business
Speech/Presentation Duration:	5-10 minutes
Teleprompter Available:	No
Microphone / Room Setup:	No microphone. Dining room with 3 10-top tables.
Event Sponsor:	ATR
Relationship to the EPA:	n/a
Event Agenda/Program:	Cocktails: 6:30-7pm Dinner: 7-8pm Remarks: 8-8:15
Honorable Guests Attending:	Scott Pruitt will be the only honorable guest.
Notable Federal, State or Local Appointed or Elected officials attending:	n/a
Individual Introducing Administrator:	Grover Norquist

ADMINISTRATOR PRUITT SPEAKER REQUEST FORM
U.S. Environmental Protection Agency

Person to contact for speechwriting purposes:	Megan Worley mworley@atr.org Ex. 6
Person to contact for media purposes:	Megan Worley mworley@atr.org Ex. 6
Origin of Invitation:	Megan Worley mworley@atr.org Ex. 6
Day of Event Point of Contact:	Megan Worley mworley@atr.org Ex. 6
Security Contact:	Megan Worley mworley@atr.org Ex. 6

Is the organization or host of the event a registered 501(c)(3), (4), or has a 527 Political Action Committee (PAC):	**501c4**
Will there be a presentation of a "gift" to the Administrator?	**No**
If so, what is the US currency value of the gift?	**n/a**
Will a meal be provided, if so what is the US currency value?	**Yes. TBD but a recent dinner cost $85 per person.**

Please return this completed form to Hayley Ford at ford.hayley@epa.gov

Message

From: Pat Michaels [PMichaels@cato.org]
Sent: 12/6/2017 10:20:42 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Here's your OSTP head

The PLoS Medicine paper on "Why most published research findings are false" has been the most-accessed article in the history of Public Library of Science (2.5 million hits). Author of 6 literary books in Greek, two of which ("Toccata for the Girl with the Burnt Face" (Kedros 2012) and "Variations on the Art of the Fugue and a Desperate Ricercar" (Kedros 2014)) were shortlisted for best book of the yea

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, December 06, 2017 5:00 PM
To: Pat Michaels <PMichaels@cato.org>
Subject: Re: Here's your OSTP head

I'll see where we are in the hiring process. Do you have a good email?

On Dec 6, 2017, at 4:58 PM, Pat Michaels <PMichaels@cato.org> wrote:

> If you can get him!!
>
> https://en.wikipedia.org/wiki/John_Ioannidis

Message

From: Pat Michaels [PMichaels@cato.org]
Sent: 12/6/2017 10:03:59 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Here's your OSTP head

jioannid@stanford.edu

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, December 06, 2017 5:00 PM
To: Pat Michaels <PMichaels@cato.org>
Subject: Re: Here's your OSTP head

I'll see where we are in the hiring process. Do you have a good email?

On Dec 6, 2017, at 4:58 PM, Pat Michaels <PMichaels@cato.org> wrote:

> If you can get him!!
>
> https://en.wikipedia.org/wiki/John_Ioannidis

Message

From: Bluey, Rob [rob.bluey@heritage.org]
Sent: 11/29/2017 11:32:26 PM
To: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Hewitt, James [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=41b19dd598d340bb8032923d902d4bd1-Hewitt, Jam]; Mike Thompson [mthompson@CRCPublicRelations.com]; Keith Appell [kappell@CRCPublicRelations.com]; J. Duffy [jpd@frc.org]; Myron Ebell [Myron.Ebell@cei.org]; Posey, Justin [Justin.Posey@heritage.org]; Daniel Holler (Heritage Action) [dan.holler@heritageaction.com]; Loris, Nick [Nick.Loris@heritage.org]; Richardson@eelegal.org; Richard Manning [rmanning@getliberty.org]
Subject: Today's meeting

Thanks for joining us today for a great discussion. Mike and I will be in touch.

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org



Message

From: Laura Skaer [lskaer@miningamerica.org]
Sent: 12/2/2017 7:59:34 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Automatic reply: EPA Determines Risks from Hardrock Mining Industry Minimal and No Need for Additional Federal Requirements

I am out of the office until Monday, December 11. If this is a media inquiry, contact Devon Coquillard, dcoquilaard@miningamerica.org. For government affairs, contact Matt Ellsworth, ellsworth@miningamerica.org. For all other assistance, email Deanna Stroh at dstroh@miningamerica.org. I will respond as time permits.

Message

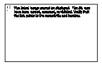
From: Pat Michaels [PMichaels@cato.org]
Sent: 12/6/2017 9:03:38 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Important op-ed draft re endangermentt
Attachments: Pruitt-EFRossMc-JSedits_RM.docx

From: Ross McKitrick [mailto: Ex. 6
Sent: Wednesday, December 06, 2017 9:32 AM
To: Joshua Shnayer <jshnayer@cato.org>
Cc: Joseph Verruni <JVerruni@cato.org>; Pat Michaels <PMichaels@cato.org>
Subject: Re: Great McK piece

Thanks Josh. Here's a rewrite.
As to the bottom line, about whether it's "good for the planet or not", the audience for this item are not looking for big abstractions like that. They want practical advice on how the mendacious tricks used by bureaucrats to expand their regulatory reach can be thwarted.
-Ross

On 2017-12-05 5:06 PM, Joshua Shnayer wrote:

> Ross, here is some initial feedback for you to consider. Let me know what you think.
>
> **From:** Pat Michaels
> **Sent:** Tuesday, December 05, 2017 1:50 PM
> **To:** Joshua Shnayer <jshnayer@cato.org>
> **Cc:** Joseph Verruni <JVerruni@cato.org>; 'Ross McKitrick' < Ex. 6 >
> **Subject:** Great McK piece
>
> You should consider a real highbrow outlet like WSJ. Very timely and certainly a brand new idea.
>
> PJM



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Revisiting the EPA Endangerment Finding: Administrative Honesty is the Best Policy
Ross McKitrick

Environmental Protection Agency Administrator Scott Pruitt is mulling over how, or whether, to respond to demands from climate skeptics that he re-examine the science behind the so-called Endangerment Finding, a 2009 EPA ruling that created a statutory obligation to regulate carbon emissions. What he may not realize is the EPA's own Inspector General made such a demand years ago, and the agency staff got around it at the time by means of a preposterous legal fiction. It is time for Pruitt to bring some honesty into the picture. In so doing he may just prompt opposing groups to line up on what needs to happen.

The story began in in April 2010, when U.S. Sen. James Inhofe (R-OK) asked the EPA Office of the Inspector General to review the adequacy of the peer review process behind the EPA's Technical Support Document on which the Endangerment Finding was based. Guidelines from the Office of Management and Budget (OMB) issued under the Information Quality Act impose varying requirements on government agencies depending on the uses to which a scientific assessment will be put. The most rigorous apply to a so-called Highly Influential Scientific Assessment (HISA), which is a report that will, among other things, be relied on for regulations with an annual economic cost exceeding $500 million. The Inspector General issued a lengthy report in 2011 concluding that the EPA's science assessment for the Endangerment Finding was highly influential, but their peer review process fell short of the HISA standard.

The EPA argued back that their report was not an assessment at all, it was just a summary of previous findings by the UN Intergovernmental Panel on Climate Change (IPCC), the National Climate Assessment and other reports, and these documents, not theirs, underpinned the Endangerment Finding. The Inspector General rejected this argument for several reasons. First, the EPA study clearly was an assessment since it selected among lines of evidence for emphasis or exclusion, and used data not found in the underlying reports. Second, the guidelines do not allow an agency like the EPA to rely on peer reviews conducted by outside groups like the IPCC or the National Climate Assessment team. Third, the EPA repeatedly cited the Technical Support Document as the basis of its climate policy decisions.

The EPA then replied that even if it was an assessment, it was not "highly influential." At that time there were no regulations being considered so the investigation ended. Ever since, proponents of climate action have been pushing for regulations that would cost the economy much more than $500 million annually. By declining to designate their science assessment as highly influential the EPA got around the need to conduct a full peer review, but in doing so they undermined their authority to implement any such measures.

While the courts may not demand this situation be rectified, Pruitt himself should, in the interest of administrative honesty. Specifically he needs to admit officially that the Technical Support Document was a Highly Influential Scientific Assessment. It is hard to see how climate activists could object since they have long demanded regulatory measures on the belief that this was the case. Such a move would, however, create a further obligation on Pruitt to rule that, until such time as a HISA-level review is completed, no greenhouse gas regulations can be promulgated that cost more than $500 million annually, nor can IPCC or National Climate Assessment reports be used for such a purpose.

This would put climate activists in an interesting bind. They say they don't want the science re-opened, but due to the legal expedient the EPA relied on back in 2011, such a stance would effectively bar the EPA from passing carbon emission rules of any consequence. So the activists might demand the EPA quickly undertake a new peer review to satisfy the HISA requirements. But this is also what skeptics have been seeking.

And, in truth, it is what ought to happen. The original review was a narrow in-house operation with no paper trail and a strong reek of bias and foregone conclusions. Pruitt would be striking a blow for honest governance by designating the Endangerment Finding's Technical Support Document a Highly Influential Scientific Assessment and subjecting it to the appropriate peer review, as should have happened in the first place.

Ross McKitrick is a Professor of Economics at the University of Guelph and an Adjunct Scholar of the Cato Institute.

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 1/11/2018 8:28:58 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition: Comments on CPP extended to 26 April

EPA today extended the comment deadline on repealing the so-called Clean Power Plan to 26th April and scheduled three more listening sessions in Kansas City, Gillette, and San Francisco. Marlo Lewis is still working on general comments suitable for submission as a joint comment from free market and conservative groups. I hope he will be finished long before 26th April. We'll circulate them to the list as soon as they're finished.

https://www.epa.gov/newsreleases/epa-schedules-three-listening-sessions-proposed-repeal-clean-power-plan

News Releases from Headquarters›Air and Radiation (OAR)

EPA Schedules Three Listening Sessions on Proposed Repeal of Clean Power Plan

Sessions to be held in Kansas City, San Francisco, Gillette, WY

01/11/2018
Contact Information:
(press@epa.gov)

The U.S. Environmental Protection Agency (EPA) is announcing the dates for three public listening sessions on the proposed repeal of the Clean Power Plan:

- February 21, 2018 – Kansas City, MO
- February 28, 2018 – San Francisco, CA
- March 27, 2018 – Gillette, WY

"In response to significant interest surrounding the proposed repeal of the Clean Power Plan and the success of the West Virginia hearing, we will now hold listening sessions across the country to ensure all stakeholders have an opportunity to provide input," **said EPA Administrator Scott Pruitt.**

Contact: Registration information and more details will be posted at: https://www.epa.gov/stationary-sources-air-pollution/electric-utility-generating-units-repealing-clean-power-plan. Pre-registration to provide an oral presentation will begin when the notice is published in the Federal Register and close one week prior to each session.

With the publication of an upcoming Federal Register notice, EPA will re-open the public comment period for the proposed repeal through April 26, 2018 and provide further details on the listening sessions. Written statements and supporting information submitted while the public comment period is open will be considered with the same weight as any oral comments and supporting information presented at the listening sessions. Comments should be identified by Docket ID No. EPA-HQ-OAR-2017-0355 and may be submitted by one of the methods listed on the Clean Power Plan Proposed Repeal: How to Comment web page.

Contact Us to ask a question, provide feedback, or report a problem.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct:
Tel mobile
E-mail: Myron.Ebell@cei.org
Ex. 6
Stop continental drift!

Delivery Report

From: Microsoft Outlook [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=MICROSOFTEXCHANGE329E71EC88AE4615BBC36AB6CE41109EF7088051]
Sent: 11/29/2017 9:46:19 PM
To: dan.hollder@heritageaction.com
Subject: Undeliverable: Thanks
Attachments: Thanks

Your message
To: jpd@frc.org; dan.hollder@heritageaction.com; richardson@eelegal.org; Myron Ebell
CC: Keith Appell; Mike Thompson; Bowman, Liz
Subject: Thanks
Sent: 11/29/2017 9:46:17 PM

Your message to dan.hollder@heritageaction.com couldn't be delivered.

dan.hollder wasn't found at heritageaction.com.

Bennett.Tate	**Office 365**	**dan.hollder**
Action Required		Recipient

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How to Fix It

The address may be misspelled or may not exist. Try one or more of the following:

- Send the message again following these steps: In Outlook, open this non-delivery report (NDR) and choose **Send Again** from the Report ribbon. In Outlook on the web, select this NDR, then select the link "**To send this message again, click here.**" Then delete and retype the entire recipient address. If prompted with an Auto-Complete List suggestion don't select it. After typing the complete address, click **Send**.
- Contact the recipient (by phone, for example) to check that the address exists and is correct.
- The recipient may have set up email forwarding to an incorrect address. Ask them to check that any forwarding they've set up is working correctly.
- Clear the recipient Auto-Complete List in Outlook or Outlook on the web by following the steps in this article: Fix email delivery issues for error code 5.1.1 in Office 365, and then send the message again. Retype the entire recipient address before selecting **Send**.

If the problem continues, forward this message to your email admin. If you're an email admin, refer to the **More Info for Email Admins** section below.

Was this helpful? Send feedback to Microsoft.

More Info for Email Admins

Status code: 550 5.1.1

This error occurs because the sender sent a message to an email address outside of Office 365, but the address is incorrect or doesn't exist at the destination domain. The error is reported by the recipient domain's email server, but most often it must be fixed by the person who sent the message. If the steps in the **How to Fix It** section above don't fix the problem, and you're the email admin for the recipient, try one or more of the following:

The email address exists and is correct - Confirm that the recipient address exists, is correct, and is accepting messages.

Synchronize your directories - If you have a hybrid environment and are using directory synchronization make sure the recipient's email address is synced correctly in both Office 365 and in your on-premises directory.

Errant forwarding rule - Check for forwarding rules that aren't behaving as expected. Forwarding can be set up by an admin via mail flow rules or mailbox forwarding address settings, or by the recipient via the Inbox Rules feature.

Mail flow settings and MX records are not correct - Misconfigured mail flow or MX record settings can cause this error. Check your Office 365 mail flow settings to make sure your domain and any mail flow connectors are set up correctly. Also, work with your domain registrar to make sure the MX records for your domain are configured correctly.

For more information and additional tips to fix this issue, see Fix email delivery issues for error code 550 5.1.1 in Office 365.

Original Message Details

Created Date:	11/29/2017 9:46:17 PM
Sender Address:	Bennett.Tate@epa.gov
Recipient Address:	dan.hollder@heritageaction.com
Subject:	Thanks

Error Details

Reported error:	*550-5.1.1 The email account that you tried to reach does not exist. Please try 550-5.1.1 double-checking the recipient's email address for typos or 550-5.1.1 unnecessary spaces. Learn more at 550 5.1.1 https://support.google.com/mail/?p=NoSuchUser r23si1897069pls.313 - gsmtp*
DSN generated by:	BY2PR09MB1112.namprd09.prod.outlook.com
Remote server:	mx.google.com

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
1	11/29/2017 9:46:17 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1509.namprd09.prod.outlook.com	mapi

2	11/29/2017 9:46:17 PM	CY4PR09MB1509.namprd09.prod.outlook.com	BY2PR09MB1112.namprd09.prod.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RS/

Original Message Headers


```
DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com;
 s=selector1-epa-gov;
 h=From:Date:Subject:Message-ID:Content-Type:MIME-Version;
 bh=a7CzJX0Xh6XC/KFaSwHnHAqWGv5/vfZpmjJrG0kGOXc=;

b=FmtXGJqKtG63O+kAQzQq2cQ3FmvfJPtMTWU2oQa/iiLASzd3PMoE+rnQhLuIXoClyETrD8MOEOxqosXH9rEKjrd
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Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by
 BY2PR09MB1112.namprd09.prod.outlook.com (10.166.116.20) with Microsoft SMTP
 Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id
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Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by
 CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id
 15.20.0260.007; Wed, 29 Nov 2017 21:46:17 +0000
From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: "jpd@frc.org" <jpd@frc.org>, "dan.hollder@heritageaction.com"
        <dan.hollder@heritageaction.com>, "richardson@eelegal.org"
        <richardson@eelegal.org>, Myron Ebell <Myron.Ebell@cei.org>
CC: Keith Appell <kappell@CRCPublicRelations.com>, Mike Thompson
        <mthompson@CRCPublicRelations.com>, "Bowman, Liz" <Bowman.Liz@epa.gov>
Subject: Thanks
Thread-Topic: Thanks
Thread-Index: AdNpWynTb7OULmngTdalruM7zuivAg==
Date: Wed, 29 Nov 2017 21:46:17 +0000
Message-ID:
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Content-Language: en-US
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X-MS-TNEF-Correlator:
authentication-results: spf=none (sender IP is )
 smtp.mailfrom=Bennett.Tate@epa.gov;
x-originating-ip: [161.80.87.199]
z-ms-publictraffictype: Email
x-microsoft-exchange-diagnostics:
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<BY2PR09MB11129CC736E23E8F8571FFD7963B0@BY2PR09MB1112.namprd09.prod.outlook.com>

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received-spf: None (protection.outlook.com: epa.gov does not designate
 permitted sender hosts)

spamdiagnosticoutput: 1:99

spamdiagnosticmetadata: NSPM

Content-Type: multipart/alternative;
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X-MS-Exchange-CrossTenant-Network-Message-Id: b8c2c418-1ac9-45b3-7b81-08d537729eda

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 (UTC)

X-MS-Exchange-CrossTenant-fromentityheader: Hosted

X-MS-Exchange-CrossTenant-id: 88b378b3-6748-4867-acf9-76aacbeca6a7

X-MS-Exchange-Transport-CrossTenantHeadersStamped: BY2PR09MB1112

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 11/29/2017 9:46:17 PM
To: jpd@frc.org; dan.hollder@heritageaction.com; richardson@eelegal.org; Myron Ebell [Myron.Ebell@cei.org]
CC: Keith Appell [kappell@CRCPublicRelations.com]; Mike Thompson [mthompson@CRCPublicRelations.com]; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
Subject: Thanks

Hey guys! Thanks for having us out today! We will hopefully see some of you on Monday and please send me ideas on any future in-state engagement activities. In the meantime, feel free to follow-up with Liz and I separately on how we can facilitate a better flow of information to you guys on a routine basis. We got some great ideas from you all today, but want to keep the conversation going.

Best.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 11/21/2017 11:54:32 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: CEI invitation to drinks with Rupert Darwall, Tuesday evening

CEI invites you for drinks and discussion with our friend Rupert Darwall from 5:30 to 7:30 PM on Tuesday, 28th November, at CEI, 1310 L Street, N. W., Seventh Floor.

Rupert is here from London for most of the week to promote his new book, Green Tyranny: the Totalitarian Roots of the Climate Industrial Complex, which Encounter Books published in October. He will be giving several talks around town, but Tuesday evening will be a chance to chat with Rupert informally. We will have copies of the book, and Rupert will be happy to sign one for you. CEI is also publishing a paper by Rupert on Tuesday, and we will have copies of it as well.

Let me know if you can join us.

(Earlier on Tuesday, Rupert will be speaking at the Heritage Foundation at 12 noon and at a Cooler Heads Coalition briefing at 4 PM in 2322 Rayburn.)

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct: (
Tel mobile: **Ex. 6**
E-mail: Myron.Ebell@cei.org
Stop continental drift!

Message

From: Marlo Lewis [Marlo.Lewis@cei.org]
Sent: 12/18/2017 7:30:33 PM
To: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: EPA Announces Next Steps after Proposed Clean Power Plan Repeal

Thanks Steven. The link does not seem to be live yet.

From: Gordon, Stephen [mailto:gordon.stephen@epa.gov]
Sent: Monday, December 18, 2017 2:22 PM
To: Gordon, Stephen <gordon.stephen@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: EPA Announces Next Steps after Proposed Clean Power Plan Repeal

Good Afternoon!

Please see below announcement for today regarding an Advance Notice of Proposed Rulemaking (ANPRM) to announce that the Agency will solicit information from the public as EPA considers the next regulatory steps to limit greenhouse gas (GHG) emissions from existing electric utility generating units (EGUs), also known as power plants. Let me know if you have any questions and please flag any statements your office may release on this matter.

Regards,
Stephen

Stephen L. Gordon Jr.
Deputy Director for Public Engagement
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1301
Gordon.Stephen@epa.gov

EPA Announces Next Steps after Proposed Clean Power Plan Repeal

WASHINGTON (December 18, 2017) — Today, the U.S. Environmental Protection Agency (EPA) issued an Advance Notice of Proposed Rulemaking (ANPRM) to announce that the Agency will solicit information from the public as EPA considers the next regulatory steps to limit greenhouse gas (GHG) emissions from existing electric utility generating units (EGUs), also known as power plants.

"Consistent with a commitment to the rule of law, we've already set in motion an assessment of the previous administration's questionable legal basis in our proposed repeal of the Clean Power Plan. With a clean slate, we can now move forward to provide regulatory certainty," **said EPA Administrator Scott Pruitt.** "Today's move ensures adequate and early opportunity for public comment from all stakeholders about next steps the Agency might take to limit greenhouse gases from stationary sources, in a way that properly stays within the law, and the bounds of the authority provided to EPA by Congress."

The ANPRM is a separate, but related, action to the October 16, 2017 proposal to repeal the so-called "Clean Power Plan." In that proposal, EPA proposed to determine that the Obama-era regulation exceeds the Agency's statutory authority.

The ANPRM offers the public the opportunity to comment on specific topics for the Agency to consider in developing any subsequent proposed rule. EPA is specifically soliciting information on systems of emission reduction that are applicable to or at an EGU facility, information on compliance measures, and information on state-planning requirements under Clean Air Act section 111(d).

EPA will take comment on the ANPRM for 60 days after publication in the Federal Register. More information including the ANPRM and fact sheet are available at: https://www.epa.gov/stationary-sources-air-pollution/electric-utility-generating-units-advance-notice-proposed

Message

From: Oren Cass [ocass@manhattan-institute.org]
Sent: 1/9/2018 9:11:22 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Dravis, Samantha [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ece53f0610054e669d9dffe0b3a842df-Dravis, Sam]
CC: Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]; Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]
Subject: RE: Areas of climate research for review

Thanks Samantha, I'd be delighted to come down for a meeting. Hayley – please let me know what dates / times might be possibilities. If easiest, you can give me a call tomorrow morning: Ex. 6

Oren

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, January 09, 2018 3:56 PM
To: Dravis, Samantha; Oren Cass
Cc: Hupp, Millan; Ford, Hayley
Subject: RE: Areas of climate research for review

Oren- we look forward to hearing from you. I am also copying Hayley who can huddle with you on some dates that might work.

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

From: Dravis, Samantha
Sent: Tuesday, January 9, 2018 3:51 PM
To: Oren Cass <ocass@manhattan-institute.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>
Subject: RE: Areas of climate research for review

Oren,

Happy New Year! Hope all is well. Following up on this discussion, would you like to come in and visit with Administrator Pruitt? Perhaps we can set up a breakfast or lunch. Copying in Tate Bennett and Millan Hupp, who run Public Engagement and Scheduling, respectively.

Look forward to seeing you soon!

Best,
Samantha

From: Oren Cass [mailto:ocass@manhattan-institute.org]
Sent: Tuesday, December 12, 2017 9:31 AM
To: Catanzaro, Michael J. EOP/WHO <Ex. 6>; Dravis, Samantha <dravis.samantha@epa.gov>
Subject: Areas of climate research for review

Dear Samantha and Mike,

I hope you're both doing well and that you might even have a bit of a break coming up over the holidays.

I met with each of you over the summer to discuss the administration's approach to climate science and the prospects of making a possible "Red Team" exercise as constructive as possible. A colleague of mine heard at a Heritage Foundation event last week that the exercise may be imminent so, even with proper discounting of things colleagues hear at panel discussions in Washington, this seemed a good time to follow up.

Generally speaking, I just wanted to reiterate that I am available to help in configuring any review of climate research to focus on those areas that are most in need of scrutiny.

- One area that I highlighted over the summer is the use of inappropriately high "baselines" for projecting climate costs and claiming international progress. Recent research has been released elaborating on exactly that point (see here). Both synthesis studies cited by the recent GAO report (Rhodium 2014 and EPA 2015) rely upon this inappropriate baseline.

- Another area, which I may have mentioned in passing but have more recently dug into deeply, is the absurd use of "temperature studies" that attempt to establish statistical relationships between variations in temperature and in other outcomes, and extrapolate them to the effects of rising temperatures over a century. The most prominent example of this is a 2015 study by Burke et al, published in Nature, which uses the approach to predict that climate change will cost the world 23% of GDP by 2100. Built into its model are assumptions like Iceland becoming the world's wealthiest country, Mongolia becoming among the wealthiest, and Canada's economy becoming 7 times larger than China's. (All because cold countries do better with climate change.) Both reports used by GAO also rely overwhelmingly on such temperature studies – I have a forthcoming report on this issue and would be happy to provide more detail.

Focusing on areas like these would be far more useful than conducting a review of the well-established basic science of climate change. Please let me know if it would be helpful to discuss any of this further.

Regards,
Oren

Oren M. Cass
Senior Fellow
Manhattan Institute for Policy Research
52 Vanderbilt Avenue
New York, NY 10017
ocass@manhattan-institute.org
www.manhattan-institute.org

Message

From: Sam Kazman [Sam.Kazman@cei.org]
Sent: 12/7/2017 8:19:10 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Automatic reply: U.S. Senate Confirms Susan Bodine to Lead EPA Enforcement Office

I'll be out of the office through Dec. 18 with only intermittent access to email. If this involves an urgent legal matter, please contact my colleague, Devin Watkins, at Ex. 6, devin.watkins@cei.org

Message

From: Dana Bennett [dana@nevadamining.org]
Sent: 12/6/2017 8:34:19 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: ICYMI EPA Determines Risks from Hardrock Mining Industry Minimal and No Need for Additional Federal Requirements

Hi, Tate!

The Nevada Mining Association has been contacted by only one reporter who filed this story in the Elko Daily Free Press: http://elkodaily.com/mining/mining-authorities-praise-epa-decision-on-hardrock-superfund/article_07833c42-ba1a-552b-8760-6fa5312b988e.html.

Yesterday, I heard a related story on our local NPR station and was concerned about some of its content. We had a positive interaction with the station when we called to discuss our concerns, and I was very pleased with their response. Happy to discuss this further with you, if you'd like.

This morning, one of our members published an op-ed in the Reno newspaper. I thought it was quite good and was pleased to see a positive headline: http://www.rgj.com/story/opinion/voices/2017/12/05/domestic-mineral-production-critical-economy-kr/924899001/

Cheers!
Dana

NEVADA Mining Association

Dana R. Bennett, PhD
President

201 W. Liberty Street, Suite 300 | Reno, Nevada 89501
775.829.2121 | vCard | website | email

Champion of Nevada's 21st-century mining industry

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, December 04, 2017 7:02 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>; Dewey, Amy <Dewey.Amy@epa.gov>; Tanner, Lee <Tanner.Lee@epa.gov>
Subject: ICYMI EPA Determines Risks from Hardrock Mining Industry Minimal and No Need for Additional Federal Requirements

ICYMI, this announcement was made by EPA on Friday. Let us know if you have any questions and please flag with us any statements/press your organizations may have subsequently put out. -Tate with Administrator Pruitt's Office

EPA Determines Risks from Hardrock Mining Industry Minimal and No Need for Additional Federal Requirements

12/01/2017
Contact Information:
(press@epa.gov)

WASHINGTON – Today the U.S. Environmental Protection Agency (EPA) announced that the Agency will not issue final regulations for financial responsibility requirements for certain hardrock mining facilities.

"After careful analysis of public comments, the statutory authority, and the record for this rulemaking, EPA is confident that modern industry practices, along with existing state and federal requirements address risks from operating hardrock mining facilities," **said EPA Administrator Scott Pruitt.** "Additional financial assurance requirements are unnecessary and would impose an undue burden on this important sector of the American economy and rural America, where most of these mining jobs are based."

EPA published proposed regulations under section 108(b) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, or Superfund) on January 11, 2017, and the public comment period closed on July 11, 2017. EPA has decided not to issue final regulations because the risks associated with these facilities' operations are addressed by existing federal and state programs and industry practices. EPA was under a court-ordered deadline to take final action on this rulemaking by December 1, 2017. The decision not to issue final rules under CERCLA section 108(b) will be published in the Federal Register.

EPA has analyzed the need for financial responsibility requirements under CERCLA section 108(b) based on the degree and duration of risk associated with the production, transportation, treatment, storage, and disposal of hazardous substances from current hardrock mining operations, as well the risk of taxpayer funded cleanups at facilities operating under modern management practices and modern environmental regulations. That risk is identified by examining: the management of hazardous substances at such facilities; federal and state regulatory controls on that management and federal and state financial responsibility requirements; and, the payment experience of the Fund in responding to releases.

EPA concluded the degree and duration of risk associated with the modern production, transportation, treatment, storage or disposal of hazardous substances by the hardrock mining industry does not present a level of risk of taxpayer funded response actions that warrant imposition of financial responsibility requirements under CERCLA for this sector. This determination reflects EPA's interpretation of the statute, EPA's evaluation of the record for the proposed rule, and the approximately 11,000 public comments received by EPA on this rulemaking.

State mining and environmental regulators, as well as other federal agencies and the regulated community and financial sectors, commented that the proposed requirements would potentially interfere with state and local mining regulations, were unnecessary, and would be difficult to implement. This decision does not in any way affect EPA's authority to take appropriate response actions under CERCLA.

"I urged then President-elect Trump to stop the EPA's overreach into state regulation harming Montana businesses," said **U.S. Senate Western Caucus Chairman Steve Daines (R-MT).** "Instead of threatening the very industries that are a backbone of our Western economies, we need to support American families and American businesses to secure our mineral and energy independence. I am pleased the EPA has taken action."

"I am grateful for Administrator Pruitt's leadership in eliminating this costly, duplicative, and job-killing rule," **said Arizona Governor Doug Ducey.** "Arizona already has financial responsibility protections in place for hardrock mines and does not need a duplicative federal program that will unnecessarily burden a key Arizona industry."

"I am thankful that the EPA and Administrator Pruitt have decided to reject the proposed CERCLA rule," **said Idaho Governor Butch Otter.** "This is another victory for returning power to the states."

"The pending CERCLA 108(b) rulemaking has been at the top of my agenda," **said Nevada Governor Brian Sandoval.** "The success of Nevada's robust mine bonding program protects public safety and our environment and ensures our critical mining industry can operate with certainty. I applaud the EPA for their thoughtful approach and thorough review of the proposed rule, for seeking comments from a diverse set of stakeholders and ultimately, for making the right decision. Today's action by the Administrator recognizes the reality that the states have been capably regulating mine bonding without interference from Washington and should be allowed to continue to do so."

"States have developed comprehensive financial responsibility programs for hardrock mining in the 30 years since the passage of CERCLA 108(b)(1)," **said Jim Ogsbury, executive director of the bipartisan Western Governors' Association.** "These programs require operators to comply with state regulations, implement reclamation and post-closure plans, and post financial assurance to minimize risks to public health and the environment. Western Governors appreciate EPA's decision regarding its proposed financial assurance requirements under CERCLA 108(b), which would have duplicated or supplanted existing and proven state financial assurance regulations."

"EPA's actions to rescind the CERCLA 108(b) financial assurance rule is another positive step by EPA in eliminating redundant regulations and recognizing the importance of cooperative federalism," **said Todd Parfitt, director of Wyoming Department of Environmental Quality.**

A pre-publication version of this action may be viewed at: https://www.epa.gov/superfund/proposed-rule-financial-responsibility-requirements-under-cercla-section-108b-classes

Contact Us to ask a question, provide feedback, or report a problem.

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

This email has been scanned for spam and viruses by Proofpoint Essentials. Click here to report this email as spam.

Message

From: Travis Deti [tdeti@wyomingmining.org]
Sent: 12/2/2017 2:41:26 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Just went out - WMA Release

WYOMING MINING ASSOCIATION

FOR IMMEDIATE RELEASE
Date: December 1, 2017
Contact: Travis Deti
Phone: Ex. 6

WMA Statement on EPA Decision to Halt CERCLA 108(B) Rulemaking

CHEYENNE –Wyoming Mining Association (WMA) Executive Director Travis Deti issued the following statement following the Environmental Protection Agency decision to halt additional rulemaking under CERCLA 108(b).

"We are pleased EPA's decision not to implement a rulemaking for additional financial assurance under CERCLA 108(b). Wyoming has already has strong financial assurance statutes and regulations. The proposed rule was duplicative and would have imposed a huge financial burden on Wyoming's mining industry, uranium in particular. This decision will provide business certainty to the mining industry and allow it to advance development plans for existing and new mines. This will result in increased economic activity and jobs in Wyoming."

The Wyoming Mining Association (WMA) is a statewide trade organization that represents and advocates for 26 mining company members producing bentonite, coal, trona and uranium. Wyoming leads the nation in production of all of these resources. WMA also represents 120 associate member companies, one railroad, one electricity co-op, and 200 individual members.

###

Travis Deti
Executive Director
Wyoming Mining Association
Ex. 6
www.wyomingmining.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, December 1, 2017 4:16 PM
To: tdeti@wyomingmining.org
Subject: Just went out

EPA Determines Risks from Hardrock Mining Industry Minimal and
No Need for Additional Federal Requirements

WASHINGTON – Today the U.S. Environmental Protection Agency (EPA) announced that the Agency will not issue final regulations for financial responsibility requirements for certain hardrock mining facilities.

"After careful analysis of public comments, the statutory authority, and the record for this rulemaking, EPA is confident that modern industry practices, along with existing state and federal requirements address risks from operating hardrock mining facilities," **said EPA Administrator Scott Pruitt.** "Additional financial assurance requirements are unnecessary and would impose an undue burden on this important sector of the American economy and rural America, where most of these mining jobs are based."

EPA published proposed regulations under section 108(b) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, or Superfund) on January 11, 2017, and the public comment period closed on July 11, 2017. EPA has decided not to issue final regulations because the risks associated with these facilities' operations are addressed by existing federal and state programs and industry practices. EPA was under a court-ordered deadline to take final action on this rulemaking by December 1, 2017. The decision not to issue final rules under CERCLA section 108(b) will be published in Federal Register.

EPA has analyzed the need for financial responsibility requirements under CERCLA section 108(b) based on the degree and duration of risk associated with the production, transportation, treatment, storage, and disposal of hazardous substances from current hardrock mining operations as well the risk of taxpayer funded cleanups at facilities operating under modern management practices and modern environmental regulations. That risk is identified by examining the management of hazardous substances at such facilities, as well as by examining federal and state regulatory controls on that management and federal and state financial responsibility requirements and the payment experience of the Fund in responding to such releases.

EPA concluded the degree and duration of risk associated with the modern production, transportation, treatment, storage or disposal of hazardous substances by the hardrock mining industry does not present a level of risk of taxpayer funded response actions that warrant imposition of financial responsibility requirements under CERCLA for this sector. This determination reflects EPA's interpretation of the statute, EPA's evaluation of the record for the proposed rule, and the approximately 11,000 public comments received by EPA on this rulemaking.

State mining and environmental regulators, as well as other federal agencies and the regulated community and financial sectors, commented that the proposed requirements would potentially interfere with state and local mining regulations, were unnecessary, and would be difficult to implement. This decision does not in any way affect EPA's authority to take appropriate response actions under CERCLA.

"I urged then President-elect Trump to stop the EPA's overreach into state regulation harming Montana businesses," said **U.S. Senate Western Caucus Chairman Steve Daines (R-MT).** "Instead of threatening the very industries that are a backbone of our Western economies, we need to support American families and American businesses to secure our mineral and energy independence. I am pleased the EPA has taken action."

"I am grateful for Administrator Pruitt's leadership in eliminating this costly, duplicative, and job-killing rule," **said Arizona Governor Doug Ducey.** "Arizona already has financial responsibility protections in place for hardrock mines and does not need a duplicative federal program that will unnecessarily burden a key Arizona industry."

"I am thankful that the EPA and Administrator Pruitt have decided to reject the proposed CERCLA rule," **said Idaho Governor Butch Otter.** "This is another victory for returning power to the states."

"The pending CERCLA 108(b) rulemaking has been at the top of my agenda," **said Nevada Governor Brian Sandoval.** "The success of Nevada's robust mine bonding program protects public safety and our environment and ensures our critical mining industry can operate with certainty. I applaud the EPA for their thoughtful approach and thorough review of the proposed rule, for seeking comments from a diverse set of stakeholders and ultimately, for making the right decision. Today's action by the Administrator recognizes the reality that the states have been capably regulating mine bonding without interference from Washington and should be allowed to continue to do so."

"States have developed comprehensive financial responsibility programs for hardrock mining in the 30 years since the passage of CERCLA 108(b)(1)," **said Jim Ogsbury, executive director of the bipartisan Western Governors' Association.** "These programs require operators to comply with state regulations, implement reclamation and post-closure plans, and post financial assurance to minimize risks to public health and the environment. Western Governors appreciate EPA's decision regarding its proposed financial assurance requirements under CERCLA 108(b), which would have duplicated or supplanted existing and proven state financial assurance regulations."

"EPA's actions to rescind the CERCLA 108(b) financial assurance rule is another positive step by EPA in eliminating redundant regulations and recognizing the importance of cooperative federalism," **said Todd Parfitt, director of Wyoming Department of Environmental Quality.**

A pre-publication version of this action may be viewed at:https://www.epa.gov/superfund/proposed-rule-financial-responsibility-requirements-under-cercla-section-108b-classes

Message

From: Bluey, Rob [rob.bluey@heritage.org]
Sent: 1/17/2018 5:57:40 PM
To: Imoehl, James [James.Imoehl@heritage.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Tanner, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=153d1b6b96fa4681a06c2868d5f8d691-Lee Tanner]
Subject: RE: Follow up

Thanks, James. I don't, so this is best. Glad you were able to meet Tate.

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

From: Imoehl, James
Sent: Wednesday, January 17, 2018 12:54 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Bluey, Rob <rob.bluey@heritage.org>
Cc: Tanner, Lee <Tanner.Lee@epa.gov>
Subject: RE: Follow up

Hi Tate,

Of course Rob may have other contacts at Hampton but I wanted to share with you the President's Office information. Mrs. James and Dr. Harvey are longtime friends so please be sure to mention that she sent you his way, he will appreciate that!

Main Email: presidentsoffice@hamptonu.edu
Assistant: carolyn.acklin@hamptonu.edu / Ex. 6

Best Regards,
James

James Imoehl
Special Assistant to the President
Ex. 6

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, January 17, 2018 12:36 PM
To: Bluey, Rob <rob.bluey@heritage.org>
Cc: Tanner, Lee <Tanner.Lee@epa.gov>; Imoehl, James <James.Imoehl@heritage.org>
Subject: Follow up

Hey Rob!

James and I joined our bosses for lunch yesterday. We would love to get a good contact with Hampton University if that is something yall are able to provide? Thanks so much! -Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Kundinger, Kelly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E3C9A5D16E2244079E222F342BF9992F-KUNDINGER,]
Sent: 12/6/2017 2:00:31 AM
To: ccook@alec.org
Subject: Program

Courtney -

It has been brought to our attention that the program for this week's event in Nashville was printed with the Administrator's name included in it. I am concerned because I was under the impression we had agreed that his name was not going to be included in anything that was going to be distributed.

Since the Administrator is no longer able to attend this event, can we please do something to fix this, as we are now receiving press inquiries.

I appreciate any assistance you can offer.

Regards,

Kelly

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 12/7/2017 2:41:30 PM
To: Taylor Barkley [Taylor.Barkley@cei.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Annie Dwyer [Annie.Dwyer@cei.org]
Subject: Re: Statement of support ahead of EPA hearing

Thank you

Sent from my iPhone

On Dec 7, 2017, at 9:39 AM, Taylor Barkley <Taylor.Barkley@cei.org> wrote:

> FYI ahead of Administrator Pruitt's hearing this morning: https://cei.org/content/cei-president-commends-epa-administrator-pruitt-progress-made-regulatory-reform
>
> **Taylor Barkley**
> Government Affairs Manager
> Competitive Enterprise Institute
> (O) Ex. 6 | (C) Ex. 6
> CEI's Agenda for the 115th Congress

Message

From: Bluey, Rob [rob.bluey@heritage.org]
Sent: 11/29/2017 2:41:10 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
CC: Mike Thompson [mthompson@CRCPublicRelations.com]; Keith Appell [kappell@CRCPublicRelations.com]; Hewitt, James [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=41b19dd598d340bb8032923d902d4bd1-Hewitt, Jam]
Subject: RE: Comms Lunch

The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002

We'll be in the B.C. Lee room on the 8th floor, but please check in at reception first.

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, November 29, 2017 9:40 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Bluey, Rob <rob.bluey@heritage.org>; Mike Thompson <mthompson@CRCPublicRelations.com>; Keith Appell <kappell@CRCPublicRelations.com>; Hewitt, James <hewitt.james@epa.gov>
Subject: Re: Comms Lunch

Where is the location?

On Nov 28, 2017, at 12:56 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Tate and I will be there; we will be at Heritage tomorrow at 12:30 p.m. Thank you.
>
> **From:** Bluey, Rob [mailto:rob.bluey@heritage.org]
> **Sent:** Tuesday, November 28, 2017 9:52 AM
> **To:** Bennett, Tate <Bennett.Tate@epa.gov>
> **Cc:** Bowman, Liz <Bowman.Liz@epa.gov>; Mike Thompson <mthompson@CRCPublicRelations.com>; Keith Appell <kappell@CRCPublicRelations.com>; Hewitt, James <hewitt.james@epa.gov>
> **Subject:** RE: Comms Lunch
>
> Liz, Tate and James --
>
> We're looking forward to having you over for lunch tomorrow at 12:30. Just wanted to confirm everyone is still able to make it.
>
> Thanks,

Rob

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

From: Bluey, Rob
Sent: Monday, November 6, 2017 4:56 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Mike Thompson <mthompson@CRCPublicRelations.com>; Keith Appell <kappell@CRCPublicRelations.com>; Hewitt, James <hewitt.james@epa.gov>
Subject: Re: Comms Lunch

Great! We've booked a room for 10 at Heritage on Wednesday, 11/29, at 12:30. I'll work with Mike and Keith on the invite list, but welcome your suggestions, too.

On Nov 6, 2017, at 1:03 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> Weds is the only date that works for me but don't let me hold y'all back.
>
> On Nov 6, 2017, at 12:29 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:
>
> > Any of those dates work for me; thank you for offering to those. If we can aim for a November date I think that would be great – Tate, do these work for you? I am also adding James Hewitt to this email chain, one of my colleagues who is assisting Tate and I with outreach in this regard.
> >
> > **From:** Bluey, Rob [mailto:rob.bluey@heritage.org]
> > **Sent:** Monday, November 6, 2017 12:26 PM
> > **To:** Bowman, Liz <Bowman.Liz@epa.gov>; Mike Thompson <mthompson@CRCPublicRelations.com>; Bennett, Tate <Bennett.Tate@epa.gov>
> > **Cc:** Keith Appell <kappell@CRCPublicRelations.com>
> > **Subject:** RE: Comms Lunch
> >
> > Liz --
> >
> > Would you like us to host at Heritage?
> >
> > Here are some dates we have available:
> >
> > Tuesday, November 28
> > Wednesday, November 29
> > Friday, December 1

Please let us know what works best.

Thanks,
Rob

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Thursday, November 2, 2017 6:37 PM
To: Mike Thompson <mthompson@CRCPublicRelations.com>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bluey, Rob <rob.bluey@heritage.org>; Keith Appell <kappell@CRCPublicRelations.com>
Subject: RE: Comms Lunch

Yes, please. Let's schedule something for the week after Thanksgiving?

From: Mike Thompson [mailto:mthompson@CRCPublicRelations.com]
Sent: Thursday, November 2, 2017 6:33 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bluey, Rob <rob.bluey@heritage.org>; Keith Appell <kappell@CRCPublicRelations.com>
Subject: Comms Lunch

Liz/Tate

Sorry I couldn't be at the event. Greg and Keith said it was great. I was
Ex. 6

I wanted to follow up on the comms lunch. Do we want to try and start this month?

Mike

==========
Mike Thompson
CRC Public Relations
703.683.5004 **Ex. 6**
==========

We've Grown and Moved!
Our new address is
2850 Eisenhower Avenue
First Floor
Alexandria, VA 22314

Message

From: Spencer, Jack [Jack.Spencer@heritage.org]
Sent: 12/15/2017 4:52:24 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Automatic reply: U.S. Senate Confirms David Ross to Lead EPA Water Office

Thank you for your email. I am out of the office this week with limited email access.

If you need immediate assistance, please contact Mollie McNeill at mollie.mcneill@heritage.org

Jack Spencer
Vice President for the Institute for Economic Freedom
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

Message

From: Imoehl, James [James.Imoehl@heritage.org]
Sent: 1/17/2018 5:49:13 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Dravis, Samantha [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ece53f0610054e669d9dffe0b3a842df-Dravis, Sam]
Subject: Hampton University Information

Tate,

Sorry for the delay. It was nice meeting you and Administrator Pruitt yesterday. Mrs. James enjoyed spending time with the Administrator and looks forward to working together going forward.

Again, I apologize for the delay, I have been trying to track down the contact information of the nurse we mentioned to you. Below is the contact information for Hampton Universities President's Office.

Main Email: presidentsoffice@hamptonu.edu
Assistant: carolyn.acklin@hamptonu.edu / Ex. 6

I will be in touch with the other information as soon as I have it!

Best Regards,
James

James Imoehl
Special Assistant to the President
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

Message

From: Candice Boyer [cboyer@atr.org]
Sent: 7/17/2018 7:12:16 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Wednesday Meeting

Hi Tate,

Are you planning to attend the meeting tomorrow?

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, July 5, 2018 10:51 AM
To: Candice Boyer <cboyer@atr.org>
Subject: Re: Wednesday Meeting

Hi Candice-

I cannot attend next week due to a conflicting meeting, but I hope to attend the next one and bring our general counsel.

Tate

On Jul 3, 2018, at 4:34 PM, Candice Boyer <cboyer@atr.org> wrote:

> 10am at 722 12th street NW 6th floor. Would you like to give an update?
>
> Sent from my iPhone
>
> On Jul 3, 2018, at 1:56 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> > What time?
> >
> > On Jul 3, 2018, at 2:49 PM, Candice Boyer <cboyer@atr.org> wrote:
> >
> > > Great! Our next meeting is July 11. Suhail Khan will be guest chairing The meeting. Grover will be in Las Vegas at Freedom Fest.
> > >
> > > Sent from my iPhone
> > >
> > > On Jul 3, 2018, at 12:35 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
> > >
> > > > Back from maternity leave fyi. Happy to attend your next meeting.
> > > >
> > > > **From:** Candice Boyer [mailto:cboyer@atr.org]
> > > > **Sent:** Tuesday, April 10, 2018 1:25 PM
> > > > **To:** Candice Boyer <cboyer@atr.org>
> > > > **Subject:** Wednesday Meeting tomorrow
> > > >
> > > > **Dear Hill and Administration Colleagues,**

Please let me know if you are interested in giving an update to the Wednesday Meeting tomorrow. I have heard from a few of you--hope to hear from the rest of you.

Kind regards,

Candice N. Boyer
Director of Scheduling and Outreach
Americans for Tax Reform
PH: Ex. 6
<image002.png>

Message

From: Pat Michaels [PMichaels@cato.org]
Sent: 12/5/2017 10:09:47 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Regulatory paradigm is wrong
Attachments: calabrese10.4short.docx

Ed Calabrese has published hundreds of papers, many of which are on the subject matter here. This is another chapter from "Science versus Liberty". I have cut out certain portions that aren't germane to the ultimate argument. Please persevere because the last 12 pages or so of the MS are jaw-dropping.

Note: A biphasic or hermetic dose response is one in which low doses are beneficial and high doses detrimental. It, in fact, is the modern pharmacotherapeutic model.

Regulation of Carcinogens: What Went Wrong

Edward J. Calabrese, Ph.D.
Professor of Toxicology
Department of Environmental Health Sciences
Morrill I, N344
Amherst, MA 01003
Phone: Ex. 6
Fax: 413-5454692
E-mail: edwardc@schoolph.umass.edu

Sierra Club v. EPA 18cv3472 NDCA Tier 5 ED_002061_00060687-00001

Introduction

As a professor of toxicology in the School of Public Health and Health Sciences at the University of Massachusetts, one of the courses that I teach each year is Environmental Risk Assessment. Among the topics covered are the history of environmental legislation, how such legislation created the legal framework to establish environmental exposure standards, and the scientific basis for regulation of chemical carcinogens and ionizing radiation. In that course, we also place these types of regulation in their social, political, economic and international context.

Current regulations are based upon a deliberate misrepresentation of the scientific basis for the dose response for ionizing radiation-induced mutations by the former leaders of the radiation genetics community. These actions culminated in a successful attempt to deceive and manipulate the scientific community and the general public of the U.S and world community by the prestigious U.S. National Academy of Sciences (NAS) Biological Effects of Atomic Radiation Committee (BEAR-I)-Genetics Panel in 1956 when it recommend that the dose response for radiation-induced mutation be changed from a threshold to a linear dose response.

This seemingly minor technical matter can best be shown with a simple illustration (Figure 1). This model, called the "linearity-no dose threshold" (LNT) searches for the lowest exposure to a carcinogen or ionizing radiation that is associated either with substantial mutations or cancer itself. That should be the starting point for any dose-response model, but it is not. Instead, a line is drawn backward from the detection threshold data point to the origin on the graph. The implication is obvious. By forcing the response through the origin, any exposure—including the most minuscule—is claimed to be dangerous.

This switch to a linear dose response by the National Academy misled the world's regulatory community, affecting carcinogen standards for chemicals and ionizing radiation to the present time. Here, we will demonstrate that a small group of ideologically oriented and

prestigious scientists took advantage of their status and opportunities to facilitate a coup d'état concerning carcinogen regulation. Their revolution has been successful for more than half a century, that is, through more than two generations of scientists and the entire modern regulatory history, predating Environmental Protection Agency (EPA), Occupational Safety and Health Administration (OSHA), National Institute for Occupational Safety and Health (NIOSH), Agency for Toxic Substances and Disease Registry (ATSDR), and influential professional societies, including the Society of Toxicology (SOT), the Society for Risk Analysis (SRA), and many others. We will further demonstrate that the science behind this coup was known to be false at the time it was undertaken. The LNT model became accepted as truth and uncritically incorporated into environmental toxicology and risk assessment history, becoming unquestioned dogma and a core scientific belief. It is passed on to new generations of toxicologists, regulators, policy makers and the general public as our scientific and regulatory culture.

While the situation described above is bad enough for the LNT, the regulatory community also adopted the threshold dose response model for non-carcinogens, assuming that it would make accurate predictions of responses in the low dose zone. However, no person or group within the entire regulatory edifice of multiple federal and state agencies in any country ever validated the capacity of this model to make accurate predictions in the low dose zone. Regulatory actions would be highly dependent upon this model to protect the public health. Some 70 years later, when such vetting of the regulatory dose response models finally took

place, the threshold dose response model (as well as the linearity dose response model) was an abject failure.[1,2,3,4,5]

The next section of this chapter will supply the supporting facts. A further issue is that global regulatory agencies, as well as many in the scientific community, are not aware that the risk assessment regulatory framework is built upon a series of misrepresentations, unexamined assumptions and erroneous beliefs that will later be seen as complex social constructs, including an intriguing combination of self-interest and transgenerational inheritance of unquestioned concepts. It will become obvious that regulatory scientists and administrators benefitted from the existing LNT paradigm—so much so that they didn't do the simple falsification experiments that are at the core of science.

In the first decade of the 21th century I became interested in subjecting the hormetic dose response to a series of validation tests using a number of different data sets. However, since I had never attempted to validate a dose response model, I first needed to determine how the scientific and regulatory communities had validated the threshold dose response model. After several months of active searching for articles and any related material concerning the validation of the

---

[1] Calabrese EJ, and LA Baldwin, (2001). The frequency of U-shaped dose-responses in the toxicological literature. *Toxicol. Sci.* **62**:330-338.

[2] Calabrese EJ, and LA Baldwin. (2003). The hormetic dose-response model is more common than the threshold model in toxicology. *Toxicol. Sci.* **71**:246-250.

[3] Calabrese EJ, et al., (2006). Hormesis outperforms threshold model in National Cancer Institute antitumor drug screening database. *Toxicological Sciences* **94**(2):368-378.

[4] Calabrese EJ, et al., (2008). Hormesis predicts low-dose-responses better than threshold models. *Int. J. Toxicol.* **27**:369-378.

[5] Calabrese EJ, et al., (2010). Hormesis in high-throughput screening of antibacterial compounds in *E. coli. Hum. Exp. Toxicol.* **29**:667-677.

threshold dose response model, I began to wonder if it had ever been done. I then called a number of senior toxicologists both in and out of government asking if they could direct me toward the validation studies. None could. I then re-devoted my efforts trying new search strategies to uncover such validation studies, yet none were successful. I then decided to include mentioning of these failed attempts in seminars and other presentations hoping to inspire someone in these scientific audiences to come forward with information on such validation. No one ever did. At some point, approaching two years into this search effort I came to the conclusion that the threshold dose response model had probably never been validated during the entire 20th century. This leads me to conclude further that entire national standard setting programs were in fact built upon an assumption rather than a reality. It was instead a paradigm of scientific correctness that had been passed down from one generation of scientists and regulators to another, codified into textbooks, legislation and hazard assessment protocols for all chemicals and drugs. It is truly mind boggling that no one ever challenged it.

Having never discovered any prior effort to validate the threshold dose response model my colleagues and I set forth to do so with multiple independent data sets. The broader intention was to test the capacity of the threshold, linear and hormetic models to make accurate predictions in the low dose area. These efforts, which resulted in the publication of several papers in leading toxicological journals, revealed that both the threshold and linear dose response models consistently and uniformly poorly predicted responses in the low dose zone (Calabrese et al., 2008, 2010; Calabrese and Baldwin 2001, 2003). In fact, their respective performances were far below any fair minded acceptable level. The only dose response model that performed consistently very well in each of the evaluations was the hormetic or biphasic dose response model. Ironically, it was the model first proposed by Hugo Schulz more than a century earlier

and the one that was rejected and marginalized by the medical and scientific communities that actually passed these series of tests. These results were as striking and consistent as they were important. The findings revealed that the threshold dose response which became the only model of choice by the medical, scientific and regulatory communities starting the late 1920s for chemicals and radiation exposures was shown to have very significant limitations. In addition, my concurrent research on the hormetic dose response had already revealed many thousands of cases in which the threshold dose response model also failed to predict responses in the low dose zone (Calabrese and Blain, 2011).

What we had found was that the entire regulatory edifice for chemical and radiation had been built upon a failure of the scientific, medical and regulatory communities to ever take the time to vet the model that they were betting the health of the human population upon.

The analogy between the fiasco of government dietary advice and regulatory science is painfully obvious. One caused an epidemic of obesity and type II diabetes, and the other caused countless morbidity by "outlawing" things that would be beneficial in small doses. The fact that the analogy between the therapeutic model and the hormetic response is testimony to the power of paradigm protection.

Assuming that one intellectual generation lasts about twenty years, then we have now passed through four to five generations of physicians/scientists who accept the threshold model as literally an act of faith. We have been using an alternative model that performed far below the one that their scientific and medical ancestors had rejected.

A serious problem with this situation is that the scientific, medical and regulatory communities had every professional incentive to protect the existing paradigm. The biphasic dose response would be easily marginalized by continuing to associate it with the high dilutionist wing of the homeopathy party, an easily ridiculed group. This strategy worked in the day of Professor Alfred Clark, and it works today (Calabrese, 2005) and the strategy was a good one, even if false. However, oft-repeated falsehoods become truths. Biphasic dose responses would not be seen often and when they were seen they would be trivialized and discounted. We are still in the early stages of Thomas Kuhn's model for paradigmatic change, mentioned early in this volume:

> "In science…novelty emerges only with difficulty, manifested by resistance, against a background provided by expectations. Initially, only the anticipated and usual are experienced even under circumstances where the anomaly is later to be observed."

We are now at the stage where only a very few are "observing the anomaly", in no small part because there is very little incentive and a lot of professional downside in doing so. When this lasts for multiple scientific generations an alternative, more explanatory paradigm is systematically suppressed. The modern scientific, medical and regulatory communities have been victimized by a war fought a century ago. Scientists often do not place a high priority on history. This is seen in the low numbers of citations of excellent papers in history of science and medicine journals. Too few take the time to ferret out the past and its current impact.

Linear-No-Threshold: Origin and Implications

Ultimately the threshold model would morph into the linear-no-threshold model (LNT), one in which a threshold still existed, but it was at first exposure or ingestion of any magnitude, obvious at great variance with the biphasic dose response (hormetic) model. The nonzero threshold model was promoted by the radiation genetics research community. It was an outgrowth of the novel 1927 research findings of Hermann J. Muller that very high doses of x-rays could cause mutations in the mature spermatozoa of the male fruit fly, a discovery that took nearly two decades of intense focus and with much competition (Muller, 1927).

The first challenge to the threshold concept by the mainstream scientific community was offered by two physical chemists from the University of California at Berkeley, one of whom was the internationally famous Gilbert Lewis who would be nominated for the Nobel Prize some 32 times before dying in 1946 from cyanide poisoning in his laboratory. These two chemists were not part of the allopathic medicine and homeopathy feud, but scientists who were seeking a mechanistic understanding for the process of evolution, one of the most significant questions of that time period (Olson and Lewis, 1928).

In the aftermath of Charles Darwin and Gregor Mendel there was great interest in trying to discover the mechanism by which evolution occurred. It was believed that evolutionary change must be mediated via gene mutation. The problem was that since about 1910 and for the next 17 years no one had been successful in inducing mutations via a whole host of toxic agents as well as via the use of different types of radiation. With Muller's breakthrough Gilbert proposed that the mechanism of evolution was mutation caused by cosmic rays and background terrestrial radiation. Because this dose is so small, he had to assume that the dose response would have to be linear at low dose. As a result, Gilbert's hypothesis was only able to account for about

1,300th of the background mutation rate, based on Muller's fruit fly data and assuming a linear dose response relationship (Muller and Mott-Smith, 1930). While Muller retained his commitment to understand the causes of evolution it seemed pretty clear that the mechanism would not be found in the Gilbert background radiation hypothesis.

While Muller did not support the arguments of Gilbert for cosmic and terrestrial radiation as being the driving force for evolution, he soon directed several students to assess the dose response features of the X-ray treatment. *Muller's Nobel Prize research did not yield a linear dose response.* Of his three experiments, the third lacked a control group thereby preventing a firm assessment, the second gave the suggestion the responses varied non-linearly with dose but with the square root of the dose while the initial experiment yielded data consistent with a threshold dose response (Muller 1928).

The student research continued to employ what amounted to very high doses. Nonetheless, these researchers reported linear dose responses. Based on these findings Muller developed a very strong belief that the dose response was linear and that linearity would extend down to a single photon (Oliver, 1930, 1931; Hanson and Heys, 1929, 1930). The lowest doses tested in their linearity-supporting articles were about 300,000-fold greater than background. Furthermore, Muller was selective in what data he chose to focus on as there were other contemporary credible findings displaying a threshold perspective (Patterson, 1928; Weinstein, 1928; Stadler, 1930, 1931). In fact, on balance there was more support for a threshold dose response model interpretation rather than a linear perspective. Yet, Muller would give the impression that he passionately and firmly believed in the reality of the dose response for mutation being linear in the low dose zone. It is difficult to understand how Muller would make a

"commitment" to a dose response model for low dose predictions when there was no testing in the low dose zone!

Despite the use of extremely high doses and that other data challenged a linear perspective Muller would nonetheless introduce the term "Proportionality Rule" in 1930 to define the nature of the dose response for ionizing radiation induced mutation in the low dose zone (Muller, 1930). He was claiming that ionizing radiation and mutation were different than other agents and endpoints, respectively. He claimed that radiation-induced mutations do not show a threshold but act in a linear fashion. Soon thereafter the term Proportionality Rule gained traction within the radiation geneticist community. It gained such a standing in large part due to the fact that Muller had become famous, being the first to induce changes in heritable material.

The Manhattan Project and the LNT

The Roosevelt Administration created the Manhattan Project in response to Albert Einstein's 1939 letter to President Roosevelt on the likelihood of a German effort to build an atomic bomb.[6] As part of this effort, research was undertaken to better assess the nature of the dose response to ionizing radiation. The key research on mutation was to take place at the University of Rochester under the direction of Dr. Donald Charles for mouse studies, and Dr. Curt Stern for fruit fly investigations.

[6] See Chapter 2 of this volume

In the case of the mouse work under Charles, no detailed papers were ever published. Only two brief summaries appeared, one in 1950 and the other in 1961. It is not clear why the mouse work did not yield the type of productivity and insights expected, despite the use of nearly 400,000 animals. Life did not end well for Dr. Charles as he left his position at Rochester and in 1955 committed suicide in a Manhattan hotel, leaving a despondent letter reflecting both job and marriage failings.

On the other hand, Stern's research would revolutionize the field of cancer risk assessment and eventually lead to the institutionalization of the LNT.

Stern was a towering giant in genetics, having discovered a component of chromosomal crossing-over, a mechanism that is a key foundation of modern genetics. Soon after he began on the Manhattan Project he appointed Muller as a formal consultant. Muller and Stern were of the firm belief that the experiments with the fruit fly model would provide strong support for the LNT model, confirming their long-held beliefs. Their efforts would be important to the field of radiation genetics as it would be the most extensive effort to date.

Furthermore, they would be working with highly experienced individuals. In their first major experiment under the direction of Warren Spencer, an Ohio State University Ph.D. graduate and a fruit fly expert on leave from the College of Wooster in Ohio, they found that acute doses (i.e., total dose given over 2-40 minutes) of X-rays appeared to cause a linear dose response relationship for germ cell mutations. This research, which became highly acclaimed, had many important methodological limitations, especially affecting the validity of low dose responses (Calabrese, 2011b). Yet, such limitations were either ignored or missed by experts in

the field. A detailed internal letter by Muller in 1947 assessing the Spencer research also failed to identify any of the many now recognized weaknesses of this research (see Calabrese, 2011b).

A follow-up study by Ernst Caspari, was designed to assess the effects of gamma rays that were administered throughout the entire life of the fruit fly, providing chronic exposure. The comparative dose rate in the Caspari experiment was about 1/13,000th of the lowest dose given by Spencer. Even though both studies administered the same total dose, Spencer delivered it in a few minutes, while it took three weeks in the Caspari study. According to the LNT model, both studies should have resulted in the same amount of damage since ionizing radiation was assumed to cause damage that was cumulative and irreversible (Calabrese, 2011b, 2013a,b).

It did not. To the surprise of Caspari, the mutational data was not cumulative, revealing an apparent threshold response. In effect, the data of Caspari challenged the assumption that mutation damage was best predicted by total dose—a key feature of the LNT model—rather than by dose rate. Stern initially would not accept these findings, claiming that the data were most likely an artifact of the experiment with the control group displaying a much higher than normal response, thereby leading to the threshold, rather than the linear dose response. Caspari dug in, searched the literature, and found a number of papers which supported his position that the control group had responded normally, forcing Stern to back down.....at least temporarily (Calabrese 2011a,b; 2013a,b).

While Stern was forced to retreat on the issue of the control group he intervened with a more powerful strategy that would have the same effect, a way to not accept the threshold dose response. He forced the discussion of the Caspari paper to conclude that it was not possible to accept the threshold interpretation until it was determined why this study obtained differing

results than the earlier Spencer work. Stern knew that the two studies had at least 25 significant methodological differences, making them virtually impossible to properly compare. For example, the studies differed in the type of radiation used, the diets the flies were reared on, which sex was exposed to the radiation, the temperature of the study and many other factors. To actually figure out why the two studies differed would be a major undertaking by itself, a task that was never attempted by any of the original researchers, none of Stern's or Muller's subsequent students, nor anyone else since (Calabrese 2011a,b; 2013a,b).

Stern sent this draft manuscript to Muller for review just prior to his travel to Stockholm to receive the Nobel Prize in December of 1946. On November 12, 1946 Muller wrote to Stern telling him that he was shocked by the findings that the data offered a strong challenge to the LNT concept, that the studies needed to be replicated as soon as possible. Yet, he could not criticize Caspari for he was a competent investigator.

Muller would travel to Sweden, and received his honor. Despite just having read Stern's paper, in his Nobel Prize Lecture he stated that it was no longer possible to even consider the possibility of a threshold dose response for ionizing radiation. The risk assessment field had to switch from using the threshold dose response model to the LNT model. He made these comments after having just seen the most extensive set of data on the topic, from a research team that was considered very experienced, where Muller himself provided his own Muller-5 fruit fly strain and where he was a very involved consultant. Detailed letters between Muller and the Rochester team document the extensive role that Muller had in helping to shape their research strategies, study design and research methods (Calabrese, 2012).

When Stern did publish his findings, all five experiments (i.e., the Spencer, Caspari and Uphoff research) were summarized in a table of a one page technical note in the journal *Science* (Uphoff and Stern, 1949). Since much data were missing and no methods were presented he stated that a follow up detailed paper would be published with all the necessary methods and data. However, in a significant failing, Stern never published the follow up paper as promised.

It is more than curious that *Science* would have published such a note without any supportive material, suggesting that Stern may have used a personal contact at *Science* to get his paper published. Several months prior to the submittal of their manuscript, Bentley Glass, the first Ph.D. student of Muller at the University of Texas, who had received a Fullbright Fellowship to work with Stern, become an Editor at *Science*. Given the expertise of Glass in fruit fly mutation it is hard to imagine that he was not involved in some oversight of the Uphoff and Stern manuscript (Calabrese, 2013a,b).[7]

This was not the first time that *Science* would give research related to Muller a strong push forward. For example, when Muller (1927) published his Nobel Prize securing paper in *Science* it did not contain any data. All his paper provided was a detailed discussion of the findings. How was this possible? It seems that Muller knew he was in a race to be the first to show that mutations could be artificially induced. The only way he could assure winning the race was to put the cart before the horse and present only the discussion. Without such deferential treatment from *Science*, he may have come in second as others such as Stadler from the University of Missouri were not far behind.

[7] The November, 2009 "climategate" emails demonstrated similar editorial hanky-panky in climate change research. No one, however, has ever done a systematic and scholarly analysis of editorial tampering.

At a critical time in environmental public health history, the National Academy of Sciences convened a major assessment on the public health implications of low doses of radiation, including their mutational effects. Concerns with public exposure to ionizing radiation were heightened during the early 1950s as the U.S. and the Soviet Union were in an arms race and were actively testing their atomic weapons with above ground testing. Despite their low exposures, radionuclides quickly achieved worldwide distribution, finding their way into foods and drinking water. Exposure to ionizing radiation was being rapidly expanded from that of patients and medical personnel to a public health concern.

Until this time Muller and his group of radiation geneticists had always been out voted and/or out maneuvered on the issue of the nature of the dose response, that is, the threshold versus linearity debate. Now the genetics panel of the NAS committee had the votes to switch the risk assessment paradigm. Finally, they had their chance to protect the human genome from radiation induced mutation and the occurrence of heritable diseases as well as cancers. In fact, the radiation geneticist community of that era deeply believed that it was their responsibility to save future generations from genetic harm. No other discipline had their knowledge, experience and unique insights. This was not only their time but also their opportunity to change risk assessment policy in the U.S. and worldwide.

For two decades the radiation genetics community had fought to change the risk assessment paradigm for ionizing radiation. They wanted it based on heritable changes and they wanted the dominating threshold model that pervaded the medical community replaced with the LNT model, which was born with the research of Muller with mature fruit fly spermatozoa and

transformed into a mechanism risk assessment vehicle based on the assumption that a single hit could both induce a mutation, possibly leading to birth defects and/or cancer in humans (Timofeeff-Ressovsky et al., 1935).

The National Academy of Sciences BEAR I Committee: How it Misled the World on Risk Assessment

One would have thought that there would have been a major debate on whether the LNT model should replace the threshold dose response for mutation and cancer in this historic convening of the NAS Committee in 1955-1956. It would be a test of the wills, the historically powerful medical community versus the upstart radiation geneticists lead by their Nobel Prize winner Hermann Muller. At least that is how I had thought the series of meetings of these two groups of scientific and medical leaders would go. I obtained the transcripts of their meetings, anxious to read the debate, and to learn what arguments would be the most persuasive and who would lead the way.

To my surprise, there was no debate on this most crucial area. In fact, it became quite clear that a decision had been made prior to the convening of this Genetics Panel that LNT was in and threshold was out, an observation later confirmed in the historical writings of Jim Crow[8] (1995), the last member of this Genetics Panel to die. All that was needed was to stack the Panel with the correct people and the votes would be there. The Genetics Panel was highly leveraged to

[8] In fact, I was fortunate to have shared with the 95 year old Dr. Crow my allegations of Muller's Nobel Prize lecture and other deceptions in a series of e-mail exchanges in the months leading up to his death (January 4, 2012). My first e-mail to him was during the halftime of the Superbowl with his answer arriving before the kick off of the second half!

support the Muller perspective. No time was wasted in this Panel over whether it was LNT or threshold. They simply adopted an LNT perspective and then moved on to other issues.

During the process of their assessment, the BEAR I Genetics Panel would falsify and fabricate the research record concerning the estimate of radiation-induced genomic risk, committing scientific misconduct at the highest possible levels. This has been documented in detail by Calabrese (2015, 2016). It made a decision not to share the profound degree of uncertainty amongst the Panel members but rather, to misrepresent it by removing and changing data concerning estimates of genetic mutations in the U.S. population at a certain level of radiation exposure.

They were quite concerned that the scientific community, governmental officials and the general public would not accept their radiation health/risk policy recommendations, including the adoption of LNT for risk assessment, if they were honest and shared the sizable uncertainties. They deliberately misrepresented the research record in their formal Panel publication in the journal *Science*. Further covering up of their actions occurred when a group of prominent biologists requested that the Panel provide the documentation for their policy recommendations and they voted not to provide this, a vote that was shared with the President of the NAS, Detlev Bronk, thus linking the deceptive practice right to the top. All such actions of the Panel are documented in the historical record (Calabrese 2015, 2016).

This set of coordinated deceptions was used to persuade other scientific bodies and the international community to follow their leadership and directions. Yet, this course of action was surprisingly easy. It started with the activism and leadership of the Rockefeller Foundation, which provided the funding for the panel in the first place, printing many thousands of copies of

the deceptive report and distributing it widely, including all public libraries in the country. It was also soon arranged to have the journal *Science* lend its immense credibility to the dose response switch by permitting the Panel to publish a substantial paper on their conclusions (BEAR I, 1956). Congressional hearings were also convened and members of the panel testified, advocating the use of the LNT, and basing it largely on the publications of Stern and his colleagues, Spencer, and Uphoff (Calabrese, 2013a,b). *Science* journal would play a further role in the process by publishing a profoundly influential paper by the future Nobel Prize winner Ed Lewis (1957) on cancer and radiation exposure, a paper which was heavily dependent upon the Uphoff and Stern technical note. This article obtained a further boost from *Science* once again, receiving a ringing endorsement in an accompanying statement by the Editor-in-Chief of *Science* (DuShane, 1957).

As noted in an oral history, Lauriston Taylor, Chairman of the National Committee for the Radiation Protection and Measurement (NCRPM), stated that other national and international radiation committees, including his NCRPM, were quietly waiting for the proclamations of the U.S. NAS committee as it carried substantial authority. Once their report was made public, these committees soon recommended the switch to the LNT and its generalization to somatic cells so that the LNT could be applied not only to mutational events but also to the issue of cancer risk assessment. Further speeding up the process was the fact that some members of the NAS Genetics Panel served on several of those other panels, thus, extending their impact and influence. In effect, these radiation scientists got to vote two or three times, a further stacking of the deck, and getting multiple bites at the apple.

Within a very short time, the radiation geneticists had lead a profound environmental/medical policy revolution. They got the U.S. government and the world governmental community to adopt a new risk assessment paradigm, even if it was a little short on real data.

There was now a global consensus that there was no safe exposure to ionizing radiation, that the dose response was linear. Even if one could not measure the impact scientifically, it was assumed that even a single ionization would cause permanent damage and enhance the risk of genetic damage and cancer.

From 1955 to the end of the decade that the most significant changes in environmental policy occurred. Not long after the publicity associated with the linearity recommendation of the BEAR I Genetics Panel its impact began to be seen in the scientific literature as Newell (1957) applied LNT to population based mutation frequency while Buck (1959), Grendon (1965) and others applied the LNT concept to cancer risk assessment. This Panel's actions also profoundly ramped up fear of the continuing arms race and probably influenced the U.S. and Soviet Union to end above ground testing. The adoption of the LNT was also at the heart of the creation of something called the Precautionary Principle, a highly conservative way of thinking about risks from emerging technologies, chemicals and radiation.

There was a major problem with all the success of the BEAR I committee, and that of the radiation geneticists. The science upon which they based their good intentions of saving the world was known by the leadership to be in error. In retrospect, the Genetics Panel of the BEAR I Committee failed to vet the principal research findings upon which their recommendation to switch from a threshold dose response model to the LNT was based. The committee had simply

come under the leadership spell of Muller and his longtime and unrelenting advocacy of the LNT. For Muller, his 25 year crusade was finally realized.

While it may be possible to see this band of radiation geneticists as misguided in their romantic heroism to save world from genetic harm due to nuclear testing and the excessive use of medical X-rays, information is also available in the preserved private correspondence of some of the members of the BEAR I Genetics Panel to suggest that professional self-interest may well have been a comingled prime motivator in their fight to "ban the bomb". The majority of the Genetics Panel were active researchers in university settings. Just as is the case today, there was a publish or perish mentality. Research dollars were critical and such resources were provided by governmental organizations and foundations for these investigators. Essentially all of the academic members of the Genetics Panel were externally funded. While competition for funding was therefore central to the process, letters indicated that some members of the BEAR I Genetics Panel also acted to deliberately overstate the nature of the radiation dangers to the public health and to use highly inflammatory language in order to make their area of research more frightening and important, that is, more fundable. By advocating strongly for the LNT the members of the Genetics Panel would make their area of paramount importance, enhance their professional opportunities for key governmental advisory committees, research funding, and consulting activities.

Muller, BEAR I and EPA Cancer Risk Assessment: The Connection

The recommendations of the BEAR I Genetics Panel proved to be of profound significance for the cancer risk assessment of ionizing radiation (Calabrese, 2009b). However, it did not stop there. The recommendation of the Panel had a long reach as it spread across decades, agencies and agents. Although intended for ionizing radiation, the concept of LNT was general and once it could be reliably shown that chemical carcinogens were often mutagens it would not take too long for the newly emerging EPA to make the BEAR I dose response recommendation their own. In his writing of the history of carcinogen assessment, Roy Albert (1994), the chairman of the EPA Cancer Assessment Group (CAG) stated that during the 1970s the EPA adopted the LNT of the AEC that had been applied to exposures from fallout from atomic weapon tests. He noted that the LNT model was simple and its simplicity made it attractive to the EPA. In fact, all that was needed was to identify the lowest dose of an agent that induced a statistically significant response and draw a straight line to the origin of the graph for the cancer incidence. The biological plausibility was based on the linearity of the mutation dose response as set within the framework of target theory. Importantly, Albert noted that "any difference between chemical carcinogens and ionizing radiation could be ignored as they both caused genetic damage..". The actions of EPA to adopt the recommendations of the BEAR I Genetics Panel for its cancer risk assessment activities reveals that the foundation of modern cancer risk assessment in the U.S. and in most countries was based on the deceptions of Muller and Stern and the manipulation by the NAS.

Of considerable importance is that Muller's research, as well as that of Stern during the Manhattan Project period were performed with mature spermatozoa. Muller, Stern, the Drosophila-dominated radiation genetics community and advisory committees around the world, extrapolated findings from mature spermatozoa to somatic cells, not realizing that mature

spermatozoa lacked the capacity to repair damaged DNA. It was this lack of DNA repair within the mature spermatozoa that lead to its heightened mutational susceptibility and its capacity to grossly over estimate mutational risks in other reproductive and somatic cells.

This was especially the case at low dose-rates, and created a belief among the radiation geneticists in the correctness of the LNT model. This belief, which was initiated by the BEAR I Committee Genetics Panel and soon generalized to cancer risk assessment by other advisory groups, was a flaw of major proportions. This action was something like using mutating bacteria lacking DNA repair to estimate genetic risks in humans. Not only did this group of radiation geneticists create public policy by deception, they also got the science wrong.

The concept of dose rate in radiation would be unequivocally reported in 1958 by William Russell and DNA repair a few years later. However, the environmental die was cast in 1956 by the BEAR I Genetics Panel that lead to the codification of LNT in the regulatory process with its protection ensured by the adoption of a guiding Precautionary Principle, preventing regulatory "science" from being self-correcting as new scientific understandings emerged.

Final Thoughts

At its core the process of risk assessment for carcinogens and non-carcinogens in the U.S. is based on fraud, incompetence and ideology at the highest levels of government. In its now more than four decades in which the U.S. EPA has blindly accepted dose response frameworks for the assessment of risks that were fabricated in the case of mutagens/carcinogens and never validated in the case of non-carcinogens. The agency built their entire regulatory edifice upon

models that have been shown to not accurately predict the risks of toxic substances in the low dose zone, the location where humans spend the vast majority of their time.

It is hard to imagine that the regulatory agencies and all the regulated industries and their subsidiary consultants never thought to examine the foundations upon which all the regulations that they debate, fight and litigate are based. The failure of the scientific community and the regulatory agencies to discover the deceptive and scientifically incorrect origins of the LNT and how it came to impact the risk assessment process is important as this severely impacted the development of environmental legislation, the basis of health standards in air, water, food, soil, and the health of the population, the economy, the proper use of natural resources, and the course of environmental and public health history. Correcting this error remains a fundamental challenge to, and a necessity for the regulatory community.

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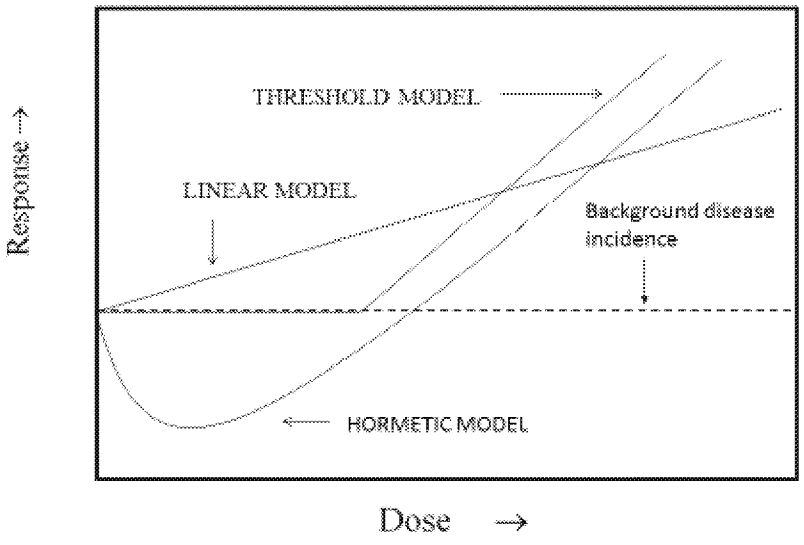
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Figure 1. Comparison of the three leading toxicologically-based dose response models (threshold, linear, and hormetic) used in risk assessment



Message

From: McMurray, Forrest [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=344246FB2CB643BFAB4F92FE016566E2-MCMURRAY, F]
Sent: 11/13/2017 7:06:16 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: David Boaz [dboaz@cato.org]
Subject: RE: Meeting Tomorrow

Thank you! Also, I meant Wednesday not tomorrow.

From: Bennett, Tate
Sent: Monday, November 13, 2017 2:06 PM
To: McMurray, Forrest <mcmurray.forrest@epa.gov>
Cc: David Boaz <dboaz@cato.org>
Subject: Re: Meeting Tomorrow

Copying David who can help.

On Nov 13, 2017, at 2:04 PM, McMurray, Forrest <mcmurray.forrest@epa.gov> wrote:

> Do you have any information about the CATO meeting? Hayley said you would be the best person to talk to about that.
>
> Forrest McMurray
> Scheduling and Advance
> U.S. EPA
> Office: 202-564-5088
> Cell: Ex. 6

Message

From: Bluey, Rob [rob.bluey@heritage.org]
Sent: 11/28/2017 5:59:23 PM
To: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Mike Thompson [mthompson@CRCPublicRelations.com]; Keith Appell [kappell@CRCPublicRelations.com]; Hewitt, James [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=41b19dd598d340bb8032923d902d4bd1-Hewitt, Jam]
Subject: RE: Comms Lunch

Excellent! We have a great group of people planning to attend.

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Tuesday, November 28, 2017 12:56 PM
To: Bluey, Rob <rob.bluey@heritage.org>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Mike Thompson <mthompson@CRCPublicRelations.com>; Keith Appell <kappell@CRCPublicRelations.com>; Hewitt, James <hewitt.james@epa.gov>
Subject: RE: Comms Lunch

Tate and I will be there; we will be at Heritage tomorrow at 12:30 p.m. Thank you.

From: Bluey, Rob [mailto:rob.bluey@heritage.org]
Sent: Tuesday, November 28, 2017 9:52 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Mike Thompson <mthompson@CRCPublicRelations.com>; Keith Appell <kappell@CRCPublicRelations.com>; Hewitt, James <hewitt.james@epa.gov>
Subject: RE: Comms Lunch

Liz, Tate and James --

We're looking forward to having you over for lunch tomorrow at 12:30. Just wanted to confirm everyone is still able to make it.

Thanks,
Rob

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002

Ex. 6
heritage.org

From: Bluey, Rob
Sent: Monday, November 6, 2017 4:56 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Mike Thompson <mthompson@CRCPublicRelations.com>; Keith Appell <kappell@CRCPublicRelations.com>; Hewitt, James <hewitt.james@epa.gov>
Subject: Re: Comms Lunch

Great! We've booked a room for 10 at Heritage on Wednesday, 11/29, at 12:30. I'll work with Mike and Keith on the invite list, but welcome your suggestions, too.

On Nov 6, 2017, at 1:03 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> Weds is the only date that works for me but don't let me hold y'all back.
>
> On Nov 6, 2017, at 12:29 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:
>
> > Any of those dates work for me; thank you for offering to those. If we can aim for a November date I think that would be great – Tate, do these work for you? I am also adding James Hewitt to this email chain, one of my colleagues who is assisting Tate and I with outreach in this regard.
> >
> > **From:** Bluey, Rob [mailto:rob.bluey@heritage.org]
> > **Sent:** Monday, November 6, 2017 12:26 PM
> > **To:** Bowman, Liz <Bowman.Liz@epa.gov>; Mike Thompson <mthompson@CRCPublicRelations.com>; Bennett, Tate <Bennett.Tate@epa.gov>
> > **Cc:** Keith Appell <kappell@CRCPublicRelations.com>
> > **Subject:** RE: Comms Lunch
> >
> > Liz --
> >
> > Would you like us to host at Heritage?
> >
> > Here are some dates we have available:
> >
> > Tuesday, November 28
> > Wednesday, November 29
> > Friday, December 1
> >
> > Please let us know what works best.
> >
> > Thanks,
> > Rob
> >
> > ---
> >
> > **Rob Bluey**
> > *Vice President, Communications, and Editor-in-Chief, The Daily Signal*
> > The Heritage Foundation
> > 214 Massachusetts Avenue, NE

Washington, DC 20002
Ex. 6
heritage.org

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Thursday, November 2, 2017 6:37 PM
To: Mike Thompson <mthompson@CRCPublicRelations.com>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bluey, Rob <rob.bluey@heritage.org>; Keith Appell <kappell@CRCPublicRelations.com>
Subject: RE: Comms Lunch

Yes, please. Let's schedule something for the week after Thanksgiving?

From: Mike Thompson [mailto:mthompson@CRCPublicRelations.com]
Sent: Thursday, November 2, 2017 6:33 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bluey, Rob <rob.bluey@heritage.org>; Keith Appell <kappell@CRCPublicRelations.com>
Subject: Comms Lunch

Liz/Tate

Sorry I couldn't be at the event. Greg and Keith said it was great. I was Ex. 6
Ex. 6

I wanted to follow up on the comms lunch. Do we want to try and start this month?

Mike

==========
Mike Thompson
CRC Public Relations
703.683.5004 Ex. 6
==========

We've Grown and Moved!
Our new address is
2850 Eisenhower Avenue
First Floor
Alexandria, VA 22314

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 10/30/2017 4:00:40 PM
To: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]
Subject: RE: Please join us at EPA on Tuesday, 10-31, 2 PM

Thanks! Good stuff.

From: Gordon, Stephen [mailto:gordon.stephen@epa.gov]
Sent: Monday, October 30, 2017 11:48 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Myron Ebell <Myron.Ebell@cei.org>
Cc: Konkus, John <konkus.john@epa.gov>
Subject: RE: Please join us at EPA on Tuesday, 10-31, 2 PM

Myron,

Please see the below talking points. Look forward to seeing you at the event tomorrow.

Eliminating Conflicts of Interest.

- **Administrator Pruitt is establishing a policy that if you currently receive dollars from the agency in grant money, you are not eligible to serve on all EPA advisory boards. The Administrator made a commitment to ensure independence from EPA on these boards when they make advisory decisions.**
- Example- Past SAB and CASAC members have received upwards of tens of millions of dollars in grant money over the last 10 years.

The previous Administration excluded state and local interests from their boards, ignoring principals of cooperative federalism.

- For the Science Advisory Connectivity Panel, which was reviewing a highly influential scientific assessment designed to inform EPA's authority under the Clean Water Act and EPA's drafting 2015 WOTUS, EPA did not include state and local experts.
- For EPA's Fracturing Research Advisory Panel Subcommittee, there were zero individuals representing state/local matters on the actual panel, despite there being multiple state/local nominees to serve on the panel

The previous Administration didn't follow the law.

S(109)(D)(2)(A) requires CASAC to have 7 members including a physician, a NAS member and a state representative. The previous Administration allowed the same board member to wear multiple roles when serving on the CASAC board – Administrator Pruitt believes this is in contrary to what the law states and will uphold the law by having 3 unique individuals represent these 3 required roles. This confusion of wearing "multiple hats" only deepens the lack of transparency – i.e. which one do you represent if you wear multiple hats?

-Stephen

Stephen L. Gordon Jr.
Deputy Director for Public Engagement
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1301
Gordon.Stephen@epa.gov

From: Bennett, Tate
Sent: Monday, October 30, 2017 11:44 AM
To: Myron Ebell <Myron.Ebell@cei.org>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>; Konkus, John <konkus.john@epa.gov>
Subject: RE: Please join us at EPA on Tuesday, 10-31, 2 PM

Stephen will get you some talking points asap. Thanks in advance for your materials.

From: Myron Ebell [mailto:Myron.Ebell@cei.org]
Sent: Monday, October 30, 2017 10:57 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>; Konkus, John <konkus.john@epa.gov>
Subject: RE: Please join us at EPA on Tuesday, 10-31, 2 PM

Dear Stephen, I'd like to attend.
Thanks, Tate. Will this event be the public release or before it or after it? If possible, we'd like to get some of the details before you go public, so that we can have a statement ready to go.
Yours, Myron.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct:
Tel mobile: **Ex. 6**
E-mail: Myron.Ebell@cei.org
Stop continental drift!

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, October 26, 2017 11:00 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>; Konkus, John <konkus.john@epa.gov>
Subject: Please join us at EPA on Tuesday, 10-31, 2 PM

PLEASE DO NOT FORWARD EXTERNALLY

You are invited to join Administrator Pruitt for an announcement next Tuesday.
October 31, 2017
2 PM; Please arrive no later than 1:50 PM
Environmental Protection Agency, 1200 Pennsylvania Ave, NW, Washington, D.C. 20460
SOUTH Building Entrance

RSVP to Gordon.Stephen@epa.gov
For more details on the event please e-mail myself or Gordon.Stephen@epa.gov directly and provide a good phone number.

This invitation is not transferable externally, but you may bring a guest or two from within your organization so long as they RSVP.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 7/13/2018 8:18:32 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition action alert: House schedules vote on anti-carbon tax resolution

Reminder: the Cooler Heads Coalition will meet on Monday, 16th July, beginning at 12 noon at CEI, 1310 L Street, N. W., Seventh Floor.

Vote on Anti-Carbon Tax Resolution Next Week

The House has scheduled a vote on HConRes 119 for next week. That is Rep. Steve Scalise's resolution expressing the sense of Congress that a carbon tax would be bad for the economy. All Republicans (231) and six Democrats voted for a similar resolution in 2016.

Talking points can be found in the joint letter organized by the American Energy Alliance, which was signed by 18 groups and sent to Speaker Ryan on 9th July. Here is the link: https://www.americanenergyalliance.org/2018/07/09/conservative-coalition-rallies-to-warn-of-disastrous-economic-impact-of-carbon-tax%e2%80%8b/

And here's Politico Pro earlier today:

By Anthony Adragna

07/13/2018 01:18 PM EDT

The House Rules Committee will meet Tuesday to tee up chamber consideration of a resolution, H. Con. Res. 119 (115), arguing a carbon tax would be "detrimental" to the U.S. economy and "not in the best interest" of the country, according to a notice.

Nineteen conservative groups, including the Competitive Enterprise Institute, American Energy Alliance and Americans for Tax Reform, sent House leadership a letter earlier this week urging them to take up the resolution.

The non-binding resolution is led by Majority Whip Steve Scalise and may be an interesting vote for members of the Climate Solutions Caucus. That bipartisan group's ranks have swelled to more than 80 lawmakers, but members have yet to weigh in on specific solutions for how to address climate change.

WHAT'S NEXT: The Rules Committee will meet on the resolution July 17 at 3 p.m.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor

Washington, DC 20005, USA
Tel direct:
Tel mobile
Ex. 6
E-mail: Myron.Ebell@cei.org
Stop continental drift!

Message

From: Bluey, Rob [rob.bluey@heritage.org]
Sent: 10/23/2017 1:22:15 PM
To: Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]
Subject: Great response to Pruitt interview

EPA team --

Thank you for the wonderful opportunity to host Administrator Pruitt at Heritage's annual President's Club meeting last week. The Q&A was great. In fact, we thought it was so informative that we posted a transcript on The Daily Signal. I thought you'd appreciate the numerous positive emails we received in response (see below). Look forward to working with you again soon.

Take care,
Rob

--

Brannen E.
As the president would say I greatly enjoyed your Q&A with Scott Pruitt. Its truly refreshing to have common sense prevailing over bureaucratic lunacy. I hope the president has installed more people of Mr Pruitts caliber throughout all federal agencies. We need less bureaucrats and more efficiency. I send emails to my elected officials reminding them that bureaucrats should not be making laws of the land. If they do they shouldn't stand up in a court which means more common sense. Thanks for your time.

Clement M.
That was an incredible interview with an equally incredible public servant. I wish we could hear more things like that from the media. This is what the people need to know about making America great again. Thank you and keep up the good work.

Dan D.
Thank you for this article. It helped me to understand Mr Pruitt, and to clarify this administration's commitment to environmental quality with economy.

Hayward B.
Just read your interview and I was Impressed. Sounds like our President made a great decision when he chose Scott Pruitt to lead the EPA!

Pat P.
The narrative of your interview with the EPA's Scott Pruitt contains such positive and frankly, hopeful information! I would like to share it with others. Is it possible to get a transcript of the interview I can share? I will definitely share a link to The Daily Signal and your interview, but I'd like to print a copy I can refer to in the future and share. Thank you for the work you do. It is so difficult to hear rational and truthful voices amid the clamor and liberal hysteria of most news outlets.

John L.
You spotlighted a diamond in so many ways that he looks like the diamond he is. Measure Trump by Gorsuch? Sure, he's promise. Measure Trump by Pruitt? Absolutely. This guy is gettting his job done, and the ripples of his results will change the USA for the better. Here's to a Darwin Dashboard in every Agency. Study that one. Thanks for a stellar job.

Bill W.
Excellent, thoughtful, informative interview. Keep up the good work Rob! With so much media noise and bias, I've become a scanner and headlines reader. Your article has encouraged me start reading Daily Signal for quality news.

Jared M.
Rob; I just read your piece with Mr pruitt, and I must say, I was very impressed. It is so nice to have some optimissim again! What a great interview!!! I am very impressed with Mr Pruitt and his straight forward answers. What a GOOD man!!! We need more articles like this on the Daily Signal!!! Keep up the good, no---Great work!!!

Roger P.
What an outstanding interview! I just finished reading it, and I'm so encouraged. The interview asked relevant, important questions, and the responses actually went to the issues. That is good information for the American people to know, that is, that our EPA Administrator actually has a well-conceived plan and is working diligently to carry it out.

George B.
Never done this before but thanks for a great interview. I'm going to try passing it around to those on the left as well as the right in an effort to win some minds. Great job, great journalism!

Nancy C.
Thank you for this report. It is important to me to understand Pruitt's thinking and actions regarding the complex issues facing his department and our country. I got more and better information from your writing than I have heard or read from any other news sources.

Rob Bluey
Vice President, Communications and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

Message

From: Annie Dwyer [Annie.Dwyer@cei.org]
Sent: 10/25/2017 3:25:45 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Quick call this AM

I'm free for the next two hours – until 1:30pm. **Ex. 6**

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, October 25, 2017 10:15 AM
To: Annie Dwyer <Annie.Dwyer@cei.org>
Subject: Quick call this AM

Do you have a second for me to give you a shout? If so, let me know what time?

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

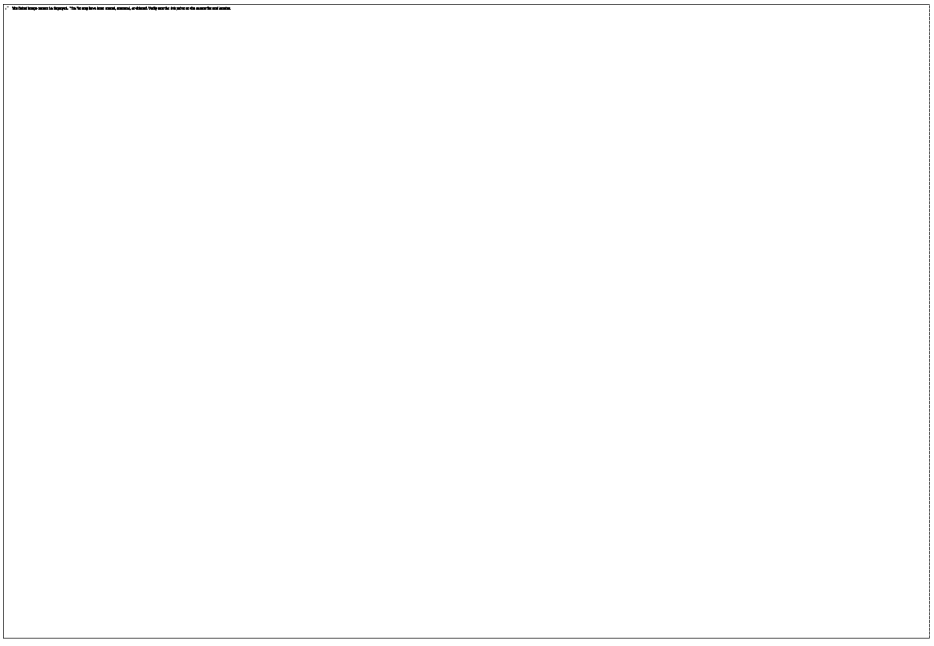
Message

From: Robert Garcia [rgarcia@cityprojectca.org]
Sent: 10/25/2017 2:49:44 PM
To: Diane Wood [DWood@neefusa.org]; Carlos Alcazar [calcazar@cultureoneworld.com]; Dalia Johnson [DJohnson@neefusa.org]; Angela Hernandez-Marshall [Angela.Hernandez-Marshall@ed.gov]; Clarissa Childers [Clarissa.Childers@EE.DOE.Gov]; Louisa Koch [Louisa.Koch@noaa.gov]; Maureen Sullivan [Maureen.sullivan18.civ@mail.mil]; Michiko Martin [michikojmartin@fs.fed.us]; Newman, Sara [sara_newman@nps.gov]; Nora Savage [nosavage@nsf.gov]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Brennan, Thomas [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78caa4c8d91743c887c1bb5dc8cdb369-Thomas Brennan]; William Cibulas Phd [wic1@cdc.gov]; Decker Anstrom [Ex. 6]; George Basile [george.basile@asu.edu]; Jeniffer Harper-Taylor [jeniffer.harper@siemens.com]; Kevin Butt [kevin.butt@toyota.com]; Megan Cayten [megan@cayten.com]; Shannon Schuyler [shannon.schuyler@pwc.com]; Wonya Lucas (wylucas@pba.org) [wylucas@pba.org]; Cheryl Everhart [bqf5@cdc.gov]; Cinthia Flagg [cflagg@cultureoneworld.com]; Sheilah Watts (sheilah.watts@pba.org) [sheilah.watts@pba.org]; Rich Innes [richinnes@merid.org]; Ken Strassner [Ex. 6]; Gibson, Arthur J [arthur_gibson@baxter.com]; gretchen_alvarado@baxter.com; Patrick Deavy [PDeavy@neefusa.org]; Nancy Smith [NSmith@neefusa.org]; Sara Espinoza [SEspinoza@neefusa.org]; TaKeisha Walker [TWalker@neefusa.org]; Evelina Erickson [EErickson@neefusa.org]
Subject: National Public Lands Day 2017 Anahuak Youth Sports Association, NEEF & The City Project Best Practice!



NPS's Lily Nia, Melissa Potts, and LA Ranger Troca engage Anahuak players

Anahuak Youth Sports Association, The City Project, and NEEF with diverse allies celebrated National Public Lands Day at Río de Los Angeles State Park on September 30, 2017, with soccer games, art and education workshops, speakers, lunch, and a park clean up. Congressman Jimmy Gomez talked about opportunities for people in park-poor communities, going to college, and getting good jobs. California State Parks Ranger Luis Rincón recounted the community struggle to create Río de Los Angeles State Park and Sonia Sotomayor Middle and High Schools. He spoke about health benefits of parks and recreation. He emphasized his responsibility as a ranger to connect diverse communities to parks. LAPD Officer Reyes, presenting awards to Anahuak players, reinforced the point that police officers in uniform are there to protect and to serve the people.



Congressman Jimmy Gomez, Miguel Angel Rodriguez, and California State Park Ranger Luis Rincón

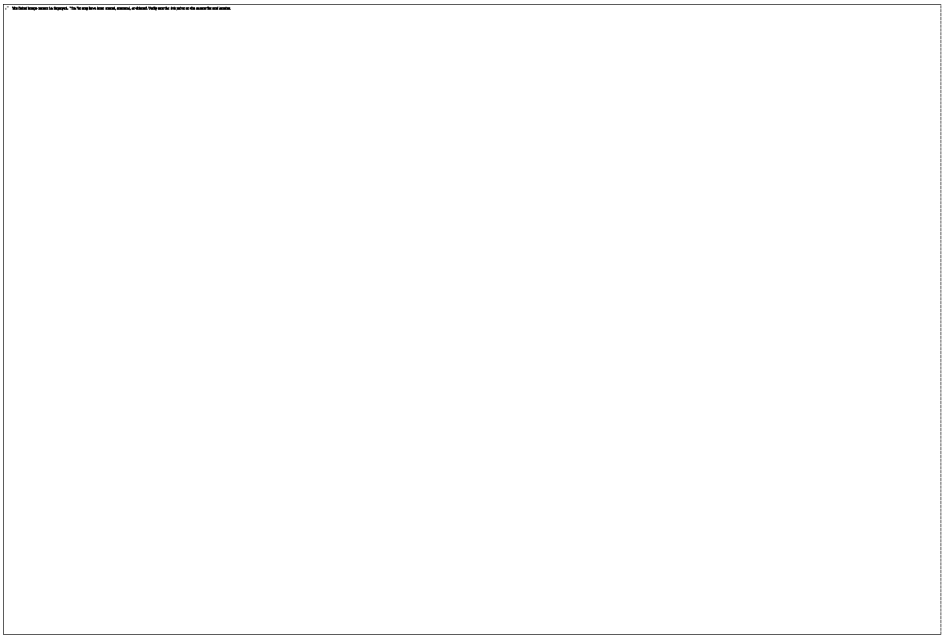
The National Park Service brought LA Ranger Troca, the Santa Monica Mountains National Recreation Area's community engagement vehicle. OneJustice, the legal services organization, provided information about Dreamers and immigration rights. The L.A. County Health Department provided educational materials on parks, recreation, and health in Spanish and English. Organizers shared the *Take Action* comic book, *Communities in Action: Pathways to Health Equity,* by the National Academies of Sciences, Engineering, and Medicine.



Anahuak president Raul Macías and The City Project's Tim Mok with community leaders of tomorrow!

Ciudad de México (CDMX) sponsored the soccer tournament for the day. Using soccer as an organizing tool draws hundreds of families to the park. This provides organizing opportunities for educating and empowering people to decide the kind of community where they want to live and raise children.

This event is the first multicultural, bilingual, and *international* National Public Lands Day event ever, and a best practice for NPLD around the nation!



Thank you to National Public Lands Day 2017 partners, including NEEF (National Environmental Education Foundation), Anahuak, The City Project, NPCA, National Parks Service, California State Parks, GreenLatinos, OneJustice, CDMX, San Gabriel Mountains Forever / Nature for All!, L.A. County Department of Public Health, and LULAC (League of United Latin American Citizens)

Visit The City Project photo gallery for National Public Lands Day 2017

Photos by Alex Romero, courtesy of NEEF

Robert García
Founding Director-Counsel
The City Project / Proyecto del Pueblo
Community Faculty, Charles Drew University of Medicine and Science
1055 Wilshire Blvd., Suite 1660
Los Angeles, CA 90017
rgarcia@cityprojectca.org
Ex. 6
Visit our website and blog at
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linkedin.com/company/the-city-project
linkedin.com/in/robertgarcia2

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Message

From: Kevin Butt (TMNA) [kevin.butt@toyota.com]
Sent: 11/27/2017 6:39:47 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Automatic reply: Great meeting you!

I will be out of the office Monday November 20, 2017 returning December 4, 2017 . I will have very limited access to email. I will respond as I can or when I return Dec 4th. If you have an emergency please contact David Absher or Mark Yamauchi.
Thanks

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 7/11/2018 8:04:33 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition next meeting Monday, 16 July, noon at CEI

Reminder: the Cooler Heads Coalition will hold its July strategy meeting next Monday, 16th July, beginning at 12 noon at CEI, 1310 L Street, N. W., Seventh Floor. Please e-mail me with agenda items or questions. There is a lot going on and we expect several administration guests, so there will be a lot to talk about.

I was going to send the link to the joint letter put together by the American Energy Alliance supporting the Scalise resolution against carbon taxes. But there is a server problem at the moment, so that will have to wait to a future e-mail.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct:
Tel mobile: **Ex. 6**
E-mail: Myron.Ebell@cei.org
Stop continental drift!

Message

From: Diane Wood [DWood@neefusa.org]
Sent: 11/27/2017 6:05:57 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
CC: Brennan, Thomas [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78caa4c8d91743c887c1bb5dc8cdb369-Thomas Brennan]; Carlos Alcazar Ex. 6 [calcazar@cultureoneworld.com]; Kevin Butt (TMNA) [kevin.butt@toyota.com]
Subject: Great meeting you!

Dear Tate and Stephen

It was a pleasure to meet with both of you. I am glad you got to meet two fabulous NEEF board members. There are 8 more from the private sector, and including you, Tate, 10 federal agency representatives. I am very lucky to work with a super board. Stephen you will have a chance to meet the full team in the Spring meeting May 15th and 16th. Tate we will miss you but make sure to mark September 22nd, 2018 on your calendar to come out with Ex. 6 for National Public Lands Day. All ages are welcome and close to 200,000 people in this country come out to give back to the land, thanks to Toyota.

I meet with the NEEF senior team tomorrow and will share what we discussed today and follow up with you on our various ideas regarding how best to work together on "true environmentalism". I am glad you already saw potential areas of overlap in our current program overview. It is also quite exciting you are reaching out to home builders and realtors, an audience we also want to connect with.

Tom thanks for setting this meeting up and I will look forward to hearing from you regarding a meeting with OPA.

Enjoy the rest of the day!

My best, Diane

PS You are welcome to visit our offices anytime. We are located right above the Van Ness exit of the Red Line metro.



Diane Wood
President

National Environmental Education Foundation
4301 Connecticut Ave., NW, Suite 160
Washington, DC 20008

Direct 202-261-6476
General Ex. 6
Fax 202-261-6464
NEEFusa.org

Message

From: Dunlop, Becky [bndunlop@heritage.org]
Sent: 10/11/2017 6:02:02 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: List for Pruitt event

Yes, that will be fine. I am meeting with some oof my people Friday and locking up the room we will use. Thanks for this. Becky

Sent from my BlackBerry 10 smartphone.

From: Bennett, Tate
Sent: Wednesday, October 11, 2017 12:57 PM
To: Dunlop, Becky
Cc: Ford, Hayley; Bowman, Liz
Subject: List for Pruitt event

Hi Becky! I am working on a list for you and will get it to you tomorrow r.e. the December event with Pruitt. Does that work? We are looking forward to it!

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Becky Norton Dunlop
Ronald Reagan Distinguished Fellow
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

Message

From: Taylor Barkley [Taylor.Barkley@cei.org]
Sent: 10/31/2017 4:55:10 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
Subject: RE: State the on science boards

Sure thing!

And yikes! Sorry for that mangled subject line! My auto correct really let me down there.

Taylor

On Oct 31, 2017, 12:50 PM -0400, Bowman, Liz <Bowman.Liz@epa.gov>, wrote:

> Awesome, thank you Taylor. This is much appreciated.
>
> **From:** Taylor Barkley [mailto:Taylor.Barkley@cei.org]
> **Sent:** Tuesday, October 31, 2017 12:48 PM
> **To:** Bowman, Liz <Bowman.Liz@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
> **Subject:** State the on science boards
>
> Liz and Tate,
>
> Wanted to be sure you received Myron's favorable statement about the Administrator's announcement today: https://cei.org/content/epa-reforms-advisory-boards-are-long-overdue-says-cei
>
> Best,
>
> Taylor Barkley
> Government Affairs Manager
> Competitive Enterprise Institute
> (O) Ex. 6 | (C) Ex. 6

Message

From: Taylor Barkley [Taylor.Barkley@cei.org]
Sent: 10/31/2017 4:47:48 PM
To: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: State the on science boards

Liz and Tate,

Wanted to be sure you received Myron's favorable statement about the Administrator's announcement today: https://cei.org/content/epa-reforms-advisory-boards-are-long-overdue-says-cei

Best,

Taylor Barkley
Government Affairs Manager
Competitive Enterprise Institute
(O) Ex. 6 (C) Ex. 6

Message

From: Laura Skaer [lskaer@miningamerica.org]
Sent: 10/5/2017 2:19:46 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Automatic reply: Oct 6 AZ Event

I am out of the office until Monday, October 9. If this is a media inquiry, contact Devon Coquillard, dcoquilaard@miningamerica.org. For government affairs, contact Matt Ellsworth, ellsworth@miningamerica.org. For all other assistance, email Deanna Stroh at dstroh@miningamerica.org. I will respond as time permits.

Message

From: Matt Ellsworth [ellsworth@miningamerica.org]
Sent: 10/4/2017 11:07:22 PM
To: Adam Hawkins [ahawkins@globalexternal.com]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: Oct 6 AZ Event

Thanks again Tate! Sounds like Laura and Byron had a good meeting.

-------- Original message --------
From: Adam Hawkins <ahawkins@globalexternal.com>
Date: 10/4/17 4:04 PM (GMT-08:00)
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Cc: Matt Ellsworth <ellsworth@miningamerica.org>, "Brown, Byron" <brown.byron@epa.gov>, Laura Skaer <lskaer@miningamerica.org>
Subject: Re: Oct 6 AZ Event

Hi Tate: Just wanted to check and see if you were able to confirm me at the business break-away with Administrator Pruitt during the Manufacturer's summit in Phoenix on Friday. Thanks for all your help! -Adam

On Fri, Sep 29, 2017 at 8:59 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> Hi Matt- I will need to check with the manufacturers as they are the ones hosting the event (however, I'm happy to check). I can't imagine it will be an issue. -Tate
>
> **From:** Matt Ellsworth [mailto:ellsworth@miningamerica.org]
> **Sent:** Friday, September 29, 2017 11:46 AM
> **To:** Brown, Byron <brown.byron@epa.gov>
> **Cc:** Laura Skaer <lskaer@miningamerica.org>; Adam Hawkins (ahawkins@globalexternal.com) <ahawkins@globalexternal.com>; Bennett, Tate <Bennett.Tate@epa.gov>
> **Subject:** RE: Oct 6 AZ Event
>
> Thank you Byron, we really appreciate the quick response and opportunity to participate. Have a nice weekend.
>
> **From:** Brown, Byron [mailto:brown.byron@epa.gov]
> **Sent:** Friday, September 29, 2017 8:27 AM
> **To:** Matt Ellsworth <ellsworth@miningamerica.org>
> **Cc:** Laura Skaer <lskaer@miningamerica.org>; Adam Hawkins (ahawkins@globalexternal.com) <ahawkins@globalexternal.com>; Bennett, Tate <Bennett.Tate@epa.gov>
> **Subject:** RE: Oct 6 AZ Event

Matt – I am copying Tate Bennet, Assistant Administrator for Public Engagement, who has been helping with this event.

From: Matt Ellsworth [mailto:ellsworth@miningamerica.org]
Sent: Thursday, September 28, 2017 5:41 PM
To: Brown, Byron <brown.byron@epa.gov>
Cc: Laura Skaer <lskaer@miningamerica.org>; Adam Hawkins (ahawkins@globalexternal.com) <ahawkins@globalexternal.com>
Subject: Oct 6 AZ Event

Byron, thanks for taking the time to have Laura over on Monday, sorry to have missed you last time. As time is of the essence, I wanted to extend this request ASAP and you and Laura can follow up.

On Oct 6 Administrator Pruitt will be in Arizona holding a business roundtable. As you are aware, AEMA has a large presence of members in Arizona and would appreciate the opportunity to bring the AEMA membership voice to the table. Would it be possible to include the AEMA Board Vice President Adam Hawkins in that event? Adam is local to Phoenix and represents many local business along with AEMA. I believe he would provide high value.

Your consideration is very much appreciated! Adam is cc's on this email or his phone is Ex. 6

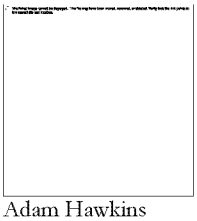
Matthew Ellsworth

Government Affairs Manager

American Exploration & Mining Association

Office: 509-624-1158, Ex. 6

www.MiningAmerica.org



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+1 (202) 568-6500 DC
ahawkins@globalexternal.com
globalexternal.com
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Message

From: Adam Hawkins [ahawkins@globalexternal.com]
Sent: 10/4/2017 11:04:52 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Matt Ellsworth [ellsworth@miningamerica.org]; Brown, Byron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9242d85c7df343d287659f840d730e65-Brown, Byro]; Laura Skaer [lskaer@miningamerica.org]
Subject: Re: Oct 6 AZ Event

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Cc: Laura Skaer <lskaer@miningamerica.org>; Adam Hawkins (ahawkins@globalexternal.com) <ahawkins@globalexternal.com>; Bennett, Tate <Bennett.Tate@epa.gov>
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Matthew Ellsworth

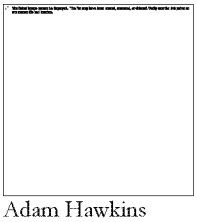
Government Affairs Manager

American Exploration & Mining Association

Office: 509-624-1158 Ex. 6

www.MiningAmerica.org

--



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Message

From: Adam Hawkins [ahawkins@globalexternal.com]
Sent: 10/5/2017 11:19:01 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Matt Ellsworth [ellsworth@miningamerica.org]; Brown, Byron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9242d85c7df343d287659f840d730e65-Brown, Byro]; Laura Skaer [lskaer@miningamerica.org]; McMurray, Forrest [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=344246fb2cb643bfab4f92fe016566e2-McMurray, F]
Subject: Re: Oct 6 AZ Event

Sound great. Thanks again! -Adam

On Thu, Oct 5, 2017 at 4:14 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
Unfortunately no, I am in a wedding elsewhere tomorrow but Forrest (CC'd) will be there if you need anything.

On Oct 5, 2017, at 6:07 PM, Adam Hawkins <ahawkins@globalexternal.com> wrote:

Can't thank you enough, Tate! Will you be there? -Adam

On Thu, Oct 5, 2017 at 2:52 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
Hey! All set. 10:30 AM at the Biltmore.

On Oct 4, 2017, at 11:27 PM, Adam Hawkins <ahawkins@globalexternal.com> wrote:

Thanks, Tate!

On Oct 4, 2017, at 19:19, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Should be fine but I'll confirm tomorrow. Thanks!

On Oct 4, 2017, at 7:05 PM, Adam Hawkins <ahawkins@globalexternal.com> wrote:

Hi Tate: Just wanted to check and see if you were able to confirm me at the business break-away with Administrator Pruitt during the Manufacturer's summit in Phoenix on Friday. Thanks for all your help! -Adam

On Fri, Sep 29, 2017 at 8:59 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

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<image003.jpg>**Matthew Ellsworth**

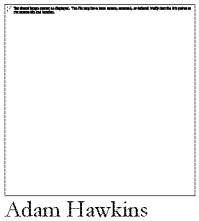
Government Affairs Manager

American Exploration & Mining Association

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--



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Message

From: Bluey, Rob [rob.bluey@heritage.org]
Sent: 11/6/2017 9:56:03 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Mike Thompson [mthompson@CRCPublicRelations.com]; Keith Appell [kappell@CRCPublicRelations.com]; Hewitt, James [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=41b19dd598d340bb8032923d902d4bd1-Hewitt, Jam]
Subject: Re: Comms Lunch

Great! We've booked a room for 10 at Heritage on Wednesday, 11/29, at 12:30. I'll work with Mike and Keith on the invite list, but welcome your suggestions, too.

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

On Nov 6, 2017, at 1:03 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> Weds is the only date that works for me but don't let me hold y'all back.
>
> On Nov 6, 2017, at 12:29 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:
>
> > Any of those dates work for me; thank you for offering to those. If we can aim for a November date I think that would be great – Tate, do these work for you? I am also adding James Hewitt to this email chain, one of my colleagues who is assisting Tate and I with outreach in this regard.
> >
> > **From:** Bluey, Rob [mailto:rob.bluey@heritage.org]
> > **Sent:** Monday, November 6, 2017 12:26 PM
> > **To:** Bowman, Liz <Bowman.Liz@epa.gov>; Mike Thompson <mthompson@CRCPublicRelations.com>; Bennett, Tate <Bennett.Tate@epa.gov>
> > **Cc:** Keith Appell <kappell@CRCPublicRelations.com>
> > **Subject:** RE: Comms Lunch
> >
> > Liz --
> >
> > Would you like us to host at Heritage?
> >
> > Here are some dates we have available:
> >
> > Tuesday, November 28
> > Wednesday, November 29

Friday, December 1

Please let us know what works best.

Thanks,
Rob

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Thursday, November 2, 2017 6:37 PM
To: Mike Thompson <mthompson@CRCPublicRelations.com>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bluey, Rob <rob.bluey@heritage.org>; Keith Appell <kappell@CRCPublicRelations.com>
Subject: RE: Comms Lunch

Yes, please. Let's schedule something for the week after Thanksgiving?

From: Mike Thompson [mailto:mthompson@CRCPublicRelations.com]
Sent: Thursday, November 2, 2017 6:33 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bluey, Rob <rob.bluey@heritage.org>; Keith Appell <kappell@CRCPublicRelations.com>
Subject: Comms Lunch

Liz/Tate

Sorry I couldn't be at the event. Greg and Keith said it was great. I was Ex. 6
Ex. 6

I wanted to follow up on the comms lunch. Do we want to try and start this month?

Mike

==========
Mike Thompson
CRC Public Relations
703.683.5004 Ex. 6
==========

We've Grown and Moved!
Our new address is
2850 Eisenhower Avenue
First Floor
Alexandria, VA 22314

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 10/3/2017 2:45:52 PM
To: Bluey, Rob [rob.bluey@heritage.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Mike Thompson [mthompson@CRCPublicRelations.com]
CC: Keith Appell [kappell@CRCPublicRelations.com]
Subject: RE: Lunch Tomorrow

We would be happy to talk prior to this interview. What is a good time to discuss? Usually late afternoons are best for me – after 4:30 p.m.

From: Bluey, Rob [mailto:rob.bluey@heritage.org]
Sent: Monday, October 2, 2017 12:28 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Mike Thompson <mthompson@CRCPublicRelations.com>
Cc: Keith Appell <kappell@CRCPublicRelations.com>
Subject: RE: Lunch Tomorrow

Sounds good. We have it on the calendar for 11/7 at 12:30. We'll touch base as it approached.

On a related note, I will be interviewing Administrator Pruitt at Heritage's Presidents Club meeting in about two weeks. I'd love to touch base in advance of that to hear about EPA's priorities.

Rob Bluey
Senior Vice President, Communications
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Monday, October 2, 2017 12:00 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Mike Thompson <mthompson@CRCPublicRelations.com>; Bluey, Rob <rob.bluey@heritage.org>
Cc: Keith Appell <kappell@CRCPublicRelations.com>
Subject: RE: Lunch Tomorrow

Sounds good, thank you. Ignore my earlier email.

From: Bennett, Tate
Sent: Monday, October 2, 2017 11:54 AM
To: Mike Thompson <mthompson@CRCPublicRelations.com>; Bluey, Rob <rob.bluey@heritage.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Keith Appell <kappell@CRCPublicRelations.com>
Subject: RE: Lunch Tomorrow

Concur. Let's just plan on us doing Weyrich Weds for now and then start the other in November. We agree- we are a mess over here too at the moment.

From: Mike Thompson [mailto:mthompson@CRCPublicRelations.com]
Sent: Monday, October 2, 2017 11:34 AM
To: Bluey, Rob <rob.bluey@heritage.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Keith Appell <kappell@CRCPublicRelations.com>
Subject: Re: Lunch Tomorrow

Liz and Tate

Schedules are a mess. Looks like Heritage, us and CPI could be there tomorrow. Everyone wants to be there but we need more notice.

Should we give everyone a month notice and start in November?

On Oct 2, 2017, at 11:08, Bluey, Rob <rob.bluey@heritage.org> wrote:

> Thanks, Mike.
>
> Liz and Tate, we're looking forward to hosting the meeting. We've scheduled it for 12:30 p.m. tomorrow in our Generations Room at Heritage.
>
> You're welcome to call/text me at Ex. 6 if you want to chat.
>
> ---
> **Rob Bluey**
> *Senior Vice President, Communications*
> The Heritage Foundation
> 214 Massachusetts Avenue, NE
> Washington, DC 20002
> Ex. 6
> heritage.org
>
>
> **From:** Mike Thompson [mailto:mthompson@CRCPublicRelations.com]
> **Sent:** Monday, October 2, 2017 10:46 AM
> **To:** Bennett.Tate@epa.gov; Bowman.Liz@epa.gov
> **Cc:** Bluey, Rob <rob.bluey@heritage.org>; Keith Appell <kappell@CRCPublicRelations.com>
> **Subject:** Lunch Tomorrow
>
> Liz/Tate
>
> Wanted to touch base about tomorrow's lunch. Rob Bluey (copied) has set us up at Heritage. He can send the specifics.
>
> Per our conversation, we are limiting the attendees at the first meeting so we can continue to work out logistics and best people to attend. In addition to Heritage, we've invited Congressional Partnership Institute, Family Research Council and Diana Bannister who is part of CAP and works with a number of different organizations.
>
> I've looped in Rob and Keith so we can try to answer any questions and you have their contact info.
>
> Mike

==========
Mike Thompson
CRC Public Relations
703.683.5004 Ex. 6
Ex. 6 mobile)
==========

We've Grown and Moved!
Our new address is
2850 Eisenhower Avenue
First Floor
Alexandria, VA 22314

Message

From: Dalia Johnson [DJohnson@neefusa.org]
Sent: 10/18/2017 9:09:29 PM
To: Dalia Johnson [DJohnson@neefusa.org]
CC: Angela Hernandez-Marshall [Angela.Hernandez-Marshall@ed.gov]; Clarissa Childers [Clarissa.Childers@EE.DOE.Gov]; Louisa Koch [Louisa.Koch@noaa.gov]; Maureen Sullivan [Maureen.sullivan18.civ@mail.mil]; Michiko Martin [michikojmartin@fs.fed.us]; Newman, Sara [sara_newman@nps.gov]; Nora Savage [nosavage@nsf.gov]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Brennan, Thomas [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78caa4c8d91743c887c1bb5dc8cdb369-Thomas Brennan]; William Cibulas Phd [wic1@cdc.gov]; Carlos Alcazar (calcazar@cultureoneworld.com) [calcazar@cultureoneworld.com]; Decker Anstrom [Ex. 6]; Diane Wood [DWood@neefusa.org]; George Basile [george.basile@asu.edu]; Jeniffer Harper-Taylor [jeniffer.harper@siemens.com]; Kevin Butt [kevin.butt@toyota.com]; Megan Cayten [megan@cayten.com]; rgarcia@cityprojectca.org [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0e854c6dec4b4456a0701e041d0fe812-rgarcia@cityprojectca.org]; Shannon Schuyler [shannon.schuyler@pwc.com]; Wonya Lucas (wylucas@pba.org) [wylucas@pba.org]; Cheryl Everhart [bqf5@cdc.gov]; Cinthia Flagg [cflagg@cultureoneworld.com]; Sheilah Watts (sheilah.watts@pba.org) [sheilah.watts@pba.org]; Rich Innes [richinnes@merid.org]; Ken Strassner [Ex. 6] [Ex. 6]; Gibson, Arthur J [arthur_gibson@baxter.com]; gretchen_alvarado@baxter.com; Patrick Deavy [PDeavy@neefusa.org]; Nancy Smith [NSmith@neefusa.org]; Sara Espinoza [SEspinoza@neefusa.org]; TaKeisha Walker [TWalker@neefusa.org]; Evelina Erickson [EErickson@neefusa.org]
Subject: NEEF Agenda for the October 25th Board Meeting
Attachments: 1 Oct 25 2017 Board Mtg Agenda.pdf

Good afternoon,

We are really looking forward to seeing you next week! Attached is the agenda for next week's full board meeting on Wednesday, October 25th. The electronic board book with additional details is forthcoming. Please contact me if you have any questions.

Kind regards,
Dalia

Dalia Johnson
Executive Assistant and Board Liaison

National Environmental Education Foundation
4301 Connecticut Ave., NW, Suite 160
Washington, DC 20008

Direct 202-261-6466
General [Ex. 6]
Fax 202-261-6464
NEEFusa.org

Board of Directors Meeting
Wednesday, October 25, 2017 Agenda

Governing Board, Ex-Officio Members, Liaisons, Staff and Guests

Location: **Beveridge & Diamond, P.C.**
Address: 1350 I Street, NW, 6th Floor Conference Center, Washington, D.C., 20005
Phone: (202) 789-6000

8:30-9:00 a.m.	**Assemble - continental breakfast will be served**
9:00-9:15 a.m.	**Chairman's welcome and comments – Carlos Alcazar** • **Call to order** • **Approval of minutes** • **Welcome new staff/Ex-Officio**
9:15-9:40 a.m.	**President's update – Diane Wood**
9:40-9:45 a.m.	**Summary of the October 24th Ex-Officio meeting – Ex-Officio member TBD**
9:45-9:50 a.m.	**Break #1**
9:50-10:20 a.m.	**Employee Engagement – Research and Best Practices Team**
10:20-11:15 a.m.	**NEEF Campaigns – Research and Best Practices Team** **Guest speaker (via phone): Emlyn Koster, Ph.D., Director,** **North Carolina Museum of Natural Sciences**
11:15-11:25 a.m.	**Break #2**
11:25- Noon	**Vision Tracking – George Basile and NEEF staff**
Noon-12:50 p.m.	**Lunch**

Governing Board Business Meeting

12:50-1:45 p.m.	**Committee Reports**	
	12:50 – 1:00 p.m.	**Governance & Nominating Committee – Shannon Schuyler**
	1:00 – 1:10 p.m.	**Finance Committee – Ken Strassner for David Kiser**
	1:10 – 1:20 p.m.	**Audit Committee – Nancy Smith**
	1:20 – 1:45 p.m.	**Development & Marketing Committee – Megan Reilly Cayten**
1:45-3:00 p.m.	**Executive Session – Carlos Alcazar**	
	1:45 – 2:00 p.m.	**Progress on performance goals - Diane Wood**
	2:00 – 3:00 p.m.	**President Search discussion with Divina Gamble of Korn Ferry**
3:00 p.m.	**Adjourn**	

10/18/17

Message

From: Hewitt, James [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=41B19DD598D340BB8032923D902D4BD1-HEWITT, JAM]
Sent: 7/5/2018 9:44:54 PM
To: Annie Dwyer [Annie.Dwyer@cei.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]
Subject: Re: CEI on Pruitt resignation

Thank you Annie.

Sent from my iPhone

On Jul 5, 2018, at 5:27 PM, Annie Dwyer <Annie.Dwyer@cei.org> wrote:

> Hi all -- Just wanted to flag this statement from CEI on the Pruitt news today.
>
> Thanks,
> Annie
>
> CEI on EPA Administrator Scott Pruitt's Resignation
>
> WASHINGTON, July 5, 2018 -- Today, President Trump announced the resignation of Environmental Protection Agency (EPA) Administrator Scott Pruitt. The Competitive Enterprise Institute (CEI) released the following statement about the news.
>
> Director of CEI's Center for Energy and Environment Myron Ebell said:
>
> > "On behalf of CEI, we thank Scott Pruitt for his outstanding service as EPA administrator, and we regret that personal troubles got in the way. Over the past 18 months, the EPA has made tremendous progress in ensuring that Americans have access to affordable and reliable energy. We are particularly pleased with Pruitt's leadership getting the United States out of the Paris Climate Treaty, rolling back climate rules like the so-called Clean Power Plan, replacing the Waters of the United States rule, and establishing new science transparency rules.
> >
> > "We have full confidence in Acting Administrator Andrew Wheeler to carry President Trump's important EPA reform agenda forward. The reforms undertaken will have positive consequences for American consumers, the economy, and the environment."

Annie Dwyer
Vice President of Communications
Competitive Enterprise Institute
Ex. 6 cei.org

Message

From: Konkus, John [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=555471B2BAA6419E8E141696F4577062-KONKUS, JOH]
Sent: 7/5/2018 9:29:33 PM
To: Annie Dwyer [Annie.Dwyer@cei.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Hewitt, James [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=41b19dd598d340bb8032923d902d4bd1-Hewitt, Jam]
CC: Molina, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d19c1d68da1a4587866e1850f22a6ae5-Molina, Mic]
Subject: RE: CEI on Pruitt resignation

Thank you and Myron for the very kind words.

From: Annie Dwyer [mailto:Annie.Dwyer@cei.org]
Sent: Thursday, July 5, 2018 5:28 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Konkus, John <konkus.john@epa.gov>
Subject: CEI on Pruitt resignation

Hi all -- Just wanted to flag this statement from CEI on the Pruitt news today.

Thanks,
Annie

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>
> "We have full confidence in Acting Administrator Andrew Wheeler to carry President Trump's important EPA reform agenda forward. The reforms undertaken will have positive consequences for American consumers, the economy, and the environment."

Annie Dwyer
Vice President of Communications
Competitive Enterprise Institute
Ex. 6 | cei.org

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 7/5/2018 9:29:25 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition: CEI statement on EPA Admin Scott Pruitt's resignation

CEI on EPA Administrator Scott Pruitt's Resignation

WASHINGTON, July 5, 2018 -- Today, President Trump announced the resignation of Environmental Protection Agency (EPA) Administrator Scott Pruitt. The Competitive Enterprise Institute (CEI) released the following statement about the news.

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>
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>
> https://cei.org/content/cei-epa-administrator-scott-pruitts-resignation

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct:
Tel mobile
E-mail: Myron.Ebell@cei.org
Ex. 6
Stop continental drift!

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 7/5/2018 9:27:26 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: FW: CEI statement on EPA Admin Scott Pruitt's resignation

CEI on EPA Administrator Scott Pruitt's Resignation

WASHINGTON, July 5, 2018 -- Today, President Trump announced the resignation of Environmental Protection Agency (EPA) Administrator Scott Pruitt. The Competitive Enterprise Institute (CEI) released the following statement about the news.

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> https://cei.org/content/cei-epa-administrator-scott-pruitts-resignation

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct: (
Tel mobile: Ex. 6
E-mail: Myron.Ebell@cei.org
Stop continental drift!

Message

From: David Boaz [DBoaz@cato.org]
Sent: 9/15/2017 6:21:48 PM
To: Lovell, Will (William) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3b150bb6ade640f68d744fadcb83a73e-Lovell, Wil]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Help?

Thanks, look forward to it!

From: Lovell, Will (William) [mailto:lovell.william@epa.gov]
Sent: Friday, September 15, 2017 1:34 PM
To: David Boaz <DBoaz@cato.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Help?

David,

Your best point of contact would be Tate Bennett (cc'd) who is EPA's Associate Administrator for the Office of Public Engagement. She is traveling with the Administrator today, but she will get back to you soon.

Best,
Will

From: David Boaz [mailto:DBoaz@cato.org]
Sent: Thursday, September 14, 2017 5:41 PM
To: Lovell, Will (William) <lovell.william@epa.gov>
Subject: Help?

Will –

My friend James Schindler suggested you might help get me some info on the Red Team project. Can you? Or direct me somewhere else? Happy to send you a couple of questions, or talk on the phone if that's easier.

Thanks,
David Boaz

David Boaz
Executive Vice President
Cato Institute
1000 Massachusetts Ave. NW
Washington, DC 20001
Ex. 6
http://www.cato.org/people/boaz.html

@David_Boaz

Check out my blog: http://www.cato.org/people/6/blog

and my books: The Libertarian Mind and The Libertarian Reader (both Simon & Schuster, 2015).

Message

From: Candice Boyer [cboyer@atr.org]
Sent: 7/3/2018 6:49:00 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: Wednesday Meeting tomorrow

Great! Our next meeting is July 11. Suhail Khan will be guest chairing
The meeting. Grover will be in Las Vegas at Freedom Fest.

Sent from my iPhone

On Jul 3, 2018, at 12:35 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> Back from maternity leave fyi. Happy to attend your next meeting.
>
> **From:** Candice Boyer [mailto:cboyer@atr.org]
> **Sent:** Tuesday, April 10, 2018 1:25 PM
> **To:** Candice Boyer <cboyer@atr.org>
> **Subject:** Wednesday Meeting tomorrow
>
> **Dear Hill and Administration Colleagues,**
>
> **Please let me know if you are interested in giving an update to the Wednesday Meeting tomorrow. I have heard from a few of you--hope to hear from the rest of you.**
>
> **Kind regards,**
>
> Candice N. Boyer
> Director of Scheduling and Outreach
> Americans for Tax Reform
> PH: **Ex. 6**
> <image002.png>

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 10/2/2017 3:59:36 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Bluey, Rob [rob.bluey@heritage.org]; Mike Thompson [mthompson@CRCPublicRelations.com]
CC: Keith Appell [kappell@CRCPublicRelations.com]
Subject: RE: Lunch Tomorrow

Great, thank you. Is this an informal discussion with Q&A, or is there a structure we should be aware of?

From: Bennett, Tate
Sent: Monday, October 2, 2017 11:37 AM
To: Bluey, Rob <rob.bluey@heritage.org>; Mike Thompson <mthompson@CRCPublicRelations.com>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Keith Appell <kappell@CRCPublicRelations.com>
Subject: RE: Lunch Tomorrow

Great. EPA will be there.

From: Bluey, Rob [mailto:rob.bluey@heritage.org]
Sent: Monday, October 2, 2017 11:09 AM
To: Mike Thompson <mthompson@CRCPublicRelations.com>; Bennett, Tate <Bennett.Tate@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Keith Appell <kappell@CRCPublicRelations.com>
Subject: RE: Lunch Tomorrow

Thanks, Mike.

Liz and Tate, we're looking forward to hosting the meeting. We've scheduled it for 12:30 p.m. tomorrow in our Generations Room at Heritage.

You're welcome to call/text me at Ex. 6 if you want to chat.

Rob Bluey
Senior Vice President, Communications
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

From: Mike Thompson [mailto:mthompson@CRCPublicRelations.com]
Sent: Monday, October 2, 2017 10:46 AM
To: Bennett.Tate@epa.gov; Bowman.Liz@epa.gov
Cc: Bluey, Rob <rob.bluey@heritage.org>; Keith Appell <kappell@CRCPublicRelations.com>
Subject: Lunch Tomorrow

Liz/Tate

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Per our conversation, we are limiting the attendees at the first meeting so we can continue to work out logistics and best people to attend. In addition to Heritage, we've invited Congressional Partnership Institute, Family Research Council and Diana Bannister who is part of CAP and works with a number of different organizations.

I've looped in Rob and Keith so we can try to answer any questions and you have their contact info.

Mike

==========

Mike Thompson
CRC Public Relations
703.683.5004 Ex. 6
Ex. 6 (mobile)

==========

We've Grown and Moved!
Our new address is
2850 Eisenhower Avenue
First Floor
Alexandria, VA 22314

Message

From: Candice Boyer [cboyer@atr.org]
Sent: 7/3/2018 5:35:08 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Automatic reply: Wednesday Meeting tomorrow

Greetings,

Thank you for contacting ATR. I am away from my desk this week. I will return on Monday, July 9.

If you have questions about the Wednesday Meeting they will be answered shortly. All other scheduling requests will be handled when I return to my desk. Thank you for your patience.

Kind regards,

Candice Boyer

Director of Scheduling and Outreach

Americans for Tax Reform

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 7/2/2018 4:32:15 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition alert: 22 groups send letter to President Trump opposing Kigali Amendment
Attachments: Joint Letter on Kigali Amendment, 2 July 2018.pdf

Note that the next meeting of the Cooler Heads Coalition will be on Monday, 16th July, beginning at 12 noon at CEI, 1310 L Street, N. W., Seventh Floor.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct:
Tel mobile
E-mail: Myron.Ebell@cei.org
Ex. 6
Stop continental drift!

July 2, 2018

The Honorable Donald J. Trump
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Dear President Trump:

The undersigned free market, conservative, consumer, and sound science organizations urge you to reject the Kigali Amendment to the Montreal Protocol. This 2016 United Nations treaty negotiated by the Obama Administration would impose restrictions on production of the affordable refrigerants currently used in most types of air conditioning and refrigeration units and necessitate their likely replacement with more expensive alternatives. The result would be higher costs for households, motorists, and businesses that rely on air conditioning and refrigeration.

Environmental pressure groups have joined forces with the patent holders and manufacturers of the new chemicals (known as HFOs—for hydrofluoro-olefins) that would replace the most widely-used refrigerants (known as HFCs—for hydrofluorocarbons). They claim that the use of HFCs must be reduced because of their global warming potential. But as with so many other Obama-era climate change measures, the Kigali Amendment would do far more economic harm than environmental good.

The environmental benefits of replacing HFCs are minimal at best. The 1987 UN Montreal Protocol required that several types of refrigerants with potential to deplete the stratospheric ozone layer be replaced with HFCs or other non-ozone depleting compounds. This transformation has largely been completed. The Kigali Amendment would not advance the purpose of the Montreal Protocol, but would instead turn a treaty aimed at saving the ozone layer into a global warming treaty. Most studies have concluded that fully implementing the Kigali Amendment would reduce the global mean temperature by an unmeasurable amount by 2050.

This minute reduction in global temperatures would come at a very high cost. The most common HFC is currently selling for around $7 per pound, while the most common HFO is selling for over $70 per pound. While this price differential may change over time, a typical home air-conditioner uses 10–15 pounds of refrigerant and a vehicle air-conditioner uses 1-2 pounds, so the impact on households could reach well into the hundreds of dollars. In addition to higher costs for new equipment, repairs of existing HFC-using systems will also go up as the remaining supply dwindles and prices rise.

It is not just consumers who will be harmed by the Kigali Amendment. So too will millions of businesses and property owners that rely on air-conditioning or refrigeration—hotels, restaurants, office buildings, rail and truck refrigerated transport—and public buildings, such as schools, churches, theaters, and indoor sports facilities.

Manufacturers of HFOs have claimed that ratifying the Kigali Amendment will create thousands of new jobs in the United States, while failure to ratify will close foreign markets to U. S. exports. Both claims are false. Most jobs in new factories that produce HFOs and the equipment that uses HFOs will be matched by job losses at factories that currently produce HFCs and the equipment that uses HFCs. As for exports, nothing in WTO rules prevents American manufacturers from exporting HFOs to other countries. As a matter of fact, American manufacturers built their first HFO factory in 2010 in China, while they only began producing HFOs in this country in 2017.

In any event, to the extent HFO-using equipment is what consumers want, manufacturers are free to make the switch with or without the Kigali Amendment. Kigali only serves to force this costlier choice on the public whether they like it or not.

The Kigali Amendment going into force globally will have even more severe economic consequences for people in poor, hot countries who are just beginning to be able to afford air conditioning. The International Energy Agency released a report in May, The Future of Cooling, that projected that, "The global stock of air conditioners in buildings will grow to 5.6 billion by 2050, up from 1.6 billion today." This global transformation that can improve the lives of billions of people will be slowed significantly if air conditioning units become more expensive.

In order to help implement the Montreal Protocol globally, the United States has contributed $867 million to the Multilateral Fund through 2016. Ratifying the Kigali Amendment would commit the United States to additional contributions through 2050. If these annual payments continue at $40 million, the total by 2050 would be $1.36 billion.

By opposing the Kigali Amendment, we want to make clear that we do not oppose the adoption of HFOs for air conditioning and refrigeration. We simply believe that consumers and businesses rather than governments or the United Nations should be able to decide if and when to replace HFCs with HFOs.

In only 500 days, your Administration has repealed a number of federal regulations and dialed back other big government measures that were holding back the American economy. This welcome reduction in over-regulation, along with the tax cuts, is already transforming the economy and contributing to lower unemployment, higher investment, and rising family incomes. It's an excellent start, but there is still more swamp to be drained. That's why we urge you to reject the Kigali Amendment to the Montreal Protocol.

In order for the United States to join the Kigali Amendment, it must be submitted to the Senate for ratification by a two-thirds vote. We urge you not to submit this United Nations treaty negotiated by the Obama Administration to the Senate. Congress should be spending its time working with you to cut red tape, not add to it.

Thank you for considering our views on this important issue.

Yours sincerely,

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

Ben Lieberman, Senior Fellow
Competitive Enterprise Institute

Tim Chapman, Executive Director
Heritage Action

Eunie Smith, President
Eagle Forum

Thomas A. Schatz, President
Citizens Against Government Waste

Tom DeWeese, President
American Policy Center

Phil Kerpen, President
American Commitment

J. Christian Adams, President
Public Interest Legal Foundation

Ron Pearson, President
Council for America

Amy Oliver Cooke, Executive Vice President
Independence Institute

Jon Sanders, Director of Regulatory Studies
John Locke Foundation

Fred Birnbaum, Vice President
Idaho Freedom Foundation

David Stevenson, Director
Center for Energy Competitiveness
Caesar Rodney Institute

Thomas J. Pyle, President
American Energy Alliance

Craig Rucker, President
Committee For A Constructive Tomorrow

Richard Manning, President
Americans for Limited Government

David Ridenour, President
National Center for Public Policy Research

Craig Richardson, President
Energy and Environment Legal Institute

E. Calvin Beisner, Founder and National Spokesman
Cornwall Alliance for the Stewardship of Creation

William Happer, Chairman
CO2 Coalition

Todd Myers, Environmental Director
Washington Policy Center

Michael Stenhouse, CEO
Rhode Island Center for Freedom and Prosperity

Brent Mead, CEO
Montana Policy Institute

Benjamin Zycher, Resident Scholar
American Enterprise Institute *(affiliation listed for identification purposes only)*

Cc: Secretary of State Mike Pompeo

Message

From: Candice Boyer [cboyer@atr.org]
Sent: 7/3/2018 8:34:49 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: Wednesday Meeting tomorrow

10am at 722 12th street NW 6th floor. Would you like to give an update?

Sent from my iPhone

On Jul 3, 2018, at 1:56 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> What time?
>
> On Jul 3, 2018, at 2:49 PM, Candice Boyer <cboyer@atr.org> wrote:
>
> > Great! Our next meeting is July 11. Suhail Khan will be guest chairing
> > The meeting. Grover will be in Las Vegas at Freedom Fest.
> >
> > Sent from my iPhone
> >
> > On Jul 3, 2018, at 12:35 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
> >
> > > Back from maternity leave fyi. Happy to attend your next meeting.
> > >
> > > **From:** Candice Boyer [mailto:cboyer@atr.org]
> > > **Sent:** Tuesday, April 10, 2018 1:25 PM
> > > **To:** Candice Boyer <cboyer@atr.org>
> > > **Subject:** Wednesday Meeting tomorrow
> > >
> > > **Dear Hill and Administration Colleagues,**
> > >
> > > **Please let me know if you are interested in giving an update to the Wednesday Meeting tomorrow. I have heard from a few of you--hope to hear from the rest of you.**
> > >
> > > **Kind regards,**
> > >
> > > Candice N. Boyer
> > > Director of Scheduling and Outreach
> > > Americans for Tax Reform
> > > PH: Ex. 6
> > > <image002.png>

Message

From: Tom Kula [tkula@NTMWD.COM]
Sent: 8/14/2017 7:12:53 PM
To: Darwin, Henry [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7ae8e9d24eeb4132b25982e358efbd9d-Darwin, Hen]; Willis, Sharnett [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=97b55bdfac5e41d8aa81064dfa2cb944-Willis, Sharnett]; Shawnna Helmberger [shelmberger@NTMWD.COM]
CC: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; Letendre, Daisy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b691cccca6264ae09df7054c7f1019cb-Letendre, D]; Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Mike Rickman [mrickman@NTMWD.COM]
Subject: [SPAM] RE: Follow up from visit- You have received a YouTube video!

Henry,
Thank you for the quick follow up. Appreciate Tate's help as well!

I think it's a wonderful idea to talk by phone first. Shawnna on the To line will contact Sharnett for a best day/ time this week. Look forward to talking.

Again, on behalf of my 25 Directors on the Board, want to thank everyone for making the visit and briefing happen with the Administrator last week.
Best,
Tom

Thomas W. Kula
Executive Director
North Texas Municipal Water District
501 E. Brown Street | Wylie, TX 75098
Office: Ex. 6 Cell Ex. 6
tkula@ntmwd.com | www.ntmwd.com

From: Darwin, Henry [mailto:darwin.henry@epa.gov]
Sent: Monday, August 14, 2017 12:31 PM
To: Tom Kula
Cc: Wagner, Kenneth; Letendre, Daisy; Ferguson, Lincoln; Bennett, Tate; Willis, Sharnett
Subject: RE: [SPAM] You have received a YouTube video!

Tom:

It's good to meet you via e-mail. I look forward to meeting you in person. Maybe we could start our discussion via a phone call sometime this week. My schedule is pretty open, so if you suggest a few days and times, I'm sure we can figure something out. Alternatively, we could have our assistants figure this out for us. My assistant is Sharnett Willis. She can be reached at (202) 564-7866. I have also copied her on this message.

Looking forward to hearing about how I can help.

Henry Darwin
Environmental Protection Agency

Assistant Deputy Administrator and Chief of Operations
202-564-2063 office
Ex. 6 cell

From: Bennett, Tate
Sent: Monday, August 14, 2017 11:31 AM
To: Tom Kula <tkula@NTMWD.COM>
Cc: Darwin, Henry <darwin.henry@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Letendre, Daisy <letendre.daisy@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: Re: [SPAM] You have received a YouTube video!

Tom-

Connecting you with Henry Darwin so you two may coordinate a visit. Sorry for the brevity, but I wanted to make sure I put you two in touch asap.

Henry- Tom runs the Northern Texas Water District (per my previous email) and Administrator Pruitt would like you to reach out and arrange a site visit with them.

Thanks all!

Sent from my iPhone

On Aug 10, 2017, at 10:22 AM, Tom Kula <tkula@NTMWD.COM> wrote:

> NTMWD water...
>
> https://www.youtube.com/watch?v=mofbiHur7Pk&sns=em
>
> Sent from my iPhone
>
> **Thomas W. Kula**
> Executive Director
> North Texas Municipal Water District
> 501 E. Brown St Wylie, TX 75098
> Ofc: Ex. 6
> Cell
> tkula@ntmwd.com | www.ntmwd.com

Message

From: Tom Kula [tkula@NTMWD.COM]
Sent: 8/14/2017 6:36:32 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: [SPAM] RE: Follow up - You have received a YouTube video!

Thank you Tate!
Tom

Thomas W. Kula
Executive Director
North Texas Municipal Water District
501 E. Brown Street | Wylie, TX 75098
Office: Ex. 6 Cell Ex. 6
tkula@ntmwd.com | www.ntmwd.com

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, August 14, 2017 10:31 AM
To: Tom Kula
Cc: Darwin, Henry; Wagner, Kenneth; Letendre, Daisy; Ferguson, Lincoln
Subject: Re: [SPAM] You have received a YouTube video!

Tom-

Connecting you with Henry Darwin so you two may coordinate a visit. Sorry for the brevity, but I wanted to make sure I put you two in touch asap.

Henry- Tom runs the Northern Texas Water District (per my previous email) and Administrator Pruitt would like you to reach out and arrange a site visit with them.

Thanks all!

Sent from my iPhone

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> NTMWD water...
>
> https://www.youtube.com/watch?v=mofbiHur7Pk&sns=em
>
> Sent from my iPhone
>
> **Thomas W. Kula**
> Executive Director
> North Texas Municipal Water District
> 501 E. Brown St Wylie, TX 75098
> Ofc: Ex. 6
> Cell: Ex. 6
> tkula@ntmwd.com | www.ntmwd.com

Message

From: Hewitt, James [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=41B19DD598D340BB8032923D902D4BD1-HEWITT, JAM]
Sent: 8/10/2017 8:37:56 PM
To: Stephen Ciccone (TMNA) [stephen.ciccone@toyota.com]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: FW: PHOTOS: Administrator Pruitt Takes State Action Tour to Texas - Preview

We will be sending this out shortly.

From: EPA Press Office [mailto:press=epa.gov@cmail20.com] **On Behalf Of** EPA Press Office
Sent: Thursday, August 10, 2017 4:35 PM
To: Hewitt, James <hewitt.james@epa.gov>
Subject: PHOTOS: Administrator Pruitt Takes State Action Tour to Texas - Preview

Contact Information: press@epa.gov

PHOTOS: Administrator Pruitt Takes State Action Tour to Texas

DALLAS (August 10, 2017) - U.S. EPA Administrator Scott Pruitt capped off his week-long state swing in Texas today, marking his 10th state visit in four weeks as part of EPA's state action tour. For his first stop, Administrator Pruitt toured Toyota's new headquarters in Plano.

"EPA is always interested in seeing environmentally-friendly business practices first hand," **said EPA Administrator Pruitt**. "We celebrate companies who incorporate innovative and sustainable business practices into their growing companies."

"We were pleased to show Administrator Pruitt our new headquarters in Plano, TX and to highlight the environmental sustainability aspects of the new facility, **said Chris Reynolds, Executive Vice President, Toyota Motor North America**. "Toyota previously announced it will invest $10 billion over the next five years in the U. S., and the new headquarters is just one of those commitments to help grow American jobs. We appreciate the opportunity to showcase our new Plano headquarters where we will soon have 4,000 team members working in a more collaborative way in order to better serve our customers."

Administrator Pruitt also met with the current and former leadership of the Dallas Builders Association while he was in Texas to discuss environmental issues around developing new projects in the North Texas area.

"We feel like it is important for us to get out, into the states and talk directly with local people and businesses about how EPA regulations affect them. What we are hearing is that people deeply care about the environment and want sensible regulations that allow them to grow their businesses and create local jobs, without unnecessarily and costly regulatory burdens," **said Administrator Pruitt.**

"The Dallas Builders Association commends EPA Administrator Pruitt for holding this roundtable in Dallas to get direct feedback from home builders and developers who are affected by burdensome regulations that raise the cost of housing and harm small businesses," **said Dallas BA President Michael Turner.** "The nation's home builders support the administrator's efforts to enact a revised waters of the U.S. rule that will protect the environment without adding unnecessary regulatory burdens that will hurt housing and other industries in Texas that rely on a predictable permitting process."

Earlier today, Administrator Pruitt joined WBAP Morning News. The interview can be heard here:

http://www.wbap.com/2017/08/10/morning-news-epa-chief-scott-pruitt-interview/

EPA Administrator Scott Pruitt (second from left) speaks with Toyota's Tom Stricker (left), Chris Reynolds (second from right), and Doug Beebe (right).

EPA Administrator Scott Pruitt (right) tours Toyota in Plano, Texas with Toyota's Tom Stricker (left), Doug Beebe (second from left), and Kevin Butt (right).

EPA Administrator Scott Pruitt greets members of the Dallas Builders Association.

EPA Administrator Scott Pruitt addresses the Dallas Builders Association.

Visit The EPA's Newsroom

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

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Message

From: Kim Rubin (TMNA) [kim.rubin@toyota.com]
Sent: 8/9/2017 11:13:21 PM
To: Melisa Fuller [mfuller@NTMWD.COM]
CC: Tom Stricker (TMNA) [tom.stricker@toyota.com]; Tom Kula [tkula@NTMWD.COM]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; McMurray, Forrest [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=344246fb2cb643bfab4f92fe016566e2-McMurray, F]; Nichelle D Norris (TMS) [nichelle.norris@toyota.com]; Hiro Ueno (TMNA) [hiro.ueno@toyota.com]; Linda Morisako (TMS) [Linda.Morisako@Toyota.com]; Jennifer L. Jones (TMNA) [jennifer.l.jones@toyota.com]; Stephen Ciccone (TMNA) [stephen.ciccone@toyota.com]
Subject: Re: NTMWD Meeting - August 10, 2017

Hi Melisa,

Not a problem. We'll add Ms. Talton to visitor registration.

Thank you,
Kim

Sent from my iPhone

On Aug 9, 2017, at 6:36 PM, Melisa Fuller <mfuller@NTMWD.COM> wrote:

> Mr. Stricker,
>
> Thank you for your assistance with pre-registration and meeting our guests.
>
> We just learned that Meagan Talton with Rep. Sam Johnson's office plans to attend also. Could you please add Ms. Talton to the pre-registration list?
>
> **Thanks,**
>
> **Melisa Fuller, Executive Assistant**
> North Texas Municipal Water District
> P.O. Box 2408 | 501 E. Brown Street | Wylie, TX 75098
> Office: Ex. 6 | Fax: 972.295.6440 | Cell: Ex. 6
> mfuller@ntmwd.com | www.ntmwd.com
>
> ***ATTENTION NTMWD BOARD MEMBERS: Please "Reply" only to the sender. A "Reply to All" to this e-mail could lead to violations of the Texas Open Meetings Act.***
>
> **From:** Tom Stricker (TMNA) [mailto:tom.stricker@toyota.com]
> **Sent:** Wednesday, August 09, 2017 5:27 PM
> **To:** Kim Rubin (TMNA) <kim.rubin@toyota.com>
> **Cc:** Melisa Fuller <mfuller@NTMWD.COM>; Tom Kula <tkula@NTMWD.COM>; Bennett, Tate <Bennett.Tate@epa.gov>; mcmurray.forrest@epa.gov; Nichelle D Norris (TMS) <nichelle.norris@toyota.com>; Hiro Ueno (TMNA) <hiro.ueno@toyota.com>; Linda Morisako (TMS) <Linda.Morisako@Toyota.com>; Jennifer L. Jones (TMNA) <jennifer.l.jones@toyota.com>; Stephen Ciccone (TMNA) <stephen.ciccone@toyota.com>
> **Subject:** Re: NTMWD Meeting - August 10, 2017

All of the visitors from EPA and the NTMWD have been pre-registered with security. I will meet you all in the main lobby of the Toyota headquarters at around 9:50 AM tomorrow to escort you upstairs. All visitors will need to show a driver's license or other form of ID at the security desk.

Tom

On Aug 9, 2017, at 3:32 PM, Kim Rubin (TMNA) <kim.rubin@toyota.com> wrote:

> It's our pleasure, Melisa. Enjoy your evening
>
> **From:** Melisa Fuller [mailto:mfuller@NTMWD.COM]
> **Sent:** Wednesday, August 9, 2017 4:16 PM
> **To:** Kim Rubin (TMNA) <kim.rubin@toyota.com>
> **Cc:** Tom Kula <tkula@NTMWD.COM>; Bennett, Tate <Bennett.Tate@epa.gov>; mcmurray.forrest@epa.gov; Tom Stricker (TMNA) <tom.stricker@toyota.com>; Nichelle D Norris (TMS) <nichelle.norris@toyota.com>; Hiro Ueno (TMNA) <hiro.ueno@toyota.com>; Linda Morisako (TMS) <Linda.Morisako@Toyota.com>; Nichelle D Norris (TMS) <nichelle.norris@toyota.com>; Jennifer L. Jones (TMNA) <jennifer.l.jones@toyota.com>; Stephen Ciccone (TMNA) <stephen.ciccone@toyota.com>
> **Subject:** RE: NTMWD Meeting - August 10, 2017
>
> Kim,
>
> Thank you very much for coordinating all the details!
>
> Melisa
>
> **Melisa Fuller, Executive Assistant**
> North Texas Municipal Water District
> P.O. Box 2408 | 501 E. Brown Street | Wylie, TX 75098
> Office: Ex. 6 Fax: 972.295.6440 | Cell: Ex. 6
> mfuller@ntmwd.com | www.ntmwd.com
>
> ***ATTENTION NTMWD BOARD MEMBERS: Please "Reply" only to the sender. A "Reply to All" to this e-mail could lead to violations of the Texas Open Meetings Act.***
>
> **From:** Kim Rubin (TMNA) [mailto:kim.rubin@toyota.com]
> **Sent:** Wednesday, August 09, 2017 3:11 PM
> **To:** Melisa Fuller <mfuller@NTMWD.COM>
> **Cc:** Tom Kula <tkula@NTMWD.COM>; Bennett, Tate <Bennett.Tate@epa.gov>; mcmurray.forrest@epa.gov; Tom Stricker (TMNA) <tom.stricker@toyota.com>; Nichelle D Norris (TMS) <nichelle.norris@toyota.com>; Hiro Ueno (TMNA) <hiro.ueno@toyota.com>; Linda Morisako (TMS) <Linda.Morisako@Toyota.com>; Nichelle D Norris (TMS) <nichelle.norris@toyota.com>; Jennifer L. Jones (TMNA) <jennifer.l.jones@toyota.com>; Stephen Ciccone (TMNA) <stephen.ciccone@toyota.com>
> **Subject:** RE: NTMWD Meeting - August 10, 2017
> **Importance:** High
>
> Hello Melisa,

Nice to have spoken to you and Tom. I'm glad we can be of assistance to accommodate your meeting tomorrow at 10:00 am with the EPA Administrator. You have the correct address for Toyota Motor North America headquarters, 6565 Headquarters Drive, Plano, TX. From Headquarters Drive, be sure to take the entrance #2. Parking is plentiful in front of the lobby. Once you enter the lobby, go to the front desk where you will check in. Tom Stricker, copied here is the Vice President of Product Regulatory Affairs for Toyota. He will be there to greet everyone and escort you to the Executive Boardroom.

Regarding your power point presentation, please bring your document on a flash drive along with your laptop (just in case there are any issues). Hiro Ueno copied here, manages our IT and will be there to assist you with the presentation.

Once your meeting concludes, Nichelle Norris, copied here will escort everyone back to our main entrance.

If you have any questions, please don't hesitate to contact me.

Thank you,
Kim

Kim Rubin
Executive Assistant to Stephen Ciccone
TOYOTA MOTOR NORTH AMERICA
Government Affairs Office
325 7th Street, NW, Suite 1000
Washington, DC 20004
W:
C: **Ex. 6**
E: kim.rubin@toyota.com

From: Melisa Fuller [mailto:mfuller@NTMWD.COM]
Sent: Wednesday, August 9, 2017 3:34 PM
To: Kim Rubin (TMNA) <kim.rubin@toyota.com>
Cc: Tom Kula <tkula@NTMWD.COM>; Bennett, Tate <Bennett.Tate@epa.gov>; mcmurray.forrest@epa.gov
Subject: NTMWD Meeting - August 10, 2017

Ms. Rubin,

Thank you for speaking with Tom Kula and I this afternoon regarding the logistics for the meeting tomorrow. To confirm, the following nine individuals from NTMWD will be present for the meeting at 10:00 a.m., which is being held at the Toyota offices located at 6565 Headquarters Drive, Plano, Texas, in the Executive Board Room.

- <!--[if !supportLists]--><!--[endif]-->Tom Kula – Executive Director
- <!--[if !supportLists]--><!--[endif]-->Joe Stankiewicz – Deputy Director
- <!--[if !supportLists]--><!--[endif]-->Judd Sanderson – Deputy Director
- <!--[if !supportLists]--><!--[endif]-->Mike Rickman – Deputy Director
- <!--[if !supportLists]--><!--[endif]-->Billy George – Assistant Deputy Director

- <!--[if !supportLists]--><!--[endif]-->Janet Rummel – Public Relations and Communications Officer
- <!--[if !supportLists]--><!--[endif]-->Robert Thurmond – NTMWD Board President
- <!--[if !supportLists]--><!--[endif]-->Terry Sam Anderson – NTMWD Board Past President
- <!--[if !supportLists]--><!--[endif]-->Bill Lofland – NTMWD Board Water Committee Chairman

Also, we understand that Jason Ross from US Congressman Ratcliffe's office will be in attendance.

As Mr. Kula mentioned, we have a power point presentation for the meeting and would like to confirm the technology available in the Executive Board Room. We can email the document prior to the meeting and/or also bring the document on a USB drive.

Thanks for your help coordinating the meeting tomorrow. The NTMWD staff and Board members looks forward to visiting the new Toyota facility!

Melisa Fuller, Executive Assistant
North Texas Municipal Water District
P.O. Box 2408 | 501 E. Brown Street | Wylie, TX 75098
Office: Ex. 6 | Fax: 972.295.6440 | Cell: Ex. 6
mfuller@ntmwd.com | www.ntmwd.com

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Message

From: Melisa Fuller [mfuller@NTMWD.COM]
Sent: 8/8/2017 4:38:48 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: [SPAM] RE: [SPAM] RE: [SPAM] RE: [SPAM] RE: NTMWD Visit

Thank you!

Melisa Fuller, Executive Assistant
North Texas Municipal Water District
P.O. Box 2408 | 501 E. Brown Street | Wylie, TX 75098
Office: Ex. 6 | Fax: 972.295.6440 | Cell: Ex. 6
mfuller@ntmwd.com | www.ntmwd.com

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From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, August 08, 2017 11:29 AM
To: Melisa Fuller <mfuller@NTMWD.COM>
Subject: Re: [SPAM] RE: [SPAM] RE: [SPAM] RE: NTMWD Visit

Administrator Pruitt will be in a suit.

Sent from my iPhone

On Aug 8, 2017, at 11:17 AM, Melisa Fuller <mfuller@NTMWD.COM> wrote:

> Ms. Bennett,
>
> Could you please let us know if your guests will dress in business casual or suit/tie for Thursday? We wanted to plan accordingly.
>
> Thanks!
>
> **Melisa Fuller, Executive Assistant**
> North Texas Municipal Water District
> P.O. Box 2408 | 501 E. Brown Street | Wylie, TX 75098
> Office: Ex. 6 | Fax: 972.295.6440 | Cell: Ex. 6
> mfuller@ntmwd.com | www.ntmwd.com
>
> ***ATTENTION NTMWD BOARD MEMBERS:** Please "Reply" only to the sender. A "Reply to All" to this e-mail could lead to violations of the Texas Open Meetings Act.*
>
> **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> **Sent:** Monday, August 07, 2017 12:22 PM
> **To:** Melisa Fuller <mfuller@NTMWD.COM>
> **Cc:** Tom Kula <tkula@NTMWD.COM>; Mike Rickman <mrickman@NTMWD.COM>; Leann Bumpus <lbumpus@NTMWD.COM>; Shawnna Helmberger <shelmberger@NTMWD.COM>; Janet Rummel

<irummel@NTMWD.COM>; Graham, Amy <graham.amy@epa.gov>
Subject: Re: [SPAM] RE: [SPAM] RE: NTMWD Visit

Adding Amy with communications who will be there. Myself with Industry and Public Engagement,Sam Dravis who heads policy, and Lincoln Ferguson who is our Director of Operations

Sent from my iPhone

On Aug 7, 2017, at 11:50 AM, Melisa Fuller <mfuller@NTMWD.COM> wrote:

> Ms. Bennett,
>
> Yes, we will be happy to provide a quote for your use in a press release. Janet Rummel, NTMWD Public Relations & Communications Officer, will be in attendance and will provide the quote for your use.
>
> Can you also please send us the list of names/titles of the five individuals attending with EPA?
>
> Thanks,
>
> **Melisa Fuller, Executive Assistant**
> North Texas Municipal Water District
> P.O. Box 2408 | 501 E. Brown Street | Wylie, TX 75098
> Office: Ex. 6 | Fax: 972.295.6440 | Cell: Ex. 6
> mfuller@ntmwd.com | www.ntmwd.com
>
> ***ATTENTION NTMWD BOARD MEMBERS: Please "Reply" only to the sender. A "Reply to All" to this e-mail could lead to violations of the Texas Open Meetings Act.***
>
> ---
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> **Subject:** Re: [SPAM] RE: NTMWD Visit
>
> Do you all mind providing us with a quote we can use for our press release after the meeting?
>
> Sent from my iPhone
>
> On Aug 7, 2017, at 11:40 AM, Melisa Fuller <mfuller@NTMWD.COM> wrote:
>
> > Ms. Bennett,
> >
> > The following individuals will be in attendance at the meeting scheduled this Thursday, August 10, 2017, at 9:00 a.m.:
> >
> > - Tom Kula, Executive Director
> > - Joe Stankiewicz, Deputy Director
> > - Judd Sanderson, Deputy Director

- Mike Rickman, Deputy Director
- Billy George, Assistant Deputy Director
- Janet Rummel, Public Relations and Communications Officer
- Robert Thurmond, President, NTMWD Board of Directors
- Terry Sam Anderson, Past President, NTMWD Board of Directors
- Bill Lofland, Water Committee Chairman, NTMWD Board of Directors

We will have an off-duty Wylie police officer on site also.

Thanks,

Melisa Fuller, Executive Assistant
North Texas Municipal Water District
P.O. Box 2408 | 501 E. Brown Street | Wylie, TX 75098
Office: Ex. 6 Fax: 972.295.6440 | Cell: Ex. 6
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ATTENTION NTMWD BOARD MEMBERS: Please "Reply" only to the sender. A "Reply to All" to this e-mail could lead to violations of the Texas Open Meetings Act.

From: Leann Bumpus
Sent: Friday, August 04, 2017 10:57 AM
To: bennett.tate@epa.gov
Cc: Tom Kula <tkula@NTMWD.COM>; Mike Rickman <mrickman@NTMWD.COM>
Subject: NTMWD Visit

Ms. Bennett,

Executive Director, Tom Kula and Deputy Director, Mike Rickman look forward to hosting the EPA on August 10th at 9:00 a.m. Mr. Kula would like to speak with you once you have phone reception. His cell number is Ex. 6

Thank you,

Leann Bumpus
Executive Administrative Assistant
North Texas Municipal Water District
PO Box 2408 | 501 E Brown St | Wylie, TX 75098
Office: Ex. 6 Cell: Ex. 6
lbumpus@ntmwd.com | www.ntmwd.com

Message

From: Mike Thompson [mthompson@CRCPublicRelations.com]
Sent: 8/13/2018 12:26:39 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: robert.bluey@heritage.org
Subject: Re: Meeting with Andrew Wheeler

Got it

> On Aug 12, 2018, at 7:03 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> Actually I got ahead of myself. Mike, pls hold on this for now. Rob, it just occurred to me I need to run this by AAW first. I'll talk to him tomorrow and circle back with Rob so we can plan a plan.

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 6/28/2018 5:39:31 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads coalition: invitation to sign two joint letters--opposing carbon taxes and the Kigali Amendment

Reminder: the Cooler Heads Coalition will hold its July 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 agenda items or questions.

Carbon Tax Letter—deadline 5th July
The American Energy Alliance is circulating a joint letter for signatures supporting a vote on the resolution opposing a tax on CO2 emissions. I have pasted the e-mail from AEA below. Please sign on to the letter by e-mailing Jordan McGillis at jmcgillis@energydc.org. And cc me if you like. (CEI has also signed on to this letter.) Jordan's note says that the deadline is today, but he has agreed to extend the deadline for signing till **Thursday, 5th July**.

Kigali Amendment Letter—deadline 29th June
Second, we have extended the deadline to **Friday, 29th June**, on the joint letter to the President and Secretary Pompeo opposing the Kigali Amendment to the Montreal Protocol because we're not going to send the letter until Monday. So far, twenty-one national and state groups have signed on. If you are interested in signing on, please e-mail me and I will send you a draft copy of the letter.

It's time to put H.Con.Res. 119 to a vote.

06/28/18

Fellow carbon tax opponents,

I'm writing once again to invite you and your organizations to co-sign the letter attached below from AEA President Tom Pyle to Speaker Ryan and Majority Leader McCarthy encouraging them to bring H.Con.Res. 119 promptly before the House.

Thus far our co-signers are FreedomWorks, Caesar Rodney Institute, the National Black Chamber of Commerce, E&E Legal, Heartland, and the National Center for Public Policy Research. A number of private stakeholders have also expressed support.

Please forward this invitation to any other organizations you think might be interested and reply to this email to let me know if you'd like to sign on by 1:00pm Eastern today, Thursday, June 28. Feel free to contact me (jmcgillis@energydc.org) or AEA Director of Policy and Federal Affairs Kenny Stein (kstein@energydc.org) if you have any questions or feedback.

Thanks,

Jordan McGillis

DRAFT

Dear Speaker Ryan and Majority Leader McCarthy:

We write you today to respectfully request that you bring H.Con.Res. 119, expressing the sense of Congress that a carbon tax would be detrimental to the United States economy, before the House of Representatives for consideration at the earliest opportunity.

A carbon tax is a policy with one definable goal: to raise the cost of traditional, reliable, affordable sources of energy. This includes the domestically produced gasoline, diesel, coal, and natural gas that fuel our cars and trucks, power our homes, and keep our economy going strong every day.

While individual carbon tax proposals vary in their severity, numerous academic studies clearly show the harm that any carbon tax would inflict on our economy. It is widely acknowledged, for example, that a $40 per ton carbon tax would increase the price consumers pay at the pump by about 38 cents per gallon. And a study commissioned by the National Association of Manufacturers found that a carbon tax could destroy anywhere from nearly 4 million to more than 20 million American jobs.

Despite recent attempts to market several carbon tax policy proposals as "conservative," it is also important to note the striking similarities between those proposals and carbon tax legislation being pushed by liberal Members of Congress. The fundamental tenets – imposing a new economy-wide tax that would raise energy costs for virtually every American family, while ostensibly instituting a rebate scheme to redistribute the revenues in some fashion – are virtually identical.

There is simply nothing conservative about implementing a massive new energy tax under which the federal government would be empowered to collect hundreds of billions more dollars each year from American taxpayers, and then entrusted to do the "right" thing – however that might be defined – with its vast newfound stream of revenue. A "carbon dividend" is simply wealth redistribution by another name. And history is littered with the economic casualties wrought by heavy-handed government interference in the marketplace.

Nor would a carbon tax represent any sort of "insurance policy" on climate change. Contrary to proponents' rhetoric, a carbon tax implemented across the United States would have no measurable impact on global climate. Even a climate policy that eliminated U.S. carbon dioxide emissions *altogether* would – according to accredited climate models used by U.S. government agencies – impact global temperature by less than 0.2 degrees by the year 2100. And a carbon tax achieving a more modest 20-percent reduction in CO_2 emissions would still wreak significant economic harm on our nation's families and businesses, while impacting temperatures by an even less significant 0.02 degrees.

Under your leadership, Congress has delivered major victories to the American people – perhaps none larger than the comprehensive tax reform that will lower the tax burdens of a projected 8 in 10 American households. The last thing American families need is for our nation's lawmakers to put our economy in reverse by enacting a national carbon tax. We are heartened, too, that many Congressional Democrats have recently expressed their concern over the prospect of policies that could increase energy prices. Senate Minority Leader Schumer made clear several weeks ago that higher gas prices are "something we know disproportionately hurts middle and lower income people." The impact of a carbon tax on both gasoline and electricity prices would be swift, direct, and severe.

As we approach the 2018 midterm election, American voters deserve to know whether their elected

Representatives support the implementation of a new tax on the energy they rely on every single day. Now is the time for Congress to make its voice heard on this important issue.

Thank you for your consideration and your continued strong leadership in the House of Representatives.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct:
Tel mobile: Ex. 6
E-mail: Myron.Ebell@cei.org
Stop continental drift!

Message

From: Loris, Nick [Nick.Loris@heritage.org]
Sent: 6/26/2018 10:50:16 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Automatic reply: Memo CWA section 404(c)

I am currently out of the office and will return July 2nd. I will reply to your email as quickly as possible.

Nick

Nick Loris
Research Manager, Energy and Environment and Herbert and Joyce Morgan Research Fellow
Institute for Economic Freedom
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

Message

From: Hupp, Millan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=92CAC7B684B64F90953B753A01BEE0D5-HUPP, MILLA]
Sent: 8/2/2017 10:05:05 PM
To: Stephen Ciccone (TMNA) [stephen.ciccone@toyota.com]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Kim Rubin (TMNA) [kim.rubin@toyota.com]; McMurray, Forrest [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=344246fb2cb643bfab4f92fe016566e2-McMurray, F]
Subject: Re: Toyota visit -- need to finalize

Thank you, Stephen.

Sent from my iPhone

> On Aug 2, 2017, at 5:49 PM, Stephen Ciccone (TMNA) <stephen.ciccone@toyota.com> wrote:
>
> We will hold off on food. My EA, Kim Rubin, copied here, will arrange the walk through. No problem.
>
> Sent from my iPhone
>
>> On Aug 2, 2017, at 10:39 PM, Hupp, Millan <hupp.millan@epa.gov> wrote:
>>
>> Stephen -- good afternoon. This timeline and rough agenda looks great.
>>
>> To Tate's point, the Administrator often will not eat at meetings but of course would take no offense to your bringing in lunch for the rest of the group. We shall leave that up to you.
>>
>> My colleague Forrest, copied here, will travel into Dallas on Wednesday, the 9th and will likely reach out to you in hopes of scheduling a time to do a walk-through of the location.
>>
>> Kindly let us know if there are any outstanding items we can address for you at this time. We look forward to meeting you next week.
>>
>> Thank you so much,
>> Millan
>>
>> Sent from my iPhone
>>
>>> On Aug 2, 2017, at 5:48 AM, Stephen Ciccone (TMNA) <stephen.ciccone@toyota.com> wrote:
>>>
>>> 6565 Headquarters Drive. Plano, TX.
>>>
>>> Sent from my iPhone
>>>
>>>> On Aug 2, 2017, at 10:32 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>>>>
>>>> May we have an exact address?
>>>>
>>>> Sent from my iPhone
>>>>
>>>>> On Aug 1, 2017, at 8:01 PM, Stephen Ciccone (TMNA) <stephen.ciccone@toyota.com> wrote:
>>>>>
>>>>> Ok. We will make that call later. Our folks won't starve if they have to wait until 1PM for lunch. We just don't want to be rude hosts.
>>>>>
>>>>> Sent from my iPhone
>>>>>
>>>>>> On Aug 1, 2017, at 7:51 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>>>>>>
>>>>>> Hmm I think that would be fine but he doesn't do working lunches if he's speaking....but others could!
>>>>>>
>>>>>> Sent from my iPhone
>>>>>>
>>>>>>> On Aug 1, 2017, at 7:44 PM, Stephen Ciccone (TMNA) <stephen.ciccone@toyota.com> wrote:
>>>>>>>
>>>>>>> Agree on the press. Fine on the 45 minute blocks. Will get back to you on 11am start. If we do that time, can/should we add a casual lunch?
>>>>>>>

>>>>>>> Sent from my iPhone
>>>>>>>
>>>>>>>> On Aug 1, 2017, at 7:36 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>>>>>>>>
>>>>>>>> I think the 45 min each might be best. Is there a chance we can bump to 11 AM instead? Also, we'd ask you keep this a private event, closed to press.
>>>>>>>>
>>>>>>>> Sent from my iPhone
>>>>>>>>
>>>>>>>>> On Aug 1, 2017, at 6:32 PM, Stephen Ciccone (TMNA) <stephen.ciccone@toyota.com> wrote:
>>>>>>>>>
>>>>>>>>> Yes, we can lock in the afternoon of August 10.
>>>>>>>>>
>>>>>>>>> Run of show proposal (happy to edit if you guys have something else in mind)
>>>>>>>>>
>>>>>>>>> First hour: Tour of new campus with emphasis on environmental sustainability components.
>>>>>>>>>
>>>>>>>>> Second hour: Time with 5-8 Toyota executives to discuss issues ranging from the state of the auto industry, development and deployment of alternative fuel vehicles, CAFE, California ZEV mandate and any other issues of interest to the Administrator.
>>>>>>>>>
>>>>>>>>> If needed, we could cut both segments down to 45 minutes.
>>>>>>>>>
>>>>>>>>> Thank you.
>>>>>>>>> Stephen
>>>>>>>>>
>>>>>>>>> Sent from my iPhone
>>>>>>>>>
>>>>>>>>>> On Aug 1, 2017, at 5:46 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>>>>>>>>>>
>>>>>>>>>> Can we lock in an afternoon visit? Mind putting a potential run of show together? I can get you an exact time tomorrow.
>>>>>>>>>>
>>>>>>>>>> Sent from my iPhone
>>>>>>>>>>
>>>>>>>>>>> On Aug 1, 2017, at 3:01 PM, Stephen Ciccone (TMNA) <stephen.ciccone@toyota.com> wrote:
>>>>>>>>>>>
>>>>>>>>>>> Any update?
>>>>>>>>>>>
>>>>>>>>>>> -----Original Message-----
>>>>>>>>>>> From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
>>>>>>>>>>> Sent: Monday, July 31, 2017 1:09 PM
>>>>>>>>>>> To: Morris, Madeline <morris.madeline@epa.gov>; Stephen Ciccone (TMNA) <stephen.ciccone@toyota.com>
>>>>>>>>>>> Cc: Hupp, Millan <hupp.millan@epa.gov>
>>>>>>>>>>> Subject: RE: Toyota visit -- need to finalize
>>>>>>>>>>>
>>>>>>>>>>> Hi Stephen! Is there a good number where I can give you a buzz?
>>>>>>>>>>>
>>>>>>>>>>> -----Original Message-----
>>>>>>>>>>> From: Morris, Madeline
>>>>>>>>>>> Sent: Monday, July 31, 2017 9:52 AM
>>>>>>>>>>> To: Stephen Ciccone (TMNA) <stephen.ciccone@toyota.com>
>>>>>>>>>>> Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>
>>>>>>>>>>> Subject: RE: Toyota visit -- need to finalize
>>>>>>>>>>>
>>>>>>>>>>> Hi Stephen,
>>>>>>>>>>>
>>>>>>>>>>> Thanks for being patient with us as we figure out the schedule. I believe we are set for the 10th, and we are planning on sometime in the morning. I wanted to loop in Tate Bennett she heads up our External Affairs and Millan Hupp who heads up our Advance and Scheduling. They will circle back with you for more details.
>>>>>>>>>>>
>>>>>>>>>>> I appreciate your help, and happy that we found something that worked!
>>>>>>>>>>>
>>>>>>>>>>> Best,
>>>>>>>>>>> Maddy
>>>>>>>>>>>
>>>>>>>>>>>
>>>>>>>>>>> Madeline Morris Executive Scheduler I Office of the Administrator I direct: 202-564-0844 I cell: Ex. 6
>>>>>>>>>>>
>>>>>>>>>>>
>>>>>>>>>>>
>>>>>>>>>>> -----Original Message-----
>>>>>>>>>>> From: Stephen Ciccone (TMNA) [mailto:stephen.ciccone@toyota.com]
>>>>>>>>>>> Sent: Saturday, July 29, 2017 8:32 AM
>>>>>>>>>>> To: Morris, Madeline <morris.madeline@epa.gov>

>>>>>>>>>> Subject: Toyota visit -- need to finalize
>>>>>>>>>>
>>>>>>>>>> Maddy,
>>>>>>>>>> I have some Toyota executives holding their calendars open for August 10 to host Administrator Pruitt. I'm not going to be able to keep the calendars held much longer. Can we finalize the date and time? We would very much like to host him. It's less than two weeks from now, so I'll need a time to be sure we can be proper hosts! Thanks.
>>>>>>>>>> Stephen

Message

From: Melisa Fuller [mfuller@NTMWD.COM]
Sent: 8/7/2017 6:38:13 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Tom Kula [tkula@NTMWD.COM]; Mike Rickman [mrickman@NTMWD.COM]; Leann Bumpus [lbumpus@NTMWD.COM]; Shawnna Helmberger [shelmberger@NTMWD.COM]; Janet Rummel [jrummel@NTMWD.COM]; Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]
Subject: [SPAM] RE: [SPAM] RE: [SPAM] RE: NTMWD Visit

Thank you!

Melisa Fuller, Executive Assistant
North Texas Municipal Water District
P.O. Box 2408 | 501 E. Brown Street | Wylie, TX 75098
Office: Ex. 6 | Fax: 972.295.6440 | Cell: Ex. 6
mfuller@ntmwd.com | www.ntmwd.com

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Cc: Tom Kula <tkula@NTMWD.COM>; Mike Rickman <mrickman@NTMWD.COM>; Leann Bumpus <lbumpus@NTMWD.COM>; Shawnna Helmberger <shelmberger@NTMWD.COM>; Janet Rummel <jrummel@NTMWD.COM>; Graham, Amy <graham.amy@epa.gov>
Subject: Re: [SPAM] RE: [SPAM] RE: NTMWD Visit

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Sent from my iPhone

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> mfuller@ntmwd.com | www.ntmwd.com

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Cc: Tom Kula <tkula@NTMWD.COM>; Mike Rickman <mrickman@NTMWD.COM>; Leann Bumpus <lbumpus@NTMWD.COM>; Shawnna Helmberger <shelmberger@NTMWD.COM>; Janet Rummel <jrummel@NTMWD.COM>
Subject: Re: [SPAM] RE: NTMWD Visit

Do you all mind providing us with a quote we can use for our press release after the meeting?

Sent from my iPhone

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> Ms. Bennett,
>
> The following individuals will be in attendance at the meeting scheduled this Thursday, August 10, 2017, at 9:00 a.m.:
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> - Tom Kula, Executive Director
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> - Billy George, Assistant Deputy Director
> - Janet Rummel, Public Relations and Communications Officer
> - Robert Thurmond, President, NTMWD Board of Directors
> - Terry Sam Anderson, Past President, NTMWD Board of Directors
> - Bill Lofland, Water Committee Chairman, NTMWD Board of Directors
>
> We will have an off-duty Wylie police officer on site also.
>
> Thanks,
>
> **Melisa Fuller, Executive Assistant**
> North Texas Municipal Water District
> P.O. Box 2408 | 501 E. Brown Street | Wylie, TX 75098
> Office: Ex. 6 | Fax: 972.295.6440 | Cell: Ex. 6
> mfuller@ntmwd.com | www.ntmwd.com

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To: bennett.tate@epa.gov
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Subject: NTMWD Visit

Ms. Bennett,

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Thank you,

Leann Bumpus
Executive Administrative Assistant
North Texas Municipal Water District
PO Box 2408 | 501 E Brown St | Wylie, TX 75098
Office: Ex. 6 || Cell: Ex. 6
lbumpus@ntmwd.com | www.ntmwd.com

Message

From: Stephen Ciccone (TMNA) [stephen.ciccone@toyota.com]
Sent: 8/14/2017 9:38:37 PM
To: Hewitt, James [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=41b19dd598d340bb8032923d902d4bd1-Hewitt, Jam]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: PHOTOS: Administrator Pruitt Takes State Action Tour to Texas - Preview

PROTECTED 関係者外秘

I was out of the country, but heard that the visit went very well. I hope that the Administrator found value in visiting our new HQ. Nice working with the two of you to arrange and promote.
Stephen

From: Hewitt, James [mailto:hewitt.james@epa.gov]
Sent: Thursday, August 10, 2017 4:38 PM
To: Stephen Ciccone (TMNA) <stephen.ciccone@toyota.com>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: PHOTOS: Administrator Pruitt Takes State Action Tour to Texas - Preview

We will be sending this out shortly.

From: EPA Press Office [mailto:press=epa.gov@cmail20.com] **On Behalf Of** EPA Press Office
Sent: Thursday, August 10, 2017 4:35 PM
To: Hewitt, James <hewitt.james@epa.gov>
Subject: PHOTOS: Administrator Pruitt Takes State Action Tour to Texas - Preview

Contact Information: press@epa.gov

PHOTOS: Administrator Pruitt Takes State Action Tour to Texas

DALLAS (August 10, 2017) - U.S. EPA Administrator Scott Pruitt capped off his week-long state swing in Texas today, marking his 10th state visit in four weeks as part of EPA's state action tour. For his first stop, Administrator Pruitt toured Toyota's new headquarters in Plano.

"EPA is always interested in seeing environmentally-friendly business practices first hand," **said EPA Administrator Pruitt**. "We celebrate companies who incorporate innovative and sustainable business practices into their growing companies."

"We were pleased to show Administrator Pruitt our new headquarters in Plano, TX and to highlight the environmental sustainability aspects of the new facility, **said Chris Reynolds, Executive Vice President, Toyota Motor North America**. "Toyota previously

announced it will invest $10 billion over the next five years in the U. S., and the new headquarters is just one of those commitments to help grow American jobs. We appreciate the opportunity to showcase our new Plano headquarters where we will soon have 4,000 team members working in a more collaborative way in order to better serve our customers."

Administrator Pruitt also met with the current and former leadership of the Dallas Builders Association while he was in Texas to discuss environmental issues around developing new projects in the North Texas area.

"We feel like it is important for us to get out, into the states and talk directly with local people and businesses about how EPA regulations affect them. What we are hearing is that people deeply care about the environment and want sensible regulations that allow them to grow their businesses and create local jobs, without unnecessarily and costly regulatory burdens," **said Administrator Pruitt.**

"The Dallas Builders Association commends EPA Administrator Pruitt for holding this roundtable in Dallas to get direct feedback from home builders and developers who are affected by burdensome regulations that raise the cost of housing and harm small businesses," **said Dallas BA President Michael Turner.** "The nation's home builders support the administrator's efforts to enact a revised waters of the U.S. rule that will protect the environment without adding unnecessary regulatory burdens that will hurt housing and other industries in Texas that rely on a predictable permitting process."

Earlier today, Administrator Pruitt joined WBAP Morning News. The interview can be heard here:

http://www.wbap.com/2017/08/10/morning-news-epa-chief-scott-pruitt-interview/

EPA Administrator Scott Pruitt (second from left) speaks with Toyota's Tom Stricker (left), Chris Reynolds (second from right), and Doug Beebe (right).

EPA Administrator Scott Pruitt (right) tours Toyota in Plano, Texas with Toyota's Tom Stricker (left), Doug Beebe (second from left), and Kevin Butt (right).

EPA Administrator Scott Pruitt greets members of the Dallas Builders Association.

EPA Administrator Scott Pruitt addresses the Dallas Builders Association.

Visit The EPA's Newsroom

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

Unsubscribe

Message

From: Melisa Fuller [mfuller@NTMWD.COM]
Sent: 8/9/2017 6:29:27 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Tom Kula [tkula@NTMWD.COM]; Mike Rickman [mrickman@NTMWD.COM]; Leann Bumpus [lbumpus@NTMWD.COM]; Shawnna Helmberger [shelmberger@NTMWD.COM]; Janet Rummel [jrummel@NTMWD.COM]
Subject: [SPAM] RE: NTMWD Visit

Ms. Bennett,

We wanted to let you know that we heard Jason Ross from Congressman Ratcliffe's office would also be in attendance tomorrow.

Please let us know once you confirm the meeting room location at Toyota Headquarters.

Thank you!

Melisa Fuller, Executive Assistant
North Texas Municipal Water District
P.O. Box 2408 | 501 E. Brown Street | Wylie, TX 75098
Office: Ex. 6 | Fax: 972.295.6440 | Cell: Ex. 6
mfuller@ntmwd.com | www.ntmwd.com

ATTENTION NTMWD BOARD MEMBERS: Please "Reply" only to the sender. A "Reply to All" to this e-mail could lead to violations of the Texas Open Meetings Act.

From: Melisa Fuller
Sent: Monday, August 07, 2017 11:40 AM
To: bennett.tate@epa.gov
Cc: Tom Kula (tkula@ntmwd.com) <tkula@NTMWD.COM>; Mike Rickman (mrickman@ntmwd.com) <mrickman@NTMWD.COM>; Leann Bumpus (lbumpus@NTMWD.COM) <lbumpus@NTMWD.COM>; Shawnna Helmberger <shelmberger@ntmwd.com>; Janet Rummel (jrummel@ntmwd.com) <jrummel@NTMWD.COM>
Subject: RE: NTMWD Visit

Ms. Bennett,

The following individuals will be in attendance at the meeting scheduled this Thursday, August 10, 2017, at 9:00 a.m.:

- Tom Kula, Executive Director
- Joe Stankiewicz, Deputy Director
- Judd Sanderson, Deputy Director
- Mike Rickman, Deputy Director
- Billy George, Assistant Deputy Director
- Janet Rummel, Public Relations and Communications Officer
- Robert Thurmond, President, NTMWD Board of Directors
- Terry Sam Anderson, Past President, NTMWD Board of Directors
- Bill Lofland, Water Committee Chairman, NTMWD Board of Directors

We will have an off-duty Wylie police officer on site also.

Thanks,

Melisa Fuller, Executive Assistant
North Texas Municipal Water District
P.O. Box 2408 | 501 E. Brown Street | Wylie, TX 75098
Office: Ex. 6 | Fax: 972.295.6440 | Cell: Ex. 6
mfuller@ntmwd.com | www.ntmwd.com

***ATTENTION NTMWD BOARD MEMBERS:** Please "Reply" only to the sender. A "Reply to All" to this e-mail could lead to violations of the Texas Open Meetings Act.*

From: Leann Bumpus
Sent: Friday, August 04, 2017 10:57 AM
To: bennett.tate@epa.gov
Cc: Tom Kula <tkula@NTMWD.COM>; Mike Rickman <mrickman@NTMWD.COM>
Subject: NTMWD Visit

Ms. Bennett,

Executive Director, Tom Kula and Deputy Director, Mike Rickman look forward to hosting the EPA on August 10th at 9:00 a.m. Mr. Kula would like to speak with you once you have phone reception. His cell number is Ex. 6

Thank you,

Leann Bumpus
Executive Administrative Assistant
North Texas Municipal Water District
PO Box 2408 | 501 E Brown St | Wylie, TX 75098
Office: Ex. 6 | Cell: Ex. 6
lbumpus@ntmwd.com | www.ntmwd.com

Message

From: Janet Rummel [jrummel@NTMWD.COM]
Sent: 8/10/2017 2:20:26 PM
To: Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: [SPAM] Re: [SPAM] Re: NTMWD Visit

Amy, here is contact who reached out to our media consultant this morning:

Giles Hudson, assignments editor at KTVT CBS 11. His number is Ex. 6

Janet

> On Aug 10, 2017, at 8:55 AM, Graham, Amy <graham.amy@epa.gov> wrote:
>
> Do you have the reporters name, media outlet and contact info?

Message

From: Graham, Amy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=26722DFDE5B34925B0AD9A8DD4AFF308-GRAHAM, AMY]
Sent: 8/10/2017 1:55:48 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Janet Rummel [jrummel@NTMWD.COM]
Subject: Re: [SPAM] Re: NTMWD Visit

Do you have the reporters name, media outlet and contact info?

Sent from my iPhone

On Aug 10, 2017, at 8:52 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> Thanks for the heads up
>
> Sent from my iPhone
>
> On Aug 10, 2017, at 8:37 AM, Janet Rummel <jrummel@NTMWD.COM> wrote:
>
> > Ms. Bennett,
> > Our media consultant received a call this morning saying they received a tip that EPA was meeting at the NTMWD offices this morning. He said there is no meeting at our office today and that he would need to contact EPA for info about your schedule.
> >
> > Thanks,
> > Janet
> >
> > On Aug 9, 2017, at 2:38 PM, Melisa Fuller <mfuller@NTMWD.COM> wrote:
> >
> > > Ms. Bennett,
> > >
> > > As a follow-up to your email below, please see the following quote for the press release following the meeting tomorrow:
> > >
> > > "The North Texas Municipal Water District appreciates the opportunity to brief EPA Administrator Pruitt on the status of planning for the Lower Bois d'Arc Creek Reservoir, a vital water supply project for North Texas," said Tom Kula, Executive Director of NTMWD. "For the past 10 years, we have been working diligently with the EPA and other agencies to ensure all applicable environmental and other regulatory requirements are met. Final approval and construction of this reservoir is absolutely critical to meeting future water needs of the rapidly growing region served by our District," Kula added.
> > >
> > > Thanks,
> > >
> > > **Melisa Fuller, Executive Assistant**
> > > North Texas Municipal Water District
> > > P.O. Box 2408 | 501 E. Brown Street | Wylie, TX 75098
> > > Office: Ex. 6 | Fax: 972.295.6440 | Cell: Ex. 6
> > > mfuller@ntmwd.com | www.ntmwd.com

***ATTENTION NTMWD BOARD MEMBERS:** Please "Reply" only to the sender. A "Reply to All" to this e-mail could lead to violations of the Texas Open Meetings Act.*

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, August 07, 2017 11:46 AM
To: Melisa Fuller <mfuller@NTMWD.COM>
Cc: Tom Kula <tkula@NTMWD.COM>; Mike Rickman <mrickman@NTMWD.COM>; Leann Bumpus <lbumpus@NTMWD.COM>; Shawnna Helmberger <shelmberger@NTMWD.COM>; Janet Rummel <jrummel@NTMWD.COM>
Subject: Re: [SPAM] RE: NTMWD Visit

Do you all mind providing us with a quote we can use for our press release after the meeting?

Sent from my iPhone

On Aug 7, 2017, at 11:40 AM, Melisa Fuller <mfuller@NTMWD.COM> wrote:

> Ms. Bennett,
>
> The following individuals will be in attendance at the meeting scheduled this Thursday, August 10, 2017, at 9:00 a.m.:
>
> - <!--[if !supportLists]--><!--[endif]-->Tom Kula, Executive Director
> - <!--[if !supportLists]--><!--[endif]-->Joe Stankiewicz, Deputy Director
> - <!--[if !supportLists]--><!--[endif]-->Judd Sanderson, Deputy Director
> - <!--[if !supportLists]--><!--[endif]-->Mike Rickman, Deputy Director
> - <!--[if !supportLists]--><!--[endif]-->Billy George, Assistant Deputy Director
> - <!--[if !supportLists]--><!--[endif]-->Janet Rummel, Public Relations and Communications Officer
> - <!--[if !supportLists]--><!--[endif]-->Robert Thurmond, President, NTMWD Board of Directors
> - <!--[if !supportLists]--><!--[endif]-->Terry Sam Anderson, Past President, NTMWD Board of Directors
> - <!--[if !supportLists]--><!--[endif]-->Bill Lofland, Water Committee Chairman, NTMWD Board of Directors

We will have an off-duty Wylie police officer on site also.

Thanks,

Melisa Fuller, Executive Assistant
North Texas Municipal Water District
P.O. Box 2408 | 501 E. Brown Street | Wylie, TX 75098
Office: Ex. 6 Fax: 972.295.6440 | Cell: Ex. 6
mfuller@ntmwd.com | www.ntmwd.com

ATTENTION NTMWD BOARD MEMBERS: Please "Reply" only to the sender. A "Reply to All" to this e-mail could lead to violations of the Texas Open Meetings Act.

From: Leann Bumpus
Sent: Friday, August 04, 2017 10:57 AM
To: bennett.tate@epa.gov
Cc: Tom Kula <tkula@NTMWD.COM>; Mike Rickman <mrickman@NTMWD.COM>
Subject: NTMWD Visit

Ms. Bennett,

Executive Director, Tom Kula and Deputy Director, Mike Rickman look forward to hosting the EPA on August 10th at 9:00 a.m. Mr. Kula would like to speak with you once you have phone reception. His cell number is Ex. 6 Ex. 6

Thank you,

Leann Bumpus
Executive Administrative Assistant
North Texas Municipal Water District
PO Box 2408 | 501 E Brown St | Wylie, TX 75098
Office: Ex. 6 Cell: Ex. 6
lbumpus@ntmwd.com | www.ntmwd.com

Message

From: Kim Rubin (TMNA) [kim.rubin@toyota.com]
Sent: 8/9/2017 1:53:57 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: EPA Pruitt Visit to Toyota HQ

Thank you, Tate

-----Original Message-----
From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, August 9, 2017 9:51 AM
To: Kim Rubin (TMNA) <kim.rubin@toyota.com>
Subject: Re: EPA Pruitt Visit to Toyota HQ

Ex. 6

Sent from my iPhone

> On Aug 9, 2017, at 8:41 AM, Kim Rubin (TMNA) <kim.rubin@toyota.com> wrote:
>
> Good morning Tate,
>
> Could you provide me with a cell number just in case we needed to contact you tomorrow? From Toyota, please keep Tom Stricker's cell phone handy Ex. 6 in case you have any delays. Also, here is the list of those attending the meeting tomorrow from Toyota:
>
> Chris Reynolds- Executive VP-Corporate Resources, TMNA and Managing Officer & General Counsel, TMC
> Doug Murtha- Group VP Strategic Planning, TMNA
> Tom Stricker- VP Product Regulatory Affairs, TMNA
> Kevin Butt- GM Environmental Sustainability, TMNA
> Doug Beebe- GM NA Real Estate & Facilities/Corporate Security and Fire Services Team
> Sandy Waddell- Managing Counsel, TMNA Regulatory
> Kim Udovic- Asst. General Counsel, TMNA Regulatory
>
> Thank you,
> Kim
>
> Kim Rubin
> Executive Assistant to Stephen Ciccone TOYOTA MOTOR NORTH AMERICA
> Government Affairs Office
> 325 7th Street, NW, Suite 1000
> Washington, DC 20004
> W:
> C: Ex. 6
> E: kim.rubin@toyota.com
>
>
>
>
>
>
>
>
>
>
> -----Original Message-----
> From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> Sent: Monday, August 7, 2017 1:49 PM
> To: Kim Rubin (TMNA) <kim.rubin@toyota.com>
> Cc: McMurray, Forrest <mcmurray.forrest@epa.gov>; Hupp, Millan
> <hupp.millan@epa.gov>
> Subject: Re: EPA Pruitt Visit to Toyota HQ
>
> Myself with Industry and Public Engagement, Sam Dravis who heads policy, and Lincoln Ferguson who is a senior advisor.
>
> Sent from my iPhone
>
>> On Aug 7, 2017, at 12:46 PM, Kim Rubin (TMNA) <kim.rubin@toyota.com> wrote:
>>

>> Hello Tate,
>>
>> When you have a moment can you send me the list and titles of those who will be accompanying Secretary Pruitt to Toyota?
>>
>> Thank you,
>> Kim
>>
>> Kim Rubin
>> Executive Assistant to Stephen Ciccone TOYOTA MOTOR NORTH AMERICA
>> Government Affairs Office
>> 325 7th Street, NW, Suite 1000
>> Washington, DC 20004
>> W:
>> C: Ex. 6
>> E: kim.rubin@toyota.com
>>
>>
>>
>> -----Original Message-----
>> From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
>> Sent: Monday, August 7, 2017 12:46 PM
>> To: Stephen Ciccone (TMNA) <stephen.ciccone@toyota.com>
>> Cc: Hupp, Millan <hupp.millan@epa.gov>; Kim Rubin (TMNA)
>> <kim.rubin@toyota.com>; McMurray, Forrest <mcmurray.forrest@epa.gov>
>> Subject: Re: Toyota visit -- need to finalize
>>
>> Do you all mind providing us with a quote we can use for our press release after the meeting?
>>
>> Sent from my iPhone
>>
>>> On Aug 2, 2017, at 4:49 PM, Stephen Ciccone (TMNA) <stephen.ciccone@toyota.com> wrote:
>>>
>>> We will hold off on food. My EA, Kim Rubin, copied here, will arrange the walk through. No problem.
>>>
>>> Sent from my iPhone
>>>
>>>> On Aug 2, 2017, at 10:39 PM, Hupp, Millan <hupp.millan@epa.gov> wrote:
>>>>
>>>> Stephen -- good afternoon. This timeline and rough agenda looks great.
>>>>
>>>> To Tate's point, the Administrator often will not eat at meetings but of course would take no offense to your bringing in lunch for the rest of the group. We shall leave that up to you.
>>>>
>>>> My colleague Forrest, copied here, will travel into Dallas on Wednesday, the 9th and will likely reach out to you in hopes of scheduling a time to do a walk-through of the location.
>>>>
>>>> Kindly let us know if there are any outstanding items we can address for you at this time. We look forward to meeting you next week.
>>>>
>>>> Thank you so much,
>>>> Millan
>>>>
>>>> Sent from my iPhone
>>>>
>>>>> On Aug 2, 2017, at 5:48 AM, Stephen Ciccone (TMNA) <stephen.ciccone@toyota.com> wrote:
>>>>>
>>>>> 6565 Headquarters Drive. Plano, TX.
>>>>>
>>>>> Sent from my iPhone
>>>>>
>>>>>> On Aug 2, 2017, at 10:32 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>>>>>>
>>>>>> May we have an exact address?
>>>>>>
>>>>>> Sent from my iPhone
>>>>>>
>>>>>>> On Aug 1, 2017, at 8:01 PM, Stephen Ciccone (TMNA) <stephen.ciccone@toyota.com> wrote:
>>>>>>>
>>>>>>> Ok. We will make that call later. Our folks won't starve if they have to wait until 1PM for lunch. We just don't want to be rude hosts.
>>>>>>>
>>>>>>> Sent from my iPhone
>>>>>>>
>>>>>>>> On Aug 1, 2017, at 7:51 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>>>>>>>>
>>>>>>>> Hmm I think that would be fine but he doesn't do working lunches if he's speaking....but others could!

>>>>>>>>
>>>>>>>> Sent from my iPhone
>>>>>>>>
>>>>>>>> On Aug 1, 2017, at 7:44 PM, Stephen Ciccone (TMNA) <stephen.ciccone@toyota.com> wrote:
>>>>>>>>
>>>>>>>> Agree on the press. Fine on the 45 minute blocks. Will get back to you on 11am start. If we do that time, can/should we add a casual lunch?
>>>>>>>>
>>>>>>>> Sent from my iPhone
>>>>>>>>
>>>>>>>> On Aug 1, 2017, at 7:36 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>>>>>>>>
>>>>>>>> I think the 45 min each might be best. Is there a chance we can bump to 11 AM instead? Also, we'd ask you keep this a private event, closed to press.
>>>>>>>>
>>>>>>>> Sent from my iPhone
>>>>>>>>
>>>>>>>> On Aug 1, 2017, at 6:32 PM, Stephen Ciccone (TMNA) <stephen.ciccone@toyota.com> wrote:
>>>>>>>>
>>>>>>>> Yes, we can lock in the afternoon of August 10.
>>>>>>>>
>>>>>>>> Run of show proposal (happy to edit if you guys have
>>>>>>>> something else in mind)
>>>>>>>>
>>>>>>>> First hour: Tour of new campus with emphasis on environmental sustainability components.
>>>>>>>>
>>>>>>>> Second hour: Time with 5-8 Toyota executives to discuss issues ranging from the state of the auto industry, development and deployment of alternative fuel vehicles, CAFE, California ZEV mandate and any other issues of interest to the Administrator.
>>>>>>>>
>>>>>>>> If needed, we could cut both segments down to 45 minutes.
>>>>>>>>
>>>>>>>> Thank you.
>>>>>>>> Stephen
>>>>>>>>
>>>>>>>> Sent from my iPhone
>>>>>>>>
>>>>>>>> On Aug 1, 2017, at 5:46 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>>>>>>>>
>>>>>>>> Can we lock in an afternoon visit? Mind putting a potential run of show together? I can get you an exact time tomorrow.
>>>>>>>>
>>>>>>>> Sent from my iPhone
>>>>>>>>
>>>>>>>> On Aug 1, 2017, at 3:01 PM, Stephen Ciccone (TMNA) <stephen.ciccone@toyota.com> wrote:
>>>>>>>>
>>>>>>>> Any update?
>>>>>>>>
>>>>>>>> -----Original Message-----
>>>>>>>> From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
>>>>>>>> Sent: Monday, July 31, 2017 1:09 PM
>>>>>>>> To: Morris, Madeline <morris.madeline@epa.gov>; Stephen
>>>>>>>> Ciccone (TMNA) <stephen.ciccone@toyota.com>
>>>>>>>> Cc: Hupp, Millan <hupp.millan@epa.gov>
>>>>>>>> Subject: RE: Toyota visit -- need to finalize
>>>>>>>>
>>>>>>>> Hi Stephen! Is there a good number where I can give you a buzz?
>>>>>>>>
>>>>>>>> -----Original Message-----
>>>>>>>> From: Morris, Madeline
>>>>>>>> Sent: Monday, July 31, 2017 9:52 AM
>>>>>>>> To: Stephen Ciccone (TMNA) <stephen.ciccone@toyota.com>
>>>>>>>> Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Hupp, Millan
>>>>>>>> <hupp.millan@epa.gov>
>>>>>>>> Subject: RE: Toyota visit -- need to finalize
>>>>>>>>
>>>>>>>> Hi Stephen,
>>>>>>>>
>>>>>>>> Thanks for being patient with us as we figure out the schedule. I believe we are set for the 10th, and we are planning on sometime in the morning. I wanted to loop in Tate Bennett she heads up our External Affairs and Millan Hupp who heads up our Advance and Scheduling. They will circle back with you for more details.
>>>>>>>>
>>>>>>>> I appreciate your help, and happy that we found something that worked!
>>>>>>>>
>>>>>>>> Best,
>>>>>>>> Maddy
>>>>>>>>

>>>>>>>>>>>>>
>>>>>>>>>>>>> Madeline Morris Executive Scheduler I Office of the
>>>>>>>>>>>>> Administrator I direct: 202-564-0844 I cell: Ex. 6
>>>>>>>>>>>>>
>>>>>>>>>>>>>
>>>>>>>>>>>>>
>>>>>>>>>>>>> -----Original Message-----
>>>>>>>>>>>>> From: Stephen Ciccone (TMNA)
>>>>>>>>>>>>> [mailto:stephen.ciccone@toyota.com]
>>>>>>>>>>>>> Sent: Saturday, July 29, 2017 8:32 AM
>>>>>>>>>>>>> To: Morris, Madeline <morris.madeline@epa.gov>
>>>>>>>>>>>>> Subject: Toyota visit -- need to finalize
>>>>>>>>>>>>>
>>>>>>>>>>>>> Maddy,
>>>>>>>>>>>>> I have some Toyota executives holding their calendars open for August 10 to host Administrator Pruitt. I'm not going to be able to keep the calendars held much longer. Can we finalize the date and time? We would very much like to host him. It's less than two weeks from now, so I'll need a time to be sure we can be proper hosts! Thanks.
>>>>>>>>>>>>> Stephen

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 6/26/2018 11:02:50 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Annie Dwyer [Annie.Dwyer@cei.org]
Subject: RE: Memo CWA section 404(c) regs 06-26-2018.pdf

Thanks, Tate. When does it go public? Yours, Myron.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct:
Tel mobile: Ex. 6
E-mail: Myron.Ebell@cei.org
Stop continental drift!

-----Original Message-----
From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, June 26, 2018 6:41 PM
To: Myron Ebell <Myron.Ebell@cei.org>
Cc: Annie Dwyer <Annie.Dwyer@cei.org>
Subject: Memo CWA section 404(c) regs 06-26-2018.pdf

Message

From: Rusty Ashcraft [Rusty.Ashcraft@arlp.com]
Sent: 7/6/2017 5:32:52 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: Lexington group with Administrator, July 12

Sorry....I'm checking now....I hate surprises too!

Sent from my iPad

On Jul 6, 2017, at 12:12 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

CAUTION: This is an email from an external sender. Use caution when clicking on links, opening attachments or responding.

What is this?

From: Bob Babbage [mailto:bob@babbagecofounder.com]
Sent: Thursday, July 6, 2017 12:10 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Lexington group with Administrator, July 12

Tate,

We have a special recognition for the Administrator when he speaks to the Commerce Lexington group at EPA on July 12.

Hoping you will be with him?

Thank you!

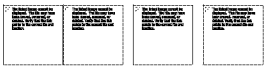
Bob

Cofounder
BOB BABBAGE

Bob Babbage
Leading Lobbyist

Mobile: Ex. 6
Direct: Ex. 6
Web: BabbageCofounder.com

Lexington • Frankfort • Louisville
NKY/Cincinnati • Washington, D.C.



Message

From: Andi Johnson [ajohnson@commercelexington.com]
Sent: 7/6/2017 11:30:51 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Rusty.Ashcraft@arlp.com; Morris, Madeline [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f42c86b4a2044779972ac94e098f0304-Morris, Mad]
Subject: RE: Commerce Lex EPA Meeting - List of Attendees & Questions about Agenda
Attachments: EPA Meeting.xlsx

Hi Tate and Maddy,

Attached is the updated attendee list (37) as of today. The agenda you laid out is fine with us. I'm at my desk all day tomorrow so I'll give you a call. You and Rusty may have spoken this afternoon too. But, I'd like to reach out as well just to make sure we're all set. We can discuss the agenda, the questions, the Babbage gift and any other details. Thanks for all your help!

Andi

Andi Johnson
Chief Policy Officer & Director of Regional Engagement
Commerce Lexington, Inc.
Office:
Mobile Ex. 6
Email: ajohnson@commercelexington.com



From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, July 06, 2017 12:20 PM
To: Andi Johnson <ajohnson@commercelexington.com>
Cc: Rusty.Ashcraft@arlp.com; Morris, Madeline <morris.madeline@epa.gov>
Subject: RE: Commerce Lex EPA Meeting - List of Attendees & Questions about Agenda

Hey Andi!

Thanks for sending this. Sydney moved home to OK, so email Maddy (cc'd) from now on for scheduling requests.

We would like to do a roundtable and he can kick off with an overview of what we are working on, and maybe leave time for one or two follow up questions. I'd love to speak with you or Rusty about that in advance pre-meeting Ex. 6 Ex. 6 when you have the time.

Also, what is the award Bob Babbage is talking about? Cabinet officials legally cannot accept most "awards" per EPA's counsel so I wanted to get some information on that. I know he'd be very appreciative, but I wanted to flesh that out with you first so as to avoid an embarrassing situation on our end where he may be offered an award he cannot legally accept! Thanks for your understanding there.

Thanks!

Tate

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

From: Andi Johnson [mailto:ajohnson@commercelexington.com]
Sent: Wednesday, July 5, 2017 5:37 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Rusty.Ashcraft@arlp.com
Subject: Commerce Lex EPA Meeting - List of Attendees & Questions about Agenda

Hi Tate,

Sorry for the delay. Attached is the list of Commerce Lexington's confirmed attendees (35) for the meeting with Administrator Pruitt on Wed, July 12 at 2:30 pm at the EPA. I'm waiting to hear back from Dave Moss and two mining companies. So, we might get as high as 38. As you can see, we will have a diverse delegation with representatives from coal, utilities, natural gas and other businesses concerned about regulatory impacts on low cost energy in Kentucky. I will send the final list to Sydney Hupp and Cheryl Woodward tomorrow. Cheryl has sent us detailed directions for entering the building and going through security. She said she would be onsite to help guide us to the room location. I will include you on my correspondence with them tomorrow.

We are finalizing our policy priorities tomorrow morning so I will provide you with the detailed sections related to energy and environment issues. Some topics the group would like to discuss include:

- Overview of the EPA's overall regulatory approach and strategies
    - Support efforts to eliminate overly burdensome or duplicative environmental or energy regulatory primacy across agencies/states
    - Support review process of all MOU's, MOA's related to environmental issues
    - Support eliminating the use of guidance documents as requirements
    - Support providing states with maximum flexibility in managing programs
- Update on implementation of 111 (b) and 111 (d) of the Clean Air Act
- Update on Waters of the US
- Update on Mercury Air Toxins Rule
- Timetable for regional administrator appointments

In terms of the meeting agenda, does Administrator Pruitt have a preference on how the meeting flows? Rusty and I were thinking it may be beneficial for this be an informal roundtable discussion. I thought Rusty could introduce Administrator Pruitt to the group and kick-off the discussion with a couple of questions to him. Then, Rusty and I can be prepared with questions to help guide the discussion – or open it up to Q&A with attendees. Would you like for us to prepare a meeting agenda? We're happy to do whatever works best and defer to your guidance.

Thanks for all your help. We are looking forward to the visit.

Andi

Andi Johnson
Chief Policy Officer & Director of Regional Engagement

Commerce Lexington, Inc.
Office: [redacted]
Mobile: [redacted]
Email: ajohnson@commercelexington.com

Ex. 6



Disclaimer

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Raymond	Ashcraft	Alliance Coal, LLC	Manager, Environmental Affairs & Permitting
Bob	Babbage	Babbage Cofounder	National Managing Partner
Julie	Babbage	Babbage Cofounder	Director
Laura	Babbage	Babbage Cofounder	Manager
Lourdes	Baez	Baptist Health Lexington	Government Affairs
Carla	Blanton	Carla Blanton Consulting	President
Laura	Boison	BB&T	SVP
Steve	Collins	Bluegrass Station	Director
William	Downey	RJ Corman Railroad Group	Government Relations
Larry	Ferguson	KCTCS	Vice President
David	Freibert Jr.	LG&E & KU Energy	Director of External Affairs
Pat	Gradek	Foam Design	President
Charlie	Grizzle	East Kentucky Power Cooperative, Inc.	Contract Lobbyist
Andrew	Henderson	Lexington Clinic	CEO
Hannah	Hodges	KCTCS	Chief of Staff
Lauren	Hogan	Babbage Cofounder	Project Manager
Pamela	Jenkins	Kentucky Blood Center	Contract Lobbyist
Andi	Johnson	Commerce Lexington	Public Policy VP
Brian	Leary	Sargent & Greenleaf, Inc.	President & COO
Eric	Lycan	Dinsmore	Attorney
Brack	Marquette	Columbia Gas of Kentucky	Government Relations
Barry	Mayfield	East Kentucky Power Cooperative, Inc.	VP Strategic Planning/External Affairs
Kim	Menke	Toyota Motor North America	Regional Director Government Affairs
Jonathan	Miller	Frost Brown Todd	Member in Charge
Herb	Miller	Columbia Gas of Kentucky	President
Louis	Prichard	Kentucky Bank	President & CEO
Bill	Reed	Kentucky Blood Center	President
Andre	Regard	Regard Law Group	Attorney
Taylor	Sawyer	Big Ass Solutions	Government Affairs Director
Dave	Sevigny	DMD Data Systems Inc	COO
Kevin	Smith	Beam Suntory	Government Affairs
Emory	Thompson	Babbage Cofounder	
Tyler	White	Kentucky Coal Association	President
Kevin	Courtois	US Chamber of Commerce	Regional Director Government Affairs
Luther	Deaton	Central Bank	Board Chairman
Chauncey	Morris	Kentucky Thoroughbred Association	Executive Director
John	Cooper	Capital Link Associates	Contract Lobbyist (Toyota, Amazon)

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hamiller@nisource.com
louis.prichard@kybank.com
wreed@kybloodcenter.org
aregard@regardlaw.com
tsawyer@bigasssolutions.com
dsevigny@dmddatasystems.com
kevin.smith@beamsuntory.com

Twhite@kentuckycoal.com

Message

From: Hupp, Sydney [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D50089FF1A5B4C83BAA0160AFE2C33CB-HUPP, SYDNE]
Sent: 5/22/2017 7:12:19 PM
To: Andi Johnson [ajohnson@commercelexington.com]; Rusty Ashcraft [Rusty.Ashcraft@arlp.com]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Dickerson, Aaron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d0440d9f06994021827e0d0119126799-Dickerson,]
Subject: RE: email introduction re: July scheduling request with EPA Administrator Pruitt

1:30 works!

Sydney Hupp
Executive Scheduler
Office of the Administrator
Ex. 6 (c)

From: Andi Johnson [mailto:ajohnson@commercelexington.com]
Sent: Monday, May 22, 2017 10:45 AM
To: Hupp, Sydney <hupp.sydney@epa.gov>; Rusty Ashcraft <Rusty.Ashcraft@arlp.com>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>
Subject: RE: email introduction re: July scheduling request with EPA Administrator Pruitt

Sydney,

Would it be possible to meet at EPA on Thursday, July 13 anytime after 1:30 pm? Would that still be an option?

I received scheduling requests back from Sen. McConnell and Sen. Paul and they've requested our group meet with them mid-morning through lunch on Thursday at the Capitol.

If it's easier to speak by phone, please let me know a good time to give you a call.

Andi

Andi Johnson
Chief Policy Officer & Director of Regional Engagement
Commerce Lexington, Inc.
Office: Ex. 6
Mobile
Email: ajohnson@commercelexington.com



From: Hupp, Sydney [mailto:hupp.sydney@epa.gov]
Sent: Monday, May 15, 2017 3:39 PM

To: Andi Johnson <ajohnson@commercelexington.com>; Rusty Ashcraft <Rusty.Ashcraft@arlp.com>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>
Subject: RE: email introduction re: July scheduling request with EPA Administrator Pruitt

We would love to host you at the EPA on July 13th! Mid-morning sound okay? Very flexible on timing. Are you wanting it to be a meeting or set up for him to speak?

Thank you!

Sydney Hupp
Executive Scheduler
Office of the Administrator
Ex. 6 (c)

From: Andi Johnson [mailto:ajohnson@commercelexington.com]
Sent: Friday, May 12, 2017 5:26 PM
To: Hupp, Sydney <hupp.sydney@epa.gov>; Rusty Ashcraft <Rusty.Ashcraft@arlp.com>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>
Subject: RE: email introduction re: July scheduling request with EPA Administrator Pruitt

Sydney,

Great news! Right now, our schedule on Wednesday, July 12 and Thursday, July 13 is flexible. I've sent speaking requests to all the Kentucky delegation offices and to Secretary Chao. I'm waiting to hear back from them.

We have space reserved in the Capitol Visitors Center for both days from 9:00 am to 3:00 pm.

Is there a time that you think would be better for Mr. Pruitt? Would he be traveling to us in the CVC or would you prefer our group hear from him at EPA?

Andi

Andi Johnson
Chief Policy Officer & Director of Regional Engagement
Commerce Lexington, Inc.
Office:
Mobile Ex. 6
Email: ajohnson@commercelexington.com



From: Hupp, Sydney [mailto:hupp.sydney@epa.gov]
Sent: Friday, May 12, 2017 1:15 PM
To: Andi Johnson <ajohnson@commercelexington.com>; Rusty Ashcraft <Rusty.Ashcraft@arlp.com>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>
Subject: RE: email introduction re: July scheduling request with EPA Administrator Pruitt

Thank you all. It looks like this is something we can move forward on getting set up. Is there a specific time that day that we should be looking at?

Thank you!

Sydney Hupp
Executive Scheduler
Office of the Administrator
Ex. 6 (c)

From: Andi Johnson [mailto:ajohnson@commercelexington.com]
Sent: Thursday, May 11, 2017 4:35 PM
To: Rusty Ashcraft <Rusty.Ashcraft@arlp.com>; Hupp, Sydney <hupp.sydney@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: email introduction re: July scheduling request with EPA Administrator Pruitt

Thank you, Sydney and Rusty. If there are any questions about the event, please feel free to reach out to me for more information.

I hope we're able to work this out!

Andi Johnson
Chief Policy Officer & Director of Regional Engagement
Commerce Lexington, Inc.
Office:
Mobile Ex. 6
Email: ajohnson@commercelexington.com



From: Rusty Ashcraft [mailto:Rusty.Ashcraft@arlp.com]
Sent: Thursday, May 11, 2017 2:01 PM
To: Hupp, Sydney <hupp.sydney@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Andi Johnson <ajohnson@commercelexington.com>
Subject: RE: email introduction re: July scheduling request with EPA Administrator Pruitt

Sydney

I hope you are well. Do you have any update on the appearance request by Commerce Lexington for Administrator Pruitt?

Thanks Rusty

From: Rusty Ashcraft
Sent: Thursday, April 13, 2017 10:48 AM
To: 'Hupp, Sydney'

Cc: Bennett, Tate; Witt, Ethan (McConnell); Conner, Katelyn (McConnell); ajohnson@commercelexington.com
Subject: RE: email introduction re: July scheduling request with EPA Administrator Pruitt

Sydney

Thank you. I have attached the completed form. Please let me know if there are questions? Also, feel to invite the Administrator, Tate, et al to the Kentuckians in Washington Event at Union Station on July 12 from 6-7:30.

Thanks

Rusty Ashcraft
Manager, Government Affairs & Environmental Policy
Alliance Coal, LLC
1146 Monarch Street
Lexington, KY 40513
Office: Ex. 6
Cell: Ex. 6

From: Hupp, Sydney [mailto:hupp.sydney@epa.gov]
Sent: Wednesday, April 12, 2017 3:34 PM
To: Rusty Ashcraft
Cc: Bennett, Tate; Witt, Ethan (McConnell); Conner, Katelyn (McConnell)
Subject: RE: email introduction re: July scheduling request with EPA Administrator Pruitt

CAUTION: This is an email from an external sender. Use caution when clicking on links, opening attachments or responding.

Thank you! Rusty, I have attached a meeting request form. Would you please fill it out at your convenience and send back? Please let me know if you have any questions on it!

Thank you!

Sydney Hupp
Office of the Administrator- Scheduling
Ex. 6

From: Rusty Ashcraft [mailto:Rusty.Ashcraft@arlp.com]
Sent: Wednesday, April 12, 2017 11:13 AM
To: Conner, Katelyn (McConnell) <Katelyn_Conner@mcconnell.senate.gov>
Cc: Hupp, Sydney <hupp.sydney@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Witt, Ethan (McConnell) <Ethan_Witt@mcconnell.senate.gov>
Subject: Re: email introduction re: July scheduling request with EPA Administrator Pruitt

Thank you for your assistance...

Rusty

Sent from my iPhone

On Apr 12, 2017, at 9:09 AM, Conner, Katelyn (McConnell) <Katelyn_Conner@mcconnell.senate.gov> wrote:

CAUTION: This is an email from an external sender. Use caution when clicking on links, opening attachments or responding.

Rusty,
Ethan Witt mentioned that you are interested in requesting a meeting with Administrator Pruitt when the Bluegrass Region Policy Group visits DC in July. I wanted to connect you with Sydney Hupp, who handles scheduling requests for the Administrator. She's your best contact for facilitating this request.

Please let our office know if you need anything else while you're in town. Hope all is well!

Best,
Katelyn

Katelyn Conner
Legislative Assistant
Senator Mitch McConnell
317 Russell Senate Office Building
P: Ex. 6
katelyn_conner@mcconnell.senate.gov

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Message

From: Andi Johnson [ajohnson@commercelexington.com]
Sent: 7/5/2017 9:36:42 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Rusty.Ashcraft@arlp.com
Subject: Commerce Lex EPA Meeting - List of Attendees & Questions about Agenda
Attachments: EPA Meeting.xlsx

Hi Tate,

Sorry for the delay. Attached is the list of Commerce Lexington's confirmed attendees (35) for the meeting with Administrator Pruitt on Wed, July 12 at 2:30 pm at the EPA. I'm waiting to hear back from Dave Moss and two mining companies. So, we might get as high as 38. As you can see, we will have a diverse delegation with representatives from coal, utilities, natural gas and other businesses concerned about regulatory impacts on low cost energy in Kentucky. I will send the final list to Sydney Hupp and Cheryl Woodward tomorrow. Cheryl has sent us detailed directions for entering the building and going through security. She said she would be onsite to help guide us to the room location. I will include you on my correspondence with them tomorrow.

We are finalizing our policy priorities tomorrow morning so I will provide you with the detailed sections related to energy and environment issues. Some topics the group would like to discuss include:

- Overview of the EPA's overall regulatory approach and strategies
    - Support efforts to eliminate overly burdensome or duplicative environmental or energy regulatory primacy across agencies/states
    - Support review process of all MOU's, MOA's related to environmental issues
    - Support eliminating the use of guidance documents as requirements
    - Support providing states with maximum flexibility in managing programs
- Update on implementation of 111 (b) and 111 (d) of the Clean Air Act
- Update on Waters of the US
- Update on Mercury Air Toxins Rule
- Timetable for regional administrator appointments

In terms of the meeting agenda, does Administrator Pruitt have a preference on how the meeting flows? Rusty and I were thinking it may be beneficial for this be an informal roundtable discussion. I thought Rusty could introduce Administrator Pruitt to the group and kick-off the discussion with a couple of questions to him. Then, Rusty and I can be prepared with questions to help guide the discussion – or open it up to Q&A with attendees. Would you like for us to prepare a meeting agenda? We're happy to do whatever works best and defer to your guidance.

Thanks for all your help. We are looking forward to the visit.

Andi

Andi Johnson
Chief Policy Officer & Director of Regional Engagement
Commerce Lexington, Inc.
Office: (
Mobile: **Ex. 6**
Email: ajohnson@commercelexington.com



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Julie	Babbage	Babbage Cofounder	Director
Laura	Babbage	Babbage Cofounder	
Lourdes	Baez	Baptist Health Lexington	
Carla	Blanton	Carla Blanton Consulting	president
Laura	Boison	BB&T	SVP
Steve	Collins	Bluegrass Station	Director
William	Downey	RJ Corman Railroad Group	
Larry	Ferguson	KCTCS	
David	Freibert Jr.	LG&E & KU Energy	Director of External Affairs
Pat	Gradek	Foam Design	
Charlie	Grizzle	East Kentucky Power Cooperative, Inc.	
Andrew	Henderson	Lexington Clinic	CEO
Hannah	Hodges	KCTCS	Chief of Staff
Lauren	Hogan	Babbage Cofounder	Project Manager
Pamela	Jenkins	Kentucky Blood Center	
Andi	Johnson	Commerce Lexington	Public Policy VP
Brian	Leary	Sargent & Greenleaf, Inc.	President & COO
Eric	Lycan	Dinsmore	Attorney
Brack	Marquette	Columbia Gas of Kentucky	
Barry	Mayfield	East Kentucky Power Cooperative, Inc.	VP Strategic Planning/External Affairs
Kim	Menke	Toyota Motor North America	Regional Director Government Affairs
Jonathan	Miller	Frost Brown Todd	Member in Charge
Herb	Miller	Columbia Gas of Kentucky	President
Louis	Prichard	Kentucky Bank	President & CEO
Bill	Reed	Kentucky Blood Center	
Andre	Regard	Regard Law Group	
Taylor	Sawyer	Big Ass Solutions	Government Affairs Director
Dave	Sevigny	DMD Data Systems Inc	COO
Kevin	Smith	Beam Suntory	
Emory	Thompson	Babbage Cofounder	
Tyler	White	KCA	
Kevin	Courtois	US Chamber of Commerce	

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dsevigny@dmddatasystems.com
kevin.smith@beamsuntory.com

Twhite@kentuckycoal.com

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

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.

→ 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
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct:
Tel mobile: Ex. 6
E-mail: Myron.Ebell@cei.org
Stop continental drift!

Delivery Report

From: Microsoft Outlook [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=MICROSOFTEXCHANGE329E71EC88AE4615BBC36AB6CE41109EF7088051]
Sent: 5/15/2017 2:54:25 PM
To: aubrey_vaughan@mcconnell.senate.gov
Subject: Undeliverable: Letters of Support/Social Media outreach
Attachments: Letters of Support/Social Media outreach

Your message
To: annie.dwyer@cei.org
CC: Deeley, Blake; aubrey_vaughan@mcconnell.senate.gov; Bowman, Liz
Subject: Letters of Support/Social Media outreach
Sent: 5/15/2017 2:54:22 PM

Your message to aubrey_vaughan@mcconnell.senate.gov couldn't be delivered.

aubrey_vaughan wasn't found at mcconnell.senate.gov.

Bennett.Tate	**Office 365**	**aubrey_vaughan**
Action Required		Recipient

Unknown To address

How to Fix It

The address may be misspelled or may not exist. Try one or more of the following:

- Send the message again following these steps: In Outlook, open this non-delivery report (NDR) and choose **Send Again** from the Report ribbon. In Outlook on the web, select this NDR, then select the link "**To send this message again, click here.**" Then delete and retype the entire recipient address. If prompted with an Auto-Complete List suggestion don't select it. After typing the complete address, click **Send**.
- Contact the recipient (by phone, for example) to check that the address exists and is correct.
- The recipient may have set up email forwarding to an incorrect address. Ask them to check that any forwarding they've set up is working correctly.
- Clear the recipient Auto-Complete List in Outlook or Outlook on the web by following the steps in this article: Fix email delivery issues for error code 5.1.1 in Office 365, and then send the message again. Retype the entire recipient address before selecting **Send**.

If the problem continues, forward this message to your email admin. If you're an email admin, refer to the **More Info for Email Admins** section below.

Was this helpful? Send feedback to Microsoft.

More Info for Email Admins

Status code: 550 5.1.1

This error occurs because the sender sent a message to an email address outside of Office 365, but the address is incorrect or doesn't exist at the destination domain. The error is reported by the recipient domain's email server, but most often it must be fixed by the person who sent the message. If the steps in the **How to Fix It** section above don't fix the problem, and you're the email admin for the recipient, try one or more of the following:

The email address exists and is correct - Confirm that the recipient address exists, is correct, and is accepting messages.

Synchronize your directories - If you have a hybrid environment and are using directory synchronization make sure the recipient's email address is synced correctly in both Office 365 and in your on-premises directory.

Errant forwarding rule - Check for forwarding rules that aren't behaving as expected. Forwarding can be set up by an admin via mail flow rules or mailbox forwarding address settings, or by the recipient via the Inbox Rules feature.

Mail flow settings and MX records are not correct - Misconfigured mail flow or MX record settings can cause this error. Check your Office 365 mail flow settings to make sure your domain and any mail flow connectors are set up correctly. Also, work with your domain registrar to make sure the MX records for your domain are configured correctly.

For more information and additional tips to fix this issue, see Fix email delivery issues for error code 550 5.1.1 in Office 365.

Original Message Details

Created Date:	5/15/2017 2:54:22 PM
Sender Address:	Bennett.Tate@epa.gov
Recipient Address:	aubrey_vaughan@mcconnell.senate.gov
Subject:	Letters of Support/Social Media outreach

Error Details

Reported error:	*550 5.1.1 User Unknown*
DSN generated by:	BY2PR09MB0311.namprd09.prod.outlook.com
Remote server:	p-ess-ppmx2.senate.gov

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
1	5/15/2017 2:54:22 PM	BY2PR09MB1125.namprd09.prod.outlook.com	BY2PR09MB1125.namprd09.prod.outlook.com	mapi

2	5/15/2017 2:54:23 PM	BY2PR09MB1125.namprd09.prod.outlook.com	BY2PR09MB0311.namprd09.prod.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA

Original Message Headers


```
DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com;
 s=selector1-epa-gov;
 h=From:Date:Subject:Message-ID:Content-Type:MIME-Version;
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 15.01.1084.029; Mon, 15 May 2017 14:54:22 +0000
From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: "annie.dwyer@cei.org" <annie.dwyer@cei.org>
CC: "Deeley, Blake" <Blake.Deeley@mail.house.gov>,
        "aubrey_vaughan@mcconnell.senate.gov" <aubrey_vaughan@mcconnell.senate.gov>,
        "Bowman, Liz" <Bowman.Liz@epa.gov>
Subject: Letters of Support/Social Media outreach
Thread-Topic: Letters of Support/Social Media outreach
Thread-Index: AdLNio9Ag8eCH5thSmC7urw51nRefQ==
Date: Mon, 15 May 2017 14:54:22 +0000
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 (UTC)

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X-MS-Exchange-Transport-CrossTenantHeadersStamped: BY2PR09MB0311

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/15/2017 2:54:22 PM
To: annie.dwyer@cei.org
CC: Deeley, Blake [Blake.Deeley@mail.house.gov]; aubrey_vaughan@mcconnell.senate.gov; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
Subject: Letters of Support/Social Media outreach

Wanted to connect you all via email—

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Adsit, Dan (D.M.) [dadsit@ford.com]
Sent: 6/19/2018 12:10:10 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Daniell, Kelsi [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cd867173479344b3bda202b3004ff830-Daniell, Ke]
CC: Sachs, Robert [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=06f542f36c784d638b9eff5e64c56694-Rsachs]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]; Letendre, Daisy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b691cccca6264ae09df7054c7f1019cb-Letendre, D]; Shaw, Nena [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2ae00b27ec1544ef8331567ce532bdd3-Shaw, Nena]; Ex. 6; Adsit, Dan (D.M.) [dadsit@ford.com]
Subject: RE: Friday press quotes

Kelsi, please contact me at dadsit@ford.com or Ex. 6 or my cell Ex. 6. The Ex. 6 e-mail will direct you to ELVS staff. Thanks.

Dan Adsit

From: Sachs, Robert <Sachs.Robert@epa.gov>
Sent: Monday, June 18, 2018 4:45 PM
To: stuart@steelnet.org; Paul Balserak <pbalserak@steel.org>; Billy Johnson <BillyJohnson@isri.org>; Adsit, Dan (D.M.) <dadsit@ford.com>
Subject: FW: Friday press quotes

Eric, Paul, Billy, and Dan-
Here is the information I sent to our person in the Office of Public Affairs managing this event, Kelsi Daniell.
I believe she will be contacting you for quotes about the event.

The agenda for the day stands as such:
12:00 PM-arrive
12:10 PM- tour of the facility including the car shredder, mercury collection containers, melting furnace, and any other major components.
12:45 PM- move inside and have a discussion/roundtable and sign the MOU
1:45 PM- Depart

Please do not hesitate to contact me if you have any questions!
Bob

From: Sachs, Robert
Sent: Monday, June 18, 2018 3:12 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>; Letendre, Daisy <letendre.daisy@epa.gov>; Shaw, Nena

<Shaw.Nena@epa.gov>
Subject: RE: Friday press quotes

Hi Kelsi-
I have attached a number of background documents for you. These include:

- Original MOU
- Extended MOU (the one we are signing onto Friday)
- Fact Sheets and mercury recovery reports
- EPA's Press release from the original MOU signing (text below)

Contacts for you from the Associations are:

Eric Stuart	SMA	stuart@steelnet.org
Paul Balserak	AISI	pbalserak@steel.com
Billy Johnson	ISRI	BillyJohnson@isri.org
Dan Adsit	ELVS	hgswitch@comcast.net

Let me know if there are other materials you need!
-bob
566.2884

Little Switches Add Up to Big Cuts in Mercury Pollution

Release Date: 08/11/2006
Contact Information: John Millett, (202) 564-4355 / millett.john@epa.gov

(Washington, D.C. - Aug. 11, 2006) EPA announced a national program today that will help cut mercury air emissions by up to 75 tons over the next 15 years. The National Vehicle Mercury Switch Recovery Program is designed to remove mercury-containing light switches from scrap vehicles before the vehicles are flattened, shredded, and melted to make new steel.

"President Bush understands that removing these little switches will lead to big mercury reductions," said Administrator Stephen L. Johnson. "This collaboration strengthens the United States' position as the worldwide leader in reducing mercury pollution."

Although the U.S. automobile industry halted use of mercury-containing light switches in 2002, an estimated 67.5 million switches are currently in use in older vehicles and available for recovery. Each year, the steel industry recycles more than 14 million tons of steel from scrap vehicles, the equivalent to nearly 13.5 million new automobiles, making vehicles the most recycled consumer product and the steel industry one of the largest consumers of recycled materials in the world.

Together with existing state mercury switch recovery efforts, this program will significantly reduce mercury air emissions from the furnaces used in steel making -- the fourth leading source in the United States after coal-fired utility boilers, industrial boilers and gold mining. Under the program, automobile dismantlers will remove the mercury-containing light switches from scrap vehicles prior to the vehicles being flattened and then shredded at scrap recycling facilities. The program will also provide a financial incentive for those who remove mercury switches.

Domestic releases and uses of mercury have decreased significantly over the last 25 years. U.S. mercury air emissions have been reduced by 45 percent since 1990, and mercury use in products and processes decreased 83 percent between 1980 and 1997. Recent efforts to further cut mercury emissions have targeted industrial boilers, chlorine production facilities and a Bush Administration regulation that, for the first time, will achieve a 70 percent reduction in mercury emissions from coal-fired power plants, when fully implemented. EPA now has standards in place limiting mercury air releases from most major known industrial sources in the United States.

The National Vehicle Mercury Switch Recovery Program is the result of a two-year collaborative effort involving EPA, the End of Life Vehicle Solutions Corporation, the American Iron and Steel Institute, the Steel Manufacturers Association, the Institute of Scrap Recycling Industries, the Automotive Recyclers Association, Environmental Defense, the Ecology Center (Ann Arbor), and representatives of the Environmental Council of the States. EPA and these stakeholders announced the program at an event in Chicago to mark the signing of the agreement which establishes the program. The event was held at Bionic Auto Parts and Sales Inc., an automobile recycling facility in Chicago, Ill.

More information about the National Vehicle Mercury Switch Recovery Program and additional mercury reduction efforts: https://www.epa.gov/mercury/switch.htm

V/r



Bob Sachs | EPA Smart Sectors Program
Office of Policy | Mailcode 1807t
Office 202.566.2884 | Mobile Ex. 6

epa.gov/smartsectors



From: Bennett, Tate
Sent: Monday, June 18, 2018 2:28 PM
To: Daniell, Kelsi <daniell.kelsi@epa.gov>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>; Letendre, Daisy <letendre.daisy@epa.gov>; Shaw, Nena <Shaw.Nena@epa.gov>; Sachs, Robert <Sachs.Robert@epa.gov>
Subject: Friday press quotes

Hey Kelsi!

Bob, cc'd, is going to provide you with background behind the MOU we are signing on Friday and can also connect you with these folks who have agreed to provide quotes should you need them. Thanks in advance for your help, Bob!

Steel Manufacturers Association(SMA)	Phillip Bell, President
American Iron and Steel Institute (AISI)	Tom Gibson, President/CEO
Institute of Scrap Recycling Industries (ISRI)	Robin Wiener, President
End of Life Vehicle Solutions Corporation (ELVS)	Dan Adsit, President

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bowles, Jack [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=78E63ACC248F41328768DB82D95464C3-JBOWLES]
Sent: 5/17/2017 6:20:41 PM
To: Julie Ufner [jufner@naco.org]; Carolyn Berndt [Berndt@nlc.org]; Judy Sheahan [jsheahan@usmayors.org]; jimo@tfgnet.com; svia@awwa.org [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=837e1d66b58a4ea99e240f18e13c4c86-svia@awwa.org]; keegan@ruralwater.org; Jack Peterson Ex. 6 Chris Hornback [CHornback@nacwa.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Greenwalt, Sarah [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c13775b8f424e90802669b87b135024-Greenwalt,]; Christensen, Damaris [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e04107c23c1043d6967754064c477a29-Christensen, Damaris]; Eargle, Frances [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a63fca70ff3944cebf60b10b80a2acb6-FEargle]; Hanson, Andrew [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=976b280c3eaf4e50b91a25d75466cf3c-Hanson, Andrew]; Hannon, Arnita [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=03d9d86e161b4a6e9ca30ab9df0df580-AHANNON]
Subject: Reminder: Invitation for Associations representing local governments to the Local Government Advisory Committee's Water Workgroup's May 18th Teleconference
Attachments: WaterWG-AGENDA-May18-2017.docx; LGAC-WOTUS-Charge-05-17-17-.pdf

Hi Everyone,

Reminder! You are invited to take part **Tomorrow, Thursday, May 18th, 4:30-5:30 ET** in the EPA's Local Government Advisory Committee's *Protecting America's Waters Workgroup* meeting via teleconference. **The call in number is:** Ex. 6 Ex. 6 **, code** Ex. 6 Chair, Susan Hann, and Vice-Chair Mayor Elizabeth Kautz, are looking forward to your participation. (*See agenda*).

If you have not sent in your rsvp please send a note to Fran Eargle at Eargle.Frances@epa.gov or call at 202-564-3115. to give your input in their discussion of their charge on Waters of the U.S. (*See Attached*).

The Workgroup will discuss and seeking your input on their charge questions:

Charge Questions
1) How would you like to see the concepts of 'relatively permanent' and 'continuous surface connection' be defined? How would you like to see the agencies interpret 'consistent with Scalia'? Are there particular features or implications of any such approaches that the agencies should be mindful of in developing the step 2 proposed rule?

2) What opportunities and challenges exist for your locality with relying on Justice Scalia's opinion?

3) Are there other approaches to defining "waters of the U.S." that you would like the agencies to consider to providing clarity and regulatory certainty?

4) The agencies' economic analysis for step 2 intends to review programs under CWA 303, 311, 401, 402 and 404. Are there any other programs specific to your locality that could be affected but would not be captured in such an economic analysis?

5) What additional information can you provide from a local government perspective that EPA should be aware of?

6) Are there other issues the agencies should consider which would help ease the regulatory burden for implementation of WOTUS for state, local and tribal government?

7) What should the agencies consider in communicating the final rule to state, local and tribal governments to help them fully understand these regulatory changes and implementing them efficiently and most cost-effectively?

8) The Workgroup will also develop recommendations on how the EPA can better work with local governments and engage local governments on issues such as: What additional regulatory issues could be revised or clarified to more effectively to help local governments understand how this rule would apply? Are there additional policy discussions that could help address local questions about implementation, in agricultural and rural small communities? Are there other considerations such as ditch maintenance, stormwater management or green infrastructure?

We would greatly welcome your participation and input!

Best Regards,

Jack Bowles
Director of State & Local Relations
U.S. Environmental Protection Agency
202-564-3657 (office) | Ex. 6 mobile)

EPA'S LOCAL GOVERNMENT ADVISORY COMMITTEE (LGAC) DRAFT CHARGE ON 'WATERS OF THE U.S.' (WOTUS)

OVERVIEW

1. Background and Description

On February 28, 2017, the President signed the Executive Order on *Restoring the Rule of Law, Federalism, and Economic Growth* by Reviewing the "Waters of the United States" Rule (issued June 2015).[1] The Executive Order gives direction to the Administrator and the Assistant Secretary of the Army for Civil Works to review the final Clean Water Rule (CWR) and "publish for notice and comment a proposed rule rescinding or revising the rule." The E.O. also directs that EPA and the Army "shall consider interpreting the term 'navigable waters' in a manner "consistent with Justice Scalia's opinion in *Rapanos* [2]which includes relatively permanent waters and wetlands with a continuous surface connection to relatively permanent waters.

As part of EPA's efforts to consult with state and local government officials, EPA's Local Government Advisory Committee (LGAC) will provide its recommendations to the Administrator on revising the definition of "Waters of the United States" (WOTUS) and identifying ways to reduce the regulatory burden on local communities as well as balance that with environmental protection.

2. Project Scope

The agencies intend to follow an expeditious two-step process to provide certainty with the rule:

1) Establish the legal status quo by re-codifying the regulation that was in place prior to issuance of the CWR now under the U.S. Court of Appeals for the Sixth Circuit's stay of that rule.

2) Propose a new definition of Waters of the U.S. that would replace the 2015 CWR that reflects the principles outlined by Justice Scalia (Rapanos plurality opinion).

The LGAC consists of 36 local, state and tribal government elected and appointed officials representing cities, parishes, counties, municipalities, and other local political jurisdictions. Local officials are knowledgeable and provide unique perspectives on issues relating to a revised rule. Further, the LGAC has potential to engage other knowledgeable local officials with unique valuable on-the-ground perspectives and knowledge. Through this collaborative process, the chartered LGAC will provide Administrator Pruitt with expeditious and meaningful advice relating to a revised "Waters of the U.S." rule. Overall, the goal would be to develop recommendations to the EPA for consideration on a revised rule. This advice and recommendations come from an 'on the ground' local government perspective which will assist the agency in providing the best means to communicate a revised rule with local officials.

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[1] *https://www.whitehouse.gov/the pres-office/2017/02/28/presidential-exeuctive-order-restoring-rule-law-federalism-and-economic*

[2] *Rapanos v. United States, 547 U.S. 715 (2006) 126 Supreme Court 2208; 165 L.Ed. 2d 159*

3. Charge Issues

LGAC Charge:

The LGAC will develop recommendations for the EPA to consider in developing approaches to a revised rule defining "waters of the U.S." that ensures that the nation's waters are kept free from pollution while at the same time promoting economic growth and minimizing regulatory uncertainty. The following are specific charge questions and issues for the LGAC to consider:

Charge Questions

1) How would you like to see the concepts of 'relatively permanent' and 'continuous surface connection' be defined? How would you like to see the agencies interpret 'consistent with Scalia'? Are there particular features or implications of any such approaches that the agencies should be mindful of in developing the step 2 proposed rule?

2) What opportunities and challenges exist for your locality with relying on Justice Scalia's opinion?

3) Are there other approaches to defining "waters of the U.S." that you would like the agencies to consider to providing clarity and regulatory certainty?

4) The agencies' economic analysis for step 2 intends to review programs under CWA 303, 311, 401, 402 and 404. Are there any other programs specific to your locality that could be affected but would not be captured in such an economic analysis?

5) What additional information can you provide from a local government perspective that EPA should be aware of?

6) Are there other issues the agencies should consider which would help ease the regulatory burden for implementation of WOTUS for state, local and tribal government?

7) What should the agencies consider in communicating the final rule to state, local and tribal governments to help them fully understand these regulatory changes and implementing them efficiently and most cost-effectively?

8) The Workgroup will also develop recommendations on how the EPA can better work with local governments and engage local governments on issues such as: What additional regulatory issues could be revised or clarified to more effectively to help local governments understand how this rule would apply? Are there additional policy discussions that could help address local questions about implementation, in agricultural and rural small communities? Are there other considerations such as ditch maintenance, stormwater management or green infrastructure?

4. Deliverables

The LGAC will provide a letter of recommendation to the Administrator to identify approaches to consider in a revised "Waters of the U.S." rule. The chartered LGAC will prioritize and summarize these issues in a report to the EPA that focuses on the charge issues. A final LGAC report will be conveyed to the EPA Administrator with a transmittal letter summarizing findings and recommendations. This Report will be published on the EPA's website for LGAC.

5. Preliminary Timeline/Schedule

April 26, 2017 – Executive Committee meets to discuss and approve the LGAC's Charge (Protecting America's Waters Workgroup) and develops a work plan with timeline.

May 3– LGAC's Protecting America's Waters Workgroup meets to discuss charge (via teleconference).

May 18- LGAC's Protecting America's Waters Workgroup meets with National Intergovernmental organizations to discuss charge (via teleconference).

June 7 – LGAC's Protecting America's Waters Workgroup meets to discuss charge (via teleconference).

June 29, 2017-The LGAC meets in a public meeting (via teleconference) to review recommendations on rescission of the 2015 CWR and revising the CWR. (Deliverable: Letter of Recommendation)

Protecting America's Waters Workgroup

Thursday, May 18, 2017
4:30 PM- 5:30 PM ET

AGENDA

4:30-4:35 PM	**Call to Order and Opening Remarks** *Susan Hann, Chairwoman* *Mayor Elizabeth Kautz, Vice- Chairwoman* *Mayor Bob Dixson, Chair of LGAC*
4:35-4:40	**Welcome Remarks** *Tate Bennett* *Senior Advisor, Intergovernmental Relations*
4:40-4:45	**Waters of the U.S. Charge** John Goodin, *Acting Director* *EPA's Office of Wetlands, Oceans and Watersheds* *Cindy Barger, Office of the Assistant Secretary* *Department of the Army, Civil Works*
4:45-5:15	**Intergovernmental Organization Input** *TBA*
5:15-5:28	**Workgroup Discussion of the Charge**
5:28-5:30	**Wrap-Up/Next Steps** *Susan Hann, Chairwoman*

Message

From: Events [events@cei.org]
Sent: 6/20/2018 3:33:20 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Reminder - You're Invited: CEI Annual Dinner & Reception

COMPETITIVE ENTERPRISE INSTITUTE

1 COMPLIMENTARY TICKET

JUNE 28, 2018



FREEDOM: THE GREATEST SHOW ON EARTH

Dear Elizabeth,

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.



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Washington, DC 20005
www.cei.org

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Message

From: Amanda Waters [AWaters@nacwa.org]
Sent: 5/10/2017 5:37:17 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Ex. 6
CC: Steve Bonafonte [bonafonte@dcblawgroup.com]; Adam Krantz [AKrantz@nacwa.org]
Subject: Thank you

Billy and Tate,
On behalf of NACWA and our public clean water utility members, I want to thank you for meeting with us today. We appreciate your willingness to explore opportunities to enhance the water sector's ability to effectively, efficiently, and sustainably address aging infrastructure and manage regulatory compliance using flexible and affordable approaches.

America's future economic strength depends on sufficient investments made today in water infrastructure. While local governments will continue to bear most of the financial burden, all levels of government must be part of the solution. Increased funding and regulatory reform are needed to enable utilities to most effectively serve their communities and ratepayers by ensuring the best environmental and public health return for each ratepayer dollar invested – with an overall focus on net environmental benefit outcomes.

NACWA stands ready to work with you and the administration on this important endeavor. If you have any questions, please do not hesitate to contact me or Adam.

Sincerely,
Amanda

Amanda J. Waters | National Association of Clean Water Agencies | General Counsel | Ex. 6 cell | awaters@nacwa.org | @amandawaters99 |Visit us at www.nacwa.org

National Pretreatment Workshop | May 16 – 19, 2017, San Antonio, TX

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****
The information contained in this message is confidential and may be legally privileged. If you have received it in error, please notify us immediately and delete this message. Thank you for your cooperation.

Message

From: Hupp, Sydney [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D50089FF1A5B4C83BAA0160AFE2C33CB-HUPP, SYDNE]
Sent: 5/8/2017 5:50:04 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Scales, Sam (S.A.) [SSCALES3@ford.com]
CC: Lyons, Troy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=15e4881c95044ab49c6c35a0f5eef67e-Lyons, Troy]; groussel@ford.com [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31708654e4fd400db0c7d998e871d4df-groussel@ford.com]; Dickerson, Aaron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d0440d9f06994021827e0d0119126799-Dickerson,]
Subject: RE: Ford Meeting Request
Attachments: External Meeting Request Form.docx

Thank you, Tate!

Good afternoon, Sam—good to meet you via email. Would be happy to look at getting this on the calendar! Would you mind please filling out the attached? How does the afternoon of the 23rd look on your end?

Thank you!

Sydney Hupp
Executive Scheduler
Office of the Adminsitrator
Ex. 6 (c)

From: Bennett, Tate
Sent: Monday, May 1, 2017 2:07 PM
To: Scales, Sam (S.A.) <SSCALES3@ford.com>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; groussel@ford.com; Hupp, Sydney <hupp.sydney@epa.gov>
Subject: Re: Ford Meeting Request

Thanks. Adding Sydney

On May 1, 2017, at 2:01 PM, Scales, Sam (S.A.) <SSCALES3@ford.com> wrote:

> Happy Monday!
>
> Hope y'all had a good weekend.
>
> Wanted to touch base and see if Administrator Pruitt might have some time on May 23 or 24 to meet with Ford?
>
> Ford Attendees:

Z Ojakli: Group VP, Government and Community Relations

Kim Pittel: Group VP, Sustainability, Environment and Safety Engineering

Curt Magleby: VP, Washington Relations

Topic: One National Program & Midterm Evaluation

Please let us know what would work best for you all and if you need any additional info etc.

Sam A. Scales

Ex. 6

External Meeting Request Form for Administrator E. Scott Pruitt

U.S. Environmental Protection Agency

To request the Administrator to attend and/or speak at your event, please complete and submit the following form.

Today's Date:

Meeting Date:

Meeting Time:

Requested Location (if offsite, please list address, parking instructions, etc.):

Requestor:

Purpose of the Meeting:

Background on the Meeting:

Role of the Administrator:

Attendees:

Point of Contact:

Message

From: Bowles, Jack [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=78E63ACC248F41328768DB82D95464C3-JBOWLES]
Sent: 5/12/2017 7:49:25 PM
To: Julie Ufner [jufner@naco.org]; Carolyn Berndt [Berndt@nlc.org]; Judy Sheahan [jsheahan@usmayors.org]; jimo@tfgnet.com; svia@awwa.org [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=837e1d66b58a4ea99e240f18e13c4c86-svia@awwa.org]; keegan@ruralwater.org; Jack Peterson [Ex. 6]; Chris Hornback [CHornback@nacwa.org]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Greenwalt, Sarah [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c13775b8f424e90802669b87b135024-Greenwalt,]; Christensen, Damaris [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e04107c23c1043d6967754064c477a29-Christensen, Damaris]; Eargle, Frances [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a63fca70ff3944cebf60b10b80a2acb6-FEargle]; Hanson, Andrew [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=976b280c3eaf4e50b91a25d75466cf3c-Hanson, Andrew]; Hannon, Arnita [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=03d9d86e161b4a6e9ca30ab9df0df580-AHANNON]
Subject: Invitation for Associations representing local governmenets to the Local Government Advisory Comimittee's Water Workgroup's May 18th Teleconference
Attachments: LGAC-WOTUS-DraftCharge-05-01(1).pdf

Happy Friday Everyone:

On behalf of the EPA's Local Government Advisory Committee's *Protecting America's Waters Workgroup* Chair, Susan Hann, and Vice-Chair Mayor Elizabeth Kautz, meeting (via teleconference), I am writing to extend an invitation for you to join their Workgroup Teleconference on **Thursday, May 18th, 4:30-5:30 ET** to give your input in their discussion of their charge on Waters of the U.S. (*See Attached*).

The Workgroup is seeking input on their charge questions and issues:

Charge Questions
1) How would you like to see the concepts of 'relatively permanent' and 'continuous surface connection' be defined? How would you like to see the agencies interpret 'consistent with Scalia'? Are there particular features or implications of any such approaches that the agencies should be mindful of in developing the step 2 proposed rule?

2) What opportunities and challenges exist for your locality with relying on Justice Scalia's opinion?

3) Are there other approaches to defining "waters of the U.S." that you would like the agencies to consider to providing clarity and regulatory certainty?

4) The agencies' economic analysis for step 2 intends to review programs under CWA 303, 311, 401, 402 and 404. Are there any other programs specific to your locality that could be affected but would not be captured in such an economic analysis?

5) What additional information can you provide from a local government perspective that EPA should be aware of?

6) Are there other issues the agencies should consider which would help ease the regulatory burden for implementation of WOTUS for state, local and tribal government?

7) What should the agencies consider in communicating the final rule to state, local and tribal governments to help them fully understand these regulatory changes and implementing them efficiently and most cost-effectively?

8) The Workgroup will also develop recommendations on how the EPA can better work with local governments and engage local governments on issues such as: What additional regulatory issues could be revised or clarified to more effectively to help local governments understand how this rule would apply? Are there additional policy discussions that could help address local questions about implementation, in agricultural and rural small communities? Are there other considerations such as ditch maintenance, stormwater management or green infrastructure?

We would greatly welcome your participation and input! An agenda and call in information will be provided as soon as possible. If you are planning to participate, please rsvp Fran Eargle, the LGAC Designated Federal Officer, at (202)564-3115 or Eargle.frances@epa.gov.

Best Regards,

Jack Bowles
Director of State and Local Relations
U.S. EPA

EPA'S LOCAL GOVERNMENT ADVISORY COMMITTEE (LGAC) DRAFT CHARGE ON 'WATERS OF THE U.S.' (WOTUS)

OVERVIEW

1. Background and Description

On February 28, 2017, the President signed the Executive Order on *Restoring the Rule of Law, Federalism, and Economic Growth* by Reviewing the "Waters of the United States" Rule (issued June 2015).[1] The Executive Order gives direction to the Administrator and the Assistant Secretary of the Army for Civil Works to review the final Clean Water Rule (CWR) and "publish for notice and comment a proposed rule rescinding or revising the rule." The E.O. also directs that EPA and the Army "shall consider interpreting the term 'navigable waters' in a manner "consistent with Justice Scalia's opinion in *Rapanos* [2]which includes relatively permanent waters and wetlands with a continuous surface connection to relatively permanent waters.

As part of EPA's efforts to consult with state and local government officials, EPA's Local Government Advisory Committee (LGAC) will provide its recommendations to the Administrator on revising the definition of "Waters of the United States" (WOTUS) and identifying ways to reduce the regulatory burden on local communities as well as balance that with environmental protection.

2. Project Scope

The agencies intend to follow an expeditious two-step process to provide certainty with the rule:

1) Establish the legal status quo by re-codifying the regulation that was in place prior to issuance of the CWR now under the U.S. Court of Appeals for the Sixth Circuit's stay of that rule.

2) Propose a new definition of Waters of the U.S. that would replace the 2015 CWR that reflects the principles outlined by Justice Scalia (Rapanos plurality opinion).

The LGAC consists of 36 local, state and tribal government elected and appointed officials representing cities, parishes, counties, municipalities, and other local political jurisdictions. Local officials are knowledgeable and provide unique perspectives on issues relating to a revised rule. Further, the LGAC has potential to engage other knowledgeable local officials with unique valuable on-the-ground perspectives and knowledge. Through this collaborative process, the chartered LGAC will provide Administrator Pruitt with expeditious and meaningful advice relating to a revised "Waters of the U.S." rule. Overall, the goal would be to develop recommendations to the EPA for consideration on a revised rule. This advice and recommendations come from an 'on the ground' local government perspective which will assist the agency in providing the best means to communicate a revised rule with local officials.

---

[1] *https://www.whitehouse.gov/the pres-office/2017/02/28/presidential-exeuctive-order-restoring-rule-law-federalism-and-economic*

[2] *Rapanos v. United States, 547 U.S. 715 (2006) 126 Supreme Court 2208; 165 L.Ed. 2d 159*

DRAFT

3. Charge Issues

LGAC Charge:

The LGAC will develop recommendations for the EPA to consider in developing approaches to a revised rule defining "waters of the U.S." that ensures that the nation's waters are kept free from pollution while at the same time promoting economic growth and minimizing regulatory uncertainty. The following are specific charge questions and issues for the LGAC to consider:

Charge Questions

1) How would you like to see the concepts of 'relatively permanent' and 'continuous surface connection' be defined? How would you like to see the agencies interpret 'consistent with Scalia'? Are there particular features or implications of any such approaches that the agencies should be mindful of in developing the step 2 proposed rule?

2) What opportunities and challenges exist for your locality with relying on Justice Scalia's opinion?

3) Are there other approaches to defining "waters of the U.S." that you would like the agencies to consider to providing clarity and regulatory certainty?

4) The agencies' economic analysis for step 2 intends to review programs under CWA 303, 311, 401, 402 and 404. Are there any other programs specific to your locality that could be affected but would not be captured in such an economic analysis?

5) What additional information can you provide from a local government perspective that EPA should be aware of?

6) Are there other issues the agencies should consider which would help ease the regulatory burden for implementation of WOTUS for state, local and tribal government?

7) What should the agencies consider in communicating the final rule to state, local and tribal governments to help them fully understand these regulatory changes and implementing them efficiently and most cost-effectively?

8) The Workgroup will also develop recommendations on how the EPA can better work with local governments and engage local governments on issues such as: What additional regulatory issues could be revised or clarified to more effectively to help local governments understand how this rule would apply? Are there additional policy discussions that could help address local questions about implementation, in agricultural and rural small communities? Are there other considerations such as ditch maintenance, stormwater management or green infrastructure?

DRAFT

4. Deliverables

The LGAC will provide a letter of recommendation to the Administrator to identify approaches to consider in a revised "Waters of the U.S." rule. The chartered LGAC will prioritize and summarize these issues in a report to the EPA that focuses on the charge issues. A final LGAC report will be conveyed to the EPA Administrator with a transmittal letter summarizing findings and recommendations. This Report will be published on the EPA's website for LGAC.

5. Preliminary Timeline/Schedule

April 26, 2017 – Executive Committee meets to discuss and approve the LGAC's Charge (Protecting America's Waters Workgroup) and develops a work plan with timeline.

May 3– LGAC's Protecting America's Waters Workgroup meets to discuss charge (via teleconference).

May 17- LGAC's Protecting America's Waters Workgroup meets with National Intergovernmental organizations to discuss charge (via teleconference).

June 7 – LGAC's Protecting America's Waters Workgroup meets to discuss charge (via teleconference).

June 28, 2017-The LGAC meets in a public meeting (via teleconference) to review recommendations on rescission of the 2015 CWR and revising the CWR. (Deliverable: Letter of Recommendation)

DRAFT

APPROVAL AND AUTHORITY TO PROCEED

We approve the project as described above, and authorize to proceed.

Name	Title	Date

Approved By _____ Date _____ Approved By _____ Date _____

Message

From: Scales, Sam (S.A.) [SSCALES3@ford.com]
Sent: 4/15/2017 10:10:24 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: EPA approved ZEV investment plan etc.
Attachments: Ford letter CARB VW 30M ZEV Mark Williams 4 10 2017.pdf; ATT00001.htm

Hey Tate:

Looks like EPA has approved the first phase of Volkswagen's national plan to invest $1.2 billion in electric vehicle charging infrastructure. There are a number of companies/groups that have raised concerns about this including Congress. The $1.2 billion infusion into the EV infrastructure market will likely prevent further private sector development of charging infrastructure and allow VW to cherry pick the best charging locations etc.

I've also attached Ford's comments submitted to CARB regarding the California portion of the investment plan. The comments give you a good feel for a number of the concerns Ford has. Just wanted to be sure and flag. Let me know if ya have any questions. Hope you have a good rest of the wknd!

EPA Approved National ZEV Infrastructure Plan:

https://www.epa.gov/enforcement/epa-approved-national-zev-investment-plan-public-version

House E&C Oversight Hearing:

https://energycommerce.house.gov/hearings-and-votes/hearings/volkswagen-s-emissions-cheating-settlement-questions-concerning-zev-0

FYI opposition letter from various groups:

https://www.eenews.net/assets/2017/01/31/document_gw_05.pdf

John J. Viera
Global Director
Sustainability & Vehicle Environmental Matters

World Headquarters
One American Road
Dearborn, MI 48126-2701 USA

April 10, 2017

California Air Resources Board
P.O. Box 2815
Sacramento, California 95812

Attention: Mr. Mark Williams

Subject: Ford Comments on Volkswagen First 30-month ZEV Investment Plan

Ford Motor Company appreciates the opportunity to provide comments on Volkswagen's (VW) first 30-month zero emission vehicle (ZEV) investment plan. As a manufacturer and marketer of advanced technology vehicles including full hybrid electric vehicles, plug-in hybrid electric vehicles and battery electric vehicles (BEVs), Ford Motor Company is a vehicle electrification supporter and stakeholder. Ford is investing $4.5 billion in electrified vehicles by 2020, with plans to introduce 13 new global electrified vehicles in the next five years. As part of this investment, Ford recently announced an all-new fully electric small SUV, coming by 2020, engineered to deliver an estimated range of at least 300 miles.

Fast charging has emerged as a key sales enabler for BEVs. Long-range capability with limited charge time will support market adoption and increase BEV utility. We believe that long range BEVs coupled with strategically placed high-powered infrastructure will be key to increasing BEV adoption. Ultra-fast charging that enables inter-city travel is therefore a key strategic interest to encourage BEV sales and a positive customer experience with ZEV technology.

Ford is supportive of the Air Resources Board's (ARB) goals to promote ZEV investments that support increased adoption and utilization of ZEV technology in California and would like to provide comments on the "high-speed highway network" portion of the VW ZEV Investment Plan. Our comments provide a framework to augment the overall infrastructure investment equation in CA and associated efficacy of increasing support for ZEV adoption in the state. Our comments are focused on the section of the plan that includes installation of fifty high-speed highway corridor stations. Given the importance of this portion of the infrastructure to BEV adoption, Ford has reservations about having a key electrification driver dependent on and ultimately controlled by one automotive competitor. Ford believes that private investment in the CA ultra-fast highway corridor charging market would be dampened by settlement-based funding if settlement investments are targeted toward high-traffic corridors in areas with significant BEV sales and projected high volume traffic – these are the locations most likely to attract market-based ZEV infrastructure investment.

Ford believes there is a better, more efficient framework for ultra-fast corridor charging which incorporates a framework of multiple automotive original equipment manufacturers (OEMs) with active participation in the planning, deployment, operation and funding of the network. A multi-OEM framework is progressing in Europe that accomplishes the objective of deploying infrastructure for long-range BEVs with a market-based investment. Support from multiple automakers ensures that charging infrastructure will meet the needs of a range of BEV designs, including various charging port locations, and customer profiles. The framework could focus an industry lens on the network design and planning and could be applied in North America, with open ability for interested OEMs to fund and deploy an integrated ultrafast charging network in California and elsewhere in the US. The framework would also ensure that one OEM does not have opportunity for competitive advantage in this strategic area of interest, while providing flexibility for multiple forms of automaker and EV charging network participation such as equity investments and subscription agreements.

Although the settlement provides some protections for competitive advantage, including brand neutral advertising, there are underlying fundamental concerns with having customers' experience, support and data in the hands of a competitor. There is concern that critical components of the inter-city travel network design will be in the hands of a single automaker (e.g., configuration of charge point, network capacity, locations, etc.) A multi-OEM framework would also eliminate the ability of a single OEM to control these areas of network design and deployment and customer experience, providing an implicit advantage. Even if multiple OEM input is received and open industry standards are incorporated into settlement controlled planning, there are no assurances possible under the governing consent decree that could guarantee that input on network planning (capacity, queuing, station locations and configuration, etc.), technology considerations (IT, data handling methods, network systems integration into Ford mobility platforms, etc.) and customer needs will be incorporated or accommodated.

As noted above, there is a multi-OEM framework progressing in Europe to develop ultra-fast charging corridors, where market forces are not impacted by the settlement. This demonstrates private investment interest in this particular sector of EV infrastructure. Without competition from the settlement ZEV Investment Plan resources being allocated to ultra-fast charging corridors, there would be increased interest from the private sector investment. Given the strong market interest in inter-city corridor ultra-fast charging, we encourage ARB to consider recommending allocation of this portion of the funding to other areas that perhaps do not have as much market interest. This type of complementary approach could provide an expanded infrastructure investment pool for California, including associated jobs and diversification of infrastructure deployment.

There is market interest in ultra-fast charging investment by automakers and charging networks, including consideration by Ford in participating in a multi-OEM environment. The ZEV Investment Plan proposes to allocate its largest sector of investment to locate ultrafast highway charging stations "in the areas with the highest anticipated ZEV demand"[1]. To complement market-based investment interest for ultra-fast highway charging networks, the ZEV Investment Plan should target locations, and categories of ZEV infrastructure, where

[1] "California ZEV Investment Plan: Cycle 1 (Public version)", March 8, 2017, p. 5.

demonstrated market interest does not already exist, or is not as strongly demonstrated. This ensures that the ZEV Investment Plan does not discourage market-based investment in ZEV infrastructure in this sector of infrastructure.

Complementary ZEV infrastructure could be deployed under the settlement plan to increase its overall impact on increased adoption and utilization of ZEV technology in California. This would augment the overall ZEV infrastructure equation in California. Ford welcomes opportunity for further discussion with ARB on our thoughts and considerations. Thank you again for the opportunity to provide comments on the first 30-month ZEV Infrastructure Plan and considering the input of affected stakeholders.

Sincerely,



Message

From: Wagner, Kenneth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=048236AB99BC4D5EA16C139B1B67719C-WAGNER, KEN]
Sent: 4/27/2017 1:42:01 PM
To: Michael Bowman [mbowman@alec.org]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Lyons, Troy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=15e4881c95044ab49c6c35a0f5eef67e-Lyons, Troy]; Rees, Sarah [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=Rees, Sarah]; Richardson, RobinH [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2fa5c9eb65dc497c81a8dc9ccdb1ffa7-Richardson, RobinH]; Bowles, Jack [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78e63acc248f41328768db82d95464c3-JBOWLES]; Barbery, Andrea [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e219352056ea405a97c93fd9756ceb2b-ABarbery]; Kenneth Stein [kstein@alec.org]
Subject: RE: Thanks!

Michael:

I was at Earth Day TX with Troy, we are sorry that we did not meet you there. We look forward to further discussion.

Ken

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional and State Affairs
Environmental Protection Agency
202-564-1988 office
Ex. 6 **cell**
wagner.kenneth@epa.gov

From: Michael Bowman [mailto:mbowman@alec.org]
Sent: Thursday, April 27, 2017 8:13 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Lyons, Troy <lyons.troy@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Rees, Sarah <rees.sarah@epamail.epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Bowles, Jack <Bowles.Jack@epa.gov>; Barbery, Andrea <Barbery.Andrea@epa.gov>; Kenneth Stein <kstein@alec.org>
Subject: RE: Thanks!

Tate:
We look forward to working with you at EPA staff. It has been eight years since we have been at EPA offices. ALEC is an individual membership organization that represents our members. Our core beliefs that unite our membership is our support for Free Markets, Limited Government and Federalism. Just last weekend we at Earth Day Texas and enjoyed listening to Secretary Perry and Administrator Pruitt, both who are favorite speakers at our conferences over the years.

We hope to be a trusted resource for you. We welcome this opportunity to work with you.

Michael D. Bowman

Vice President of Policy
2900 Crystal Drive, Suite 600
Arlington, VA 22202
D
M Ex. 6

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, April 26, 2017 4:40 PM
To: Bennett, Tate
Cc: Lyons, Troy; Wagner, Kenneth; Rees, Sarah; Richardson, RobinH; Bowles, Jack; Barbery, Andrea
Subject: Thanks!

Friends-

We appreciate your taking the time to drive across town meet with us at EPA today. Apparently we were supposed to have brought baked goods per past practice (?!).

In all seriousness, we look forward to working with each of you going forward and please don't hesitate to reach out whenever we can be of assistance.

Best.

Tate

Elizabeth Tate Bennett
Senior Advisor to the Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Rusty Ashcraft [Rusty.Ashcraft@arlp.com]
Sent: 5/9/2017 9:43:22 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: can I give you a buzz

Ex. 6

Sent from my iPhone

On May 9, 2017, at 3:16 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

CAUTION: This is an email from an external sender. Use caution when clicking on links, opening attachments or responding.

What number?

Message

From: Hupp, Sydney [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D50089FF1A5B4C83BAA0160AFE2C33CB-HUPP, SYDNE]
Sent: 5/12/2017 5:14:32 PM
To: Andi Johnson [ajohnson@commercelexington.com]; Rusty Ashcraft [Rusty.Ashcraft@arlp.com]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Dickerson, Aaron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d0440d9f06994021827e0d0119126799-Dickerson,]
Subject: RE: email introduction re: July scheduling request with EPA Administrator Pruitt

Thank you all. It looks like this is something we can move forward on getting set up. Is there a specific time that day that we should be looking at?

Thank you!

Sydney Hupp
Executive Scheduler
Office of the Administrator
Ex. 6 (c)

From: Andi Johnson [mailto:ajohnson@commercelexington.com]
Sent: Thursday, May 11, 2017 4:35 PM
To: Rusty Ashcraft <Rusty.Ashcraft@arlp.com>; Hupp, Sydney <hupp.sydney@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: email introduction re: July scheduling request with EPA Administrator Pruitt

Thank you, Sydney and Rusty. If there are any questions about the event, please feel free to reach out to me for more information.

I hope we're able to work this out!

Andi Johnson
Chief Policy Officer & Director of Regional Engagement
Commerce Lexington, Inc.
Office:
Mobile Ex. 6
Email: ajohnson@commercelexington.com



From: Rusty Ashcraft [mailto:Rusty.Ashcraft@arlp.com]
Sent: Thursday, May 11, 2017 2:01 PM
To: Hupp, Sydney <hupp.sydney@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Andi Johnson <ajohnson@commercelexington.com>
Subject: RE: email introduction re: July scheduling request with EPA Administrator Pruitt

Sydney

I hope you are well. Do you have any update on the appearance request by Commerce Lexington for Administrator Pruitt?

Thanks Rusty

From: Rusty Ashcraft
Sent: Thursday, April 13, 2017 10:48 AM
To: 'Hupp, Sydney'
Cc: Bennett, Tate; Witt, Ethan (McConnell); Conner, Katelyn (McConnell); ajohnson@commercelexington.com
Subject: RE: email introduction re: July scheduling request with EPA Administrator Pruitt

Sydney

Thank you. I have attached the completed form. Please let me know if there are questions? Also, feel to invite the Administrator, Tate, et al to the Kentuckians in Washington Event at Union Station on July 12 from 6-7:30.

Thanks

Rusty Ashcraft
Manager, Government Affairs & Environmental Policy
Alliance Coal, LLC
1146 Monarch Street
Lexington, KY 40513
Office: Ex. 6
Cell: Ex. 6

From: Hupp, Sydney [mailto:hupp.sydney@epa.gov]
Sent: Wednesday, April 12, 2017 3:34 PM
To: Rusty Ashcraft
Cc: Bennett, Tate; Witt, Ethan (McConnell); Conner, Katelyn (McConnell)
Subject: RE: email introduction re: July scheduling request with EPA Administrator Pruitt

CAUTION: This is an email from an external sender. Use caution when clicking on links, opening attachments or responding.

Thank you! Rusty, I have attached a meeting request form. Would you please fill it out at your convenience and send back? Please let me know if you have any questions on it!

Thank you!

Sydney Hupp
Office of the Administrator- Scheduling
Ex. 6

From: Rusty Ashcraft [mailto:Rusty.Ashcraft@arlp.com]
Sent: Wednesday, April 12, 2017 11:13 AM
To: Conner, Katelyn (McConnell) <Katelyn_Conner@mcconnell.senate.gov>
Cc: Hupp, Sydney <hupp.sydney@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Witt, Ethan (McConnell)

<Ethan_Witt@mcconnell.senate.gov>
Subject: Re: email introduction re: July scheduling request with EPA Administrator Pruitt

Thank you for your assistance...

Rusty

Sent from my iPhone

On Apr 12, 2017, at 9:09 AM, Conner, Katelyn (McConnell) <Katelyn_Conner@mcconnell.senate.gov> wrote:

> CAUTION: This is an email from an external sender. Use caution when clicking on links, opening attachments or responding.
>
> Rusty,
> Ethan Witt mentioned that you are interested in requesting a meeting with Administrator Pruitt when the Bluegrass Region Policy Group visits DC in July. I wanted to connect you with Sydney Hupp, who handles scheduling requests for the Administrator. She's your best contact for facilitating this request.
>
> Please let our office know if you need anything else while you're in town. Hope all is well!
>
> Best,
> Katelyn
>
> Katelyn Conner
> Legislative Assistant
> Senator Mitch McConnell
> 317 Russell Senate Office Building
> P: **Ex. 6**
> katelyn_conner@mcconnell.senate.gov

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware by **Mimecast Ltd.**

Message

From: Hupp, Sydney [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D50089FF1A5B4C83BAA0160AFE2C33CB-HUPP, SYDNE]
Sent: 5/15/2017 7:39:24 PM
To: Andi Johnson [ajohnson@commercelexington.com]; Rusty Ashcraft [Rusty.Ashcraft@arlp.com]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Dickerson, Aaron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d0440d9f06994021827e0d0119126799-Dickerson,]
Subject: RE: email introduction re: July scheduling request with EPA Administrator Pruitt

We would love to host you at the EPA on July 13th! Mid-morning sound okay? Very flexible on timing. Are you wanting it to be a meeting or set up for him to speak?

Thank you!

Sydney Hupp
Executive Scheduler
Office of the Administrator
Ex. 6 (c)

From: Andi Johnson [mailto:ajohnson@commercelexington.com]
Sent: Friday, May 12, 2017 5:26 PM
To: Hupp, Sydney <hupp.sydney@epa.gov>; Rusty Ashcraft <Rusty.Ashcraft@arlp.com>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>
Subject: RE: email introduction re: July scheduling request with EPA Administrator Pruitt

Sydney,

Great news! Right now, our schedule on Wednesday, July 12 and Thursday, July 13 is flexible. I've sent speaking requests to all the Kentucky delegation offices and to Secretary Chao. I'm waiting to hear back from them.

We have space reserved in the Capitol Visitors Center for both days from 9:00 am to 3:00 pm.

Is there a time that you think would be better for Mr. Pruitt? Would he be traveling to us in the CVC or would you prefer our group hear from him at EPA?

Andi

Andi Johnson
Chief Policy Officer & Director of Regional Engagement
Commerce Lexington, Inc.
Office: (
Mobile: Ex. 6
Email: ajohnson@commercelexington.com



From: Hupp, Sydney [mailto:hupp.sydney@epa.gov]
Sent: Friday, May 12, 2017 1:15 PM
To: Andi Johnson <ajohnson@commercelexington.com>; Rusty Ashcraft <Rusty.Ashcraft@arlp.com>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>
Subject: RE: email introduction re: July scheduling request with EPA Administrator Pruitt

Thank you all. It looks like this is something we can move forward on getting set up. Is there a specific time that day that we should be looking at?

Thank you!

Sydney Hupp
Executive Scheduler
Office of the Administrator
Ex. 6 (c)

From: Andi Johnson [mailto:ajohnson@commercelexington.com]
Sent: Thursday, May 11, 2017 4:35 PM
To: Rusty Ashcraft <Rusty.Ashcraft@arlp.com>; Hupp, Sydney <hupp.sydney@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: email introduction re: July scheduling request with EPA Administrator Pruitt

Thank you, Sydney and Rusty. If there are any questions about the event, please feel free to reach out to me for more information.

I hope we're able to work this out!

Andi Johnson
Chief Policy Officer & Director of Regional Engagement
Commerce Lexington, Inc.
Office:
Mobile: Ex. 6
Email: ajohnson@commercelexington.com



From: Rusty Ashcraft [mailto:Rusty.Ashcraft@arlp.com]
Sent: Thursday, May 11, 2017 2:01 PM
To: Hupp, Sydney <hupp.sydney@epa.gov>

Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Andi Johnson <ajohnson@commercelexington.com>
Subject: RE: email introduction re: July scheduling request with EPA Administrator Pruitt

Sydney

I hope you are well. Do you have any update on the appearance request by Commerce Lexington for Administrator Pruitt?

Thanks Rusty

From: Rusty Ashcraft
Sent: Thursday, April 13, 2017 10:48 AM
To: 'Hupp, Sydney'
Cc: Bennett, Tate; Witt, Ethan (McConnell); Conner, Katelyn (McConnell); ajohnson@commercelexington.com
Subject: RE: email introduction re: July scheduling request with EPA Administrator Pruitt

Sydney

Thank you. I have attached the completed form. Please let me know if there are questions? Also, feel to invite the Administrator, Tate, et al to the Kentuckians in Washington Event at Union Station on July 12 from 6-7:30.

Thanks

Rusty Ashcraft
Manager, Government Affairs & Environmental Policy
Alliance Coal, LLC
1146 Monarch Street
Lexington, KY 40513
Office: Ex. 6
Cell: Ex. 6

From: Hupp, Sydney [mailto:hupp.sydney@epa.gov]
Sent: Wednesday, April 12, 2017 3:34 PM
To: Rusty Ashcraft
Cc: Bennett, Tate; Witt, Ethan (McConnell); Conner, Katelyn (McConnell)
Subject: RE: email introduction re: July scheduling request with EPA Administrator Pruitt

CAUTION: This is an email from an external sender. Use caution when clicking on links, opening attachments or responding.

Thank you! Rusty, I have attached a meeting request form. Would you please fill it out at your convenience and send back? Please let me know if you have any questions on it!

Thank you!

Sydney Hupp
Office of the Administrator- Scheduling
Ex. 6

From: Rusty Ashcraft [mailto:Rusty.Ashcraft@arlp.com]
Sent: Wednesday, April 12, 2017 11:13 AM
To: Conner, Katelyn (McConnell) <Katelyn_Conner@mcconnell.senate.gov>

Cc: Hupp, Sydney <hupp.sydney@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Witt, Ethan (McConnell) <Ethan_Witt@mcconnell.senate.gov>
Subject: Re: email introduction re: July scheduling request with EPA Administrator Pruitt

Thank you for your assistance...

Rusty

Sent from my iPhone

On Apr 12, 2017, at 9:09 AM, Conner, Katelyn (McConnell) <Katelyn_Conner@mcconnell.senate.gov> wrote:

CAUTION: This is an email from an external sender. Use caution when clicking on links, opening attachments or responding.

Rusty,
Ethan Witt mentioned that you are interested in requesting a meeting with Administrator Pruitt when the Bluegrass Region Policy Group visits DC in July. I wanted to connect you with Sydney Hupp, who handles scheduling requests for the Administrator. She's your best contact for facilitating this request.

Please let our office know if you need anything else while you're in town. Hope all is well!

Best,
Katelyn

Katelyn Conner
Legislative Assistant
Senator Mitch McConnell
317 Russell Senate Office Building
P: Ex. 6
katelyn_conner@mcconnell.senate.gov

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Message

From: Hupp, Sydney [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D50089FF1A5B4C83BAA0160AFE2C33CB-HUPP, SYDNE]
Sent: 5/11/2017 6:31:36 PM
To: Rusty Ashcraft [Rusty.Ashcraft@arlp.com]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; ajohnson@commercelexington.com; Dickerson, Aaron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d0440d9f06994021827e0d0119126799-Dickerson,]
Subject: `RE: email introduction re: July scheduling request with EPA Administrator Pruitt

Good afternoon! We are planning to discuss more summer travel in a meeting tomorrow morning. May I loop back to you next week? Apologies for the delay.

Thank you!

Sydney Hupp
Executive Scheduler
Office of the Adminsitrator
Ex. 6 (c)

From: Rusty Ashcraft [mailto:Rusty.Ashcraft@arlp.com]
Sent: Thursday, May 11, 2017 2:01 PM
To: Hupp, Sydney <hupp.sydney@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; ajohnson@commercelexington.com
Subject: RE: email introduction re: July scheduling request with EPA Administrator Pruitt

Sydney

I hope you are well. Do you have any update on the appearance request by Commerce Lexington for Administrator Pruitt?

Thanks Rusty

From: Rusty Ashcraft
Sent: Thursday, April 13, 2017 10:48 AM
To: 'Hupp, Sydney'
Cc: Bennett, Tate; Witt, Ethan (McConnell); Conner, Katelyn (McConnell); ajohnson@commercelexington.com
Subject: RE: email introduction re: July scheduling request with EPA Administrator Pruitt

Sydney

Thank you. I have attached the completed form. Please let me know if there are questions? Also, feel to invite the Administrator, Tate, et al to the Kentuckians in Washington Event at Union Station on July 12 from 6-7:30.

Thanks

Rusty Ashcraft
Manager, Government Affairs & Environmental Policy
Alliance Coal, LLC
1146 Monarch Street

Lexington, KY 40513
Office: Ex. 6
Cell: Ex. 6

From: Hupp, Sydney [mailto:hupp.sydney@epa.gov]
Sent: Wednesday, April 12, 2017 3:34 PM
To: Rusty Ashcraft
Cc: Bennett, Tate; Witt, Ethan (McConnell); Conner, Katelyn (McConnell)
Subject: RE: email introduction re: July scheduling request with EPA Administrator Pruitt

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Thank you! Rusty, I have attached a meeting request form. Would you please fill it out at your convenience and send back? Please let me know if you have any questions on it!

Thank you!

Sydney Hupp
Office of the Administrator- Scheduling
Ex. 6

From: Rusty Ashcraft [mailto:Rusty.Ashcraft@arlp.com]
Sent: Wednesday, April 12, 2017 11:13 AM
To: Conner, Katelyn (McConnell) <Katelyn_Conner@mcconnell.senate.gov>
Cc: Hupp, Sydney <hupp.sydney@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Witt, Ethan (McConnell) <Ethan_Witt@mcconnell.senate.gov>
Subject: Re: email introduction re: July scheduling request with EPA Administrator Pruitt

Thank you for your assistance...

Rusty

Sent from my iPhone

On Apr 12, 2017, at 9:09 AM, Conner, Katelyn (McConnell) <Katelyn_Conner@mcconnell.senate.gov> wrote:

CAUTION: This is an email from an external sender. Use caution when clicking on links, opening attachments or responding.

Rusty,
Ethan Witt mentioned that you are interested in requesting a meeting with Administrator Pruitt when the Bluegrass Region Policy Group visits DC in July. I wanted to connect you with Sydney Hupp, who handles scheduling requests for the Administrator. She's your best contact for facilitating this request.

Please let our office know if you need anything else while you're in town. Hope all is well!

Best,
Katelyn

Katelyn Conner

Legislative Assistant
Senator Mitch McConnell
317 Russell Senate Office Building
P: Ex. 6
katelyn_conner@mcconnell.senate.gov

Message

From: Scales, Sam (S.A.) [SSCALES3@ford.com]
Sent: 4/17/2017 3:08:31 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: EPA approved ZEV investment plan etc.

Sounds good! Thank ya.

Sam A. Scales

Ex. 6

On Apr 16, 2017, at 7:12 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> Thanks. Will report back!
>
> Sent from my iPhone
>
> On Apr 15, 2017, at 6:10 PM, Scales, Sam (S.A.) <SSCALES3@ford.com> wrote:
>
> > Hey Tate:
> >
> > Looks like EPA has approved the first phase of Volkswagen's national plan to invest $1.2 billion in electric vehicle charging infrastructure. There are a number of companies/groups that have raised concerns about this including Congress. The $1.2 billion infusion into the EV infrastructure market will likely prevent further private sector development of charging infrastructure and allow VW to cherry pick the best charging locations etc.
> >
> > I've also attached Ford's comments submitted to CARB regarding the California portion of the investment plan. The comments give you a good feel for a number of the concerns Ford has. Just wanted to be sure and flag. Let me know if ya have any questions. Hope you have a good rest of the wknd!
> >
> > **EPA Approved National ZEV Infrastructure Plan:**
> >
> > https://www.epa.gov/enforcement/epa-approved-national-zev-investment-plan-public-version
> >
> > **House E&C Oversight Hearing:**
> >
> > https://energycommerce.house.gov/hearings-and-votes/hearings/volkswagen-s-emissions-cheating-settlement-questions-concerning-zev-0
> >
> > **FYI opposition letter from various groups:**
> >
> > https://www.eenews.net/assets/2017/01/31/document_gw_05.pdf

<Ford letter CARB VW 30M ZEV Mark Williams 4 10 2017.pdf>

Message

From: Hupp, Sydney [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D50089FF1A5B4C83BAA0160AFE2C33CB-HUPP, SYDNE]
Sent: 4/12/2017 7:34:20 PM
To: Rusty Ashcraft [Rusty.Ashcraft@arlp.com]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Witt, Ethan (McConnell) [Ethan_Witt@mcconnell.senate.gov]; Conner, Katelyn (McConnell) [Katelyn_Conner@mcconnell.senate.gov]
Subject: RE: email introduction re: July scheduling request with EPA Administrator Pruitt
Attachments: External Meeting Request Form.docx

Thank you! Rusty, I have attached a meeting request form. Would you please fill it out at your convenience and send back? Please let me know if you have any questions on it!

Thank you!

Sydney Hupp
Office of the Administrator- Scheduling
Ex. 6

From: Rusty Ashcraft [mailto:Rusty.Ashcraft@arlp.com]
Sent: Wednesday, April 12, 2017 11:13 AM
To: Conner, Katelyn (McConnell) <Katelyn_Conner@mcconnell.senate.gov>
Cc: Hupp, Sydney <hupp.sydney@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Witt, Ethan (McConnell) <Ethan_Witt@mcconnell.senate.gov>
Subject: Re: email introduction re: July scheduling request with EPA Administrator Pruitt

Thank you for your assistance...

Rusty

Sent from my iPhone

On Apr 12, 2017, at 9:09 AM, Conner, Katelyn (McConnell) <Katelyn_Conner@mcconnell.senate.gov> wrote:

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Best,
Katelyn

Katelyn Conner
Legislative Assistant
Senator Mitch McConnell

317 Russell Senate Office Building
P: Ex. 6
katelyn_conner@mcconnell.senate.gov

External Meeting Request Form for Administrator E. Scott Pruitt

U.S. Environmental Protection Agency

To request the Administrator to attend and/or speak at your event, please complete and submit the following form.

Today's Date:

Meeting Date:

Meeting Time:

Requested Location (if offsite, please list address, parking instructions, etc.):

Requestor:

Purpose of the Meeting:

Background on the Meeting:

Role of the Administrator:

Attendees:

Point of Contact:

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 5/15/2017 3:56:29 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Annie Dwyer [Annie.Dwyer@cei.org]
CC: Deeley, Blake [Blake.Deeley@mail.house.gov]; aubrey_vaughan@mcconnell.senate.gov; aubrey_vaughan@paul.senate.gov
Subject: RE: Letters of Support/Social Media outreach

Thanks, Tate.

From: Bennett, Tate
Sent: Monday, May 15, 2017 11:14 AM
To: Annie Dwyer <Annie.Dwyer@cei.org>
Cc: Deeley, Blake <Blake.Deeley@mail.house.gov>; aubrey_vaughan@mcconnell.senate.gov; Bowman, Liz <Bowman.Liz@epa.gov>; aubrey_vaughan@paul.senate.gov
Subject: Re: Letters of Support/Social Media outreach

Adding Aubrey's best email.

On May 15, 2017, at 11:10 AM, Annie Dwyer <Annie.Dwyer@cei.org> wrote:

> Thanks Tate! Contact info below.
>
> Blake and Aubrey – do let me know if and how we can help. We have a lot of resources (research, letters, commentary, etc.) on this issue.
>
> **Annie Dwyer**
> *Senior Director of Communications*
> Competitive Enterprise Institute
> Ex. 6 | @ceidotorg
> annie.dwyer@cei.org
>
> **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> **Sent:** Monday, May 15, 2017 10:54 AM
> **To:** Annie Dwyer <Annie.Dwyer@cei.org>
> **Cc:** Deeley, Blake <Blake.Deeley@mail.house.gov>; aubrey_vaughan@mcconnell.senate.gov; Bowman, Liz <Bowman.Liz@epa.gov>
> **Subject:** Letters of Support/Social Media outreach
>
> Wanted to connect you all via email—
>
> Elizabeth Tate Bennett
> Senior Deputy Associate Administrator
> Congressional and Intergovernmental Affairs
> Office of the Administrator
> U.S. Environmental Protection Agency

Message

From: Mike Palicz [mpalicz@atr.org]
Sent: 8/9/2018 3:06:23 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Great to meet/ATR meeting

Elizabeth,

Great meeting you over at Heritage on Tuesday, we're happy to help any way we can on CAFE roll-out.

As we discussed, I think it would be great to have Mr. Wheeler join us at the Wednesday meeting, perhaps sometime in September. He'd certainly receive a warm reception and we could have him meet with Grover before/after the meeting, I know Grover would be excited to meet him.

It would also be great to have you join us when available. Our meetings are every Wednesday from 10:00-11:30am with the last half hour reserved for hill/administration people to give updates.

Great meeting you and Ex. 6

Best,

Mike Palicz
Federal Affairs Manager
Americans for Tax Reform

722 12th Street NW | Washington, DC 20005
Ex. 6 | www.atr.org | mpalicz@atr.org

Delivery Report

From: Microsoft Outlook [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=MICROSOFTEXCHANGE329E71EC88AE4615BBC36AB6CE41109EF7088051]
Sent: 5/15/2017 3:13:40 PM
To: aubrey_vaughan@mcconnell.senate.gov
Subject: Undeliverable: Re: Letters of Support/Social Media outreach
Attachments: Re: Letters of Support/Social Media outreach

Your message
To: Annie Dwyer
CC: Deeley, Blake; aubrey_vaughan@mcconnell.senate.gov; Bowman, Liz; aubrey_vaughan@paul.senate.gov
Subject: Re: Letters of Support/Social Media outreach
Sent: 5/15/2017 3:13:37 PM

Your message to aubrey_vaughan@mcconnell.senate.gov couldn't be delivered.

aubrey_vaughan wasn't found at mcconnell.senate.gov.

Bennett.Tate	**Office 365**	**aubrey_vaughan**
Action Required		Recipient

Unknown To address

How to Fix It

The address may be misspelled or may not exist. Try one or more of the following:

- Send the message again following these steps: In Outlook, open this non-delivery report (NDR) and choose **Send Again** from the Report ribbon. In Outlook on the web, select this NDR, then select the link "**To send this message again, click here.**" Then delete and retype the entire recipient address. If prompted with an Auto-Complete List suggestion don't select it. After typing the complete address, click **Send**.
- Contact the recipient (by phone, for example) to check that the address exists and is correct.
- The recipient may have set up email forwarding to an incorrect address. Ask them to check that any forwarding they've set up is working correctly.
- Clear the recipient Auto-Complete List in Outlook or Outlook on the web by following the steps in this article: Fix email delivery issues for error code 5.1.1 in Office 365, and then send the message again. Retype the entire recipient address before selecting **Send**.

If the problem continues, forward this message to your email admin. If you're an email admin, refer to the **More Info for Email Admins** section below.

Was this helpful? Send feedback to Microsoft.

More Info for Email Admins

Status code: 550 5.1.1

This error occurs because the sender sent a message to an email address outside of Office 365, but the address is incorrect or doesn't exist at the destination domain. The error is reported by the recipient domain's email server, but most often it must be fixed by the person who sent the message. If the steps in the **How to Fix It** section above don't fix the problem, and you're the email admin for the recipient, try one or more of the following:

The email address exists and is correct - Confirm that the recipient address exists, is correct, and is accepting messages.

Synchronize your directories - If you have a hybrid environment and are using directory synchronization make sure the recipient's email address is synced correctly in both Office 365 and in your on-premises directory.

Errant forwarding rule - Check for forwarding rules that aren't behaving as expected. Forwarding can be set up by an admin via mail flow rules or mailbox forwarding address settings, or by the recipient via the Inbox Rules feature.

Mail flow settings and MX records are not correct - Misconfigured mail flow or MX record settings can cause this error. Check your Office 365 mail flow settings to make sure your domain and any mail flow connectors are set up correctly. Also, work with your domain registrar to make sure the MX records for your domain are configured correctly.

For more information and additional tips to fix this issue, see Fix email delivery issues for error code 550 5.1.1 in Office 365.

Original Message Details

Created Date:	5/15/2017 3:13:37 PM
Sender Address:	Bennett.Tate@epa.gov
Recipient Address:	aubrey_vaughan@mcconnell.senate.gov
Subject:	Re: Letters of Support/Social Media outreach

Error Details

Reported error:	*550 5.1.1 User Unknown*
DSN generated by:	BY2PR09MB0312.namprd09.prod.outlook.com
Remote server:	a-ess-ppmx2.senate.gov

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
1	5/15/2017 3:13:37 PM	BY2PR09MB1125.namprd09.prod.outlook.com	BY2PR09MB1125.namprd09.prod.outlook.com	mapi

2	5/15/2017 3:13:38 PM	BY2PR09MB1125.namprd09.prod.outlook.com	BY2PR09MB0312.namprd09.prod.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA

Original Message Headers


```
DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com;
 s=selector1-epa-gov;
 h=From:Date:Subject:Message-ID:Content-Type:MIME-Version;
 bh=J6brEdwSs0qzlEk2rDJHBweYxBLEbpshuP5Vs7rH8gk=;

b=XPdbKtYvEKtjw5YkRp3ezpafUy+DhddHNSslJFB+7visSVuaVCc+lzA77CtoYsWF+SlChCuzsDMVYKngaRLuWMW
wNsoukUoj8205JxPN26E0xoPnZBAwIKcjveQKZKlfUuCn52lyNQ3GiurkEWWjbcroyNaJur9FQt8Hpn+UmxA=
Received: from BY2PR09MB1125.namprd09.prod.outlook.com (10.166.116.21) by
 BY2PR09MB0312.namprd09.prod.outlook.com (10.160.66.139) with Microsoft SMTP
 Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_128_CBC_SHA256_P256) id
 15.1.1084.16; Mon, 15 May 2017 15:13:38 +0000
Received: from BY2PR09MB1125.namprd09.prod.outlook.com ([10.166.116.21]) by
 BY2PR09MB1125.namprd09.prod.outlook.com ([10.166.116.21]) with mapi id
 15.01.1084.029; Mon, 15 May 2017 15:13:37 +0000
From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: Annie Dwyer <Annie.Dwyer@cei.org>
CC: "Deeley, Blake" <Blake.Deeley@mail.house.gov>,
        "aubrey_vaughan@mcconnell.senate.gov" <aubrey_vaughan@mcconnell.senate.gov>,
        "Bowman, Liz" <Bowman.Liz@epa.gov>, "aubrey_vaughan@paul.senate.gov"
        <aubrey_vaughan@paul.senate.gov>
Subject: Re: Letters of Support/Social Media outreach
Thread-Topic: Letters of Support/Social Media outreach
Thread-Index: AdLNio9Ag8eCH5thSmC7urw5lnRefQAAQaigAACPcWI=
Date: Mon, 15 May 2017 15:13:37 +0000
Message-ID: <D4A58D30-1814-4BB5-8265-815B501F13F1@epa.gov>
References:
<BY2PR09MB1125BF17BCC63F457234BA0196E10@BY2PR09MB1125.namprd09.prod.outlook.com>,<a511358
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X-MS-Has-Attach:
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authentication-results: cei.org; dkim=none (message not signed)
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x-originating-ip: [2600:1003:b00a:6686:69b2:b009:cf91:d6b]
x-ms-publictraffictype: Email
x-microsoft-exchange-diagnostics:
1;BY2PR09MB0312;7:w+GMlsk3R0fbaiFSofzUQXTilGn7eeMKJ/cdvF0xg1rk0L07Rr+JPlUjHp2jg5r7URdgwKP
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MIME-Version: 1.0

X-OriginatorOrg: epa.gov

X-MS-Exchange-CrossTenant-originalarrivaltime: 15 May 2017 15:13:37.3194
 (UTC)

X-MS-Exchange-CrossTenant-fromentityheader: Hosted

X-MS-Exchange-CrossTenant-id: 88b378b3-6748-4867-acf9-76aacbeca6a7

X-MS-Exchange-Transport-CrossTenantHeadersStamped: BY2PR09MB0312

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/15/2017 3:13:37 PM
To: Annie Dwyer [Annie.Dwyer@cei.org]
CC: Deeley, Blake [Blake.Deeley@mail.house.gov]; aubrey_vaughan@mcconnell.senate.gov; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; aubrey_vaughan@paul.senate.gov
Subject: Re: Letters of Support/Social Media outreach

Adding Aubrey's best email.

On May 15, 2017, at 11:10 AM, Annie Dwyer <Annie.Dwyer@cei.org> wrote:

> Thanks Tate! Contact info below.
>
> Blake and Aubrey – do let me know if and how we can help. We have a lot of resources (research, letters, commentary, etc.) on this issue.
>
> **Annie Dwyer**
> *Senior Director of Communications*
> Competitive Enterprise Institute
> Ex. 6 | @ceidotorg
> annie.dwyer@cei.org
>
> **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> **Sent:** Monday, May 15, 2017 10:54 AM
> **To:** Annie Dwyer <Annie.Dwyer@cei.org>
> **Cc:** Deeley, Blake <Blake.Deeley@mail.house.gov>; aubrey_vaughan@mcconnell.senate.gov; Bowman, Liz <Bowman.Liz@epa.gov>
> **Subject:** Letters of Support/Social Media outreach
>
> Wanted to connect you all via email—
>
> Elizabeth Tate Bennett
> Senior Deputy Associate Administrator
> Congressional and Intergovernmental Affairs
> Office of the Administrator
> U.S. Environmental Protection Agency

Message

From: Scales, Sam (S.A.) [SSCALES3@ford.com]
Sent: 3/24/2017 3:14:07 PM
To: Bennett, Elizabeth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Bugging you for other POCs

Ed Somers, U.S. Conference of Mayors chief of staff: esomers@usmayors.org

Sam A. Scales
Ford Motor Company
Ex. 6

From: Bennett, Elizabeth [mailto:bennett.elizabeth@epa.gov]
Sent: Friday, March 24, 2017 11:13 AM
To: Scales, Sam (S.A.)
Subject: RE: Bugging you for other POCs

Thanks! TVD sent me a huge list so standby!

From: Scales, Sam (S.A.) [mailto:SSCALES3@ford.com]
Sent: Friday, March 24, 2017 11:12 AM
To: Bennett, Elizabeth <bennett.elizabeth@epa.gov>
Subject: RE: Bugging you for other POCs

Lovin the new email

Checking on mayors etc. Will circle back.

Happpy Friday!

Sam A. Scales
Ford Motor Company
Ex. 6

From: Bennett, Elizabeth [mailto:bennett.elizabeth@epa.gov]
Sent: Friday, March 24, 2017 9:01 AM
To: Scales, Sam (S.A.)
Subject: Bugging you for other POCs

Southern Govs
New England Govs
Mayors? AG's, State Ag Depts? Send them all!

Elizabeth Tate Bennett
Congressional Affairs & Intergovernmental Relations
U.S. Environmental Protection Agency

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

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
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct: (
Tel mobile: Ex. 6
E-mail: Myron.Ebell@cei.org
Stop continental drift!

Message

From: Pat Michaels [PMichaels@cato.org]
Sent: 6/12/2018 5:19:43 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Urgent regarding tomorrow

4 sure tell me where/ when convenient.

-----Original Message-----
From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Tuesday, June 12, 2018 1:19 PM
To: Pat Michaels <PMichaels@cato.org>
Subject: Re: Urgent regarding tomorrow

Thank you, Pat! Let's catch up soon!

> On Jun 12, 2018, at 1:18 PM, Pat Michaels <PMichaels@cato.org> wrote:
>
> Sorry Tate, just got back from vacation--and I lost my cell phone at Ex. 6 Replacing it this afternoon Ex. 6
>
> I'm not a Gold King person, but you should contact (Dr.) Ned Mamula, a petroleum geologist whose last job was with a company in Langley. He is on track for a senior position at Interior/Geological Survey, and I would bet he either has the knowledge or knows where to go on this. His cell is Ex. 6 Email middleburg@mindspring.com.
>
> I've attached his draft chapter for my new book Scientocracy, so you can get a flavor of where his head is at. Obviously just page through it...
>
> Best
>
> Pat Michaels
>
> -----Original Message-----
> From: Bennett, Tate <Bennett.Tate@epa.gov>
> Sent: Tuesday, June 12, 2018 11:10 AM
> To: Pat Michaels <PMichaels@cato.org>
> Subject: Re: Urgent regarding tomorrow
>
> Pat- do you work on gold king mine? If so, can you shoot me your cell?
>
>> On Apr 3, 2018, at 9:42 AM, Pat Michaels <PMichaels@cato.org> wrote:
>>
>> I will be attending.
>>
>> Pat MIchaels
>>
>> -----Original Message-----
>> From: Bennett, Tate <Bennett.Tate@epa.gov>
>> Sent: Monday, April 02, 2018 8:26 PM
>> To: Bennett, Tate <Bennett.Tate@epa.gov>
>> Cc: Gordon, Stephen <gordon.stephen@epa.gov>
>> Subject: Urgent regarding tomorrow
>>
>> Hi All – apologies for the very last minute email re: a location change. We will now be hosting this event at EPA HQ located at 1200 Pennsylvania NW at 10:30 AM tomorrow.
>>
>> Directions: Please use the William Jefferson Clinton South Entrance located on your left as you exit the Federal Triangle Metro Station. Please arrive 20 minutes prior to the meeting with photo IDs to clear security.
>>
>> Please confirm your attendance by replying all (to Stephen and I) with your first and last name. This invite is invitation only.
>>
>> My cell is Ex. 6 if you have any trouble.
>>
>> Tate
>>
>>
>>
>>

> <mamulaPebble.docx>

Message

From: Pat Michaels [PMichaels@cato.org]
Sent: 6/12/2018 5:17:53 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Urgent regarding tomorrow
Attachments: mamulaPebble.docx

Sorry Tate, just got back from vacation--and I lost my cell phone at Ex. 6 Replacing it this afternoon Ex. 6

I'm not a Gold King person, but you should contact (Dr.) Ned Mamula, a petroleum geologist whose last job was with a company in Langley. He is on track for a senior position at Interior/Geological Survey, and I would bet he either has the knowledge or knows where to go on this. His cell is Ex. 6 Email middleburg@mindspring.com.

I've attached his draft chapter for my new book Scientocracy, so you can get a flavor of where his head is at. Obviously just page through it...

Best

Pat Michaels

-----Original Message-----
From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Tuesday, June 12, 2018 11:10 AM
To: Pat Michaels <PMichaels@cato.org>
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>
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>
> Pat MIchaels
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> Sent: Monday, April 02, 2018 8:26 PM
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> Subject: Urgent regarding tomorrow
>
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>
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>
> My cell is Ex. 6 if you have any trouble.
>
> Tate
>
>
>
>

Message

From: Events [events@cei.org]
Sent: 6/7/2018 3:32:43 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: You're Invited: CEI Annual Dinner & Reception

COMPETITIVE ENTERPRISE INSTITUTE

1 COMPLIMENTARY TICKET

JUNE 28, 2018



FREEDOM: THE GREATEST SHOW ON EARTH

Dear Elizabeth,

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: Events [events@cei.org]
Sent: 6/12/2018 3:52:52 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Reminder - You're Invited: CEI Annual Dinner & Reception

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Institute for Liberty and Democracy

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Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 6/11/2018 3:40:16 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: apologies

Of course.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct: (
Tel mobile: **Ex. 6**
E-mail: Myron.Ebell@cei.org
Stop continental drift!

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, June 11, 2018 11:32 AM
To: Myron Ebell <Myron.Ebell@cei.org>
Subject: apologies

Hi Myron-

I am sorry to do this, but I am preparing the Admin for some travel for this week. Can I raincheck to the next meeting?

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 4/30/2018 3:13:59 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition next meeting reminder and EPA's secret science reforms

The Cooler Heads Coalition will hold its May strategy meeting on Monday, 14th May, 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.

EPA's Scientific Transparency Reforms:

EPA Administrator Scott Pruitt on 24th April announced a proposed rule to end the use of secret science (and make other science reforms) in EPA's regulatory process. The press release is here: https://www.epa.gov/newsreleases/epa-administrator-pruitt-proposes-rule-strengthen-science-used-epa-regulations. The link to the proposed rule is at https://www.epa.gov/newsroom/proposed-rule-strengthening-transparency-regulatory-science.

One week before Pruitt's announcement, the National Association of Scholars published an important study by David Randall and Christopher Welser on ***The Irreproducibility Crisis of Modern Science***. Here is the link: https://www.nas.org/projects/irreproducibility_report.

Pruitt deserves lots of credit and so do many people who have worked for decades for scientific transparency. I'll mention only two here: Steve Milloy of JunkScience.com and Representative Lamar Smith, Chairman of the House Science, Space, and Technology Committee. Steve, a charter member of the Cooler Heads Coalition, has ongoing coverage of the controversy at JunkScience.com. Here is Chairman Smith's statement: https://science.house.gov/news/press-releases/smith-remarks-administrator-pruitt-s-scientific-transparency-announcement.

The blowback from environmental pressure groups and the junk science community has been amusing to watch. They are all for transparency and reproducibility, but not for requiring it when using junk science to justify costly new rules. Here are some examples:
http://thehill.com/opinion/energy-environment/384898-epa-proposal-will-hobble-good-science-and-harm-american-families
https://s3.amazonaws.com/ucs-documents/science-and-democracy/secret-science-letter-4-23-2018.pdf;
https://www.popsci.com/epa-transparency-public-health-data

Here are three news stories that toe the party line:
https://www.washingtonpost.com/news/energy-environment/wp/2018/04/24/pruitt-to-unveil-controversial-transparency-rule-limiting-what-research-epa-can-use/?noredirect=on&utm_term=.29e5569ee37d
https://www.huffingtonpost.com/entry/pruitt-epa-transparency-rule-science_us_5adf44a8e4b07560f395fb16

http://www.latimes.com/politics/la-na-pol-epa-science-20180424-story.html

Although it isn't easy to argue against scientific transparency, the campaign against EPA's reforms is going to be intense. We will need to gear up to counter the mis-information from the environmental pressure groups and spread by the mainstream media. Angela Logomasini, my CEI colleague, does a good job in this article published on the Hill blog: http://thehill.com/opinion/energy-environment/385411-pruitts-rule-ending-secret-science-is-pro-science-pro-consumer

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct: (
Tel mobile: Ex. 6
E-mail: Myron.Ebell@cei.org
Stop continental drift!

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 5/11/2018 9:35:03 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition reminder of next meeting Monday the 14th and other announcements

Reminder: the Cooler Heads Coalition will hold its next monthly strategy meeting on Monday, 14th May, beginning at 12 noon at CEI, 1310 L Street, N. W., Seventh Floor.

The comment period on EPA's proposed rule on Strengthening Transparency in Regulatory Science ends on 30th May, although an extension seems likely. Here's the link: https://www.federalregister.gov/documents/2018/04/30/2018-09078/strengthening-transparency-in-regulatory-science. Steve Milloy has everything you need to know at JunkScience.com: https://junkscience.com/2018/05/epa-officially-proposes-science-transparency-rule-30-day-comment-period-begins/#more-93667.

Tom Pyle, Shirley Ybarra, and I sent a letter to President Trump yesterday that urges him to stay tough on the CAFÉ review. https://instituteforenergyresearch.org/press/transition-team-leaders-ybarra-ebell-pyle-president-trump-stay-course-cafe-reform/

In the *Quelle monde!* file: Eric Schneiderman is out, EU greenhouse gas emissions are up, and California is going to require solar panels on all new houses.

If you would like to attend Ross McKitrick's talk—details below—please Rsvp by return e-mail. Since we're serving sandwiches, we need to know how many are coming.

The Cooler Heads Coalition

invites you to a briefing

by

Ross McKitrick

on

(Yet) More Evidence of Low Climate Sensitivity

12 Noon—1:15 PM
Friday, 18th May 2018

at

CEI
1310 L Street, N. W., Seventh Floor

Lunch will be provided.
Please Rsvp to mebell@cei.org.

(Yet) More Evidence of Low Climate Sensitivity

There is now a large body of empirical work showing that the traditional IPCC climate sensitivity range is too high. This, in turn, means that estimates of damages from greenhouse gas emissions and the Social Cost of Carbon are too high. I will review the newest published evidence from Lewis and Curry based on empirical Energy Balance Models, and from John Christy and colleagues using satellite data. Then I will present some new results John Christy and I have found looking at the 60-year long tropospheric weather balloon record that shows climate models are systematically overstating the effects of greenhouse gas emissions.

Ross McKitrick

Our good friend Ross McKitrick is Professor of Economics and CBE Chair in Sustainable Commerce at the University of Guelph, in Guelph, Ontario. He specializes in environmental economics. In 2012, he was appointed CME Fellow in Sustainable Commerce. He is also a Senior Fellow of the Fraser Institute in Vancouver B.C. In addition to many scholarly articles, Ross is the author of *Economic Analysis of Environmental Policy*, published by the University of Toronto Press in 2010, and the co-author with Christopher Essex of *Taken By Storm: the Troubled Science, Policy, and Politics of Global Warming*. With Steve McIntyre, Ross published the papers that exposed the infamous "hockey stick" graph as the product of inept statistics. Ross has given a number of outstanding briefings for the Cooler Heads Coalition over the years.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct: (
Tel mobile: Ex. 6
E-mail: Myron.Ebell@cei.org
Stop continental drift!

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 5/4/2018 6:42:40 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition invitation to a briefing by Ross McKitrick and next meeting reminder

Reminder: the Cooler Heads Coalition will hold its next monthly strategy meeting on Monday, **14th May**, beginning at 12 noon at CEI, 1310 L Street, N. W., Seventh Floor.

The comments on the "Clean Power" Plan withdrawal written by Marlo Lewis and signed by 20 non-profit groups is posted at https://cei.org/sites/default/files/CEI_Comments_-_Proposed_Rule_-_Clean_Power_Plan_Repeal.pdf.

If you would like to attend Ross McKitrick's talk—details below—please Rsvp by return e-mail. Since we're serving sandwiches, we need to know how many are coming.

The Cooler Heads Coalition

invites you to a briefing

by

Ross McKitrick

on

(Yet) More Evidence of Low Climate Sensitivity

12 Noon—1:15 PM
Friday, 18th May 2018

at

CEI
1310 L Street, N. W., Seventh Floor

Lunch will be provided.

Please Rsvp to mebell@cei.org.

(Yet) More Evidence of Low Climate Sensitivity

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Message

From: rob gordon Ex. 6
Sent: 5/15/2018 2:14:24 PM
To: Rob Gordon [Robert.Gordon@heritage.org]
Subject: Article on "endangered species" based on bad data - With Missing Link

Thought you might be interested in **this article** by Kevin Mooney on "endangered species" based on bad data and misrepresentation of the Endangered Species Act's "recovery" record.

Best,

Rob

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 6/8/2018 8:33:43 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Tate, Let me know when you can who is coming to Cooler Heads

By the way, from 10 to 11 on Monday I'm doing NPR's 1A (the successor to Diane Rehm). The subject is Scott Pruitt! Other guests are Amy Harder and John Walk (?) from NRDC. They're looking for someone from Oklahoma to phone in who knows Scott, his work as AG, etc. If you have any likely suspect, please get it to me as soon as possible. I know lots of folk in Oklahoma, but couldn't think of the right person. Several I thought of, for example, work in state government, so can't comment. And all the folks in the oil industry send the wrong message.

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Stop continental drift!

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, June 8, 2018 3:34 PM
To: Myron Ebell <Myron.Ebell@cei.org>
Subject: RE: Tate, Let me know when you can who is coming to Cooler Heads

I don't have any, I don't think.

From: Myron Ebell [mailto:Myron.Ebell@cei.org]
Sent: Friday, June 8, 2018 3:34 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Tate, Let me know when you can who is coming to Cooler Heads

Also, if you have handouts, if you send them to me I can make copies for the packet. Or you can bring your own—40 is usually enough.

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Tel mobile: **Ex. 6**
E-mail: Myron.Ebell@cei.org
Stop continental drift!

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, June 8, 2018 2:59 PM
To: Myron Ebell <Myron.Ebell@cei.org>
Subject: Re: Tate, Let me know when you can who is coming to Cooler Heads

Definitely myself. Cost benefit.

On Jun 6, 2018, at 5:02 PM, Myron Ebell <Myron.Ebell@cei.org> wrote:

> Dear Tate, Let' me know when you can who is coming to Cooler Heads and what you want to talk about. Yours, Myron.
>
> Myron Ebell
> Director, Center for Energy and Environment
> Competitive Enterprise Institute
> 1310 L Street, N. W., Seventh Floor
> Washington, DC 20005, USA
> Tel direct: Ex. 6
> Tel mobile: Ex. 6
> E-mail: Myron.Ebell@cei.org
> *Stop continental drift!*

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 6/8/2018 7:28:27 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Tate, Let me know when you can who is coming to Cooler Heads

Dear Tate, Great. I look forward to seeing you and learning more of the scintillating details of improving cost-benefit analysis. Yours, Myron.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
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> Tel mobile: Ex. 6
> E-mail: Myron.Ebell@cei.org
> *Stop continental drift!*

Message

From: Bluey, Rob [rob.bluey@heritage.org]
Sent: 8/7/2018 5:57:38 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Imoehl, James [James.Imoehl@heritage.org]
Subject: Meeting with Andrew Wheeler

Tate, good to see you today. I'm copying my colleague James Imoehl on this message. He can provide some dates for a meeting between Mr. Wheeler and Mrs. James. Please let us know if there's any weeks that would work well.

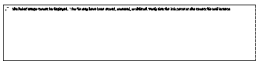
Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org



Delivery Report

From: Microsoft Outlook [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=MICROSOFTEXCHANGE329E71EC88AE4615BBC36AB6CE41109EF7088051]
Sent: 6/4/2018 2:43:43 PM
To: nkaeding@cato.org
Subject: Undeliverable: 500 Days...
Attachments: 500 Days...

Your message
To: Bennett, Tate
Subject: 500 Days...
Sent: 6/4/2018 2:43:30 PM



Your message to nkaeding@cato.org couldn't be delivered.

nkaeding wasn't found at cato.org, or the mailbox is unavailable.

Bennett.Tate	**Office 365**	**nkaeding**
Action Required		Recipient

Unknown To address

How to Fix It

The email address might be misspelled or it might not exist. Try one or more of the following:

- **Retype the recipient's address, then resend the message -** If you're using Outlook, open this non-delivery report message and click **Send Again** from the menu or ribbon. In Outlook on the web, select this message, and then click the "**To send this message again, click here.**" link located just above the message preview window. In the To or Cc line, delete and then retype the entire recipient's address (ignore any address suggestions). After typing the complete address, click **Send** to resend the message. If you're using an email program other than Outlook or Outlook on the web, follow its standard way for resending a message. Just be sure to delete and retype the recipient's entire address before resending it.
- **Remove the recipient from the recipient Auto-Complete List, then resend the message -** If you're using Outlook or Outlook on the web, follow the steps in the "Remove the recipient from the recipient Auto-Complete List" section of this article. Then resend the message. Be sure to delete and retype the recipient's entire address before clicking **Send**.
- **Contact the recipient by some other means,** (by phone, for example) to confirm you're using the right address. Ask them if they've set up an email forwarding rule that could be forwarding your message to an incorrect address.

If the problem continues, forward this message to your email admin. If you're an email admin, refer to the **More Info for Email Admins** section below.

Was this helpful? Send feedback to Microsoft.

More Info for Email Admins

Status code: 550 5.1.351

When Office 365 tried to send the message, the external email server returned an error stating that the recipient is unknown or the mailbox is unavailable. This error was reported by an email server outside Office 365.

If you or the sender can't fix the problem, contact the responsible party's email admin - Give them the error code and error message from this non-delivery report (NDR) to help them troubleshoot the issue. To determine who the responsible party might be, check the error for information about where the problem is happening. For example, look for a domain name like contoso.com. A domain name in the error might suggest who is responsible for the error. It could be the recipient's email server, or it could be a third-party service that your organization or the recipient's organization is using to process or filter email messages.

Although the sender might be able to fix the issue by correcting the recipient address, it's likely that only the recipient's email admin can fix the problem. Unfortunately, it's unlikely Office 365 Support will be able to help with these kinds of externally reported errors.

Original Message Details

Created Date:	6/4/2018 2:43:30 PM
Sender Address:	Bennett.Tate@epa.gov
Recipient Address:	nkaeding@cato.org
Subject:	500 Days...

Error Details

Reported error:	*550 5.1.351 Remote server returned unknown recipient or mailbox unavailable -> 550 Invalid Recipient - https://community.mimecast.com/docs/DOC-1369#550*
DSN generated by:	BL0PR0901MB2340.namprd09.prod.outlook.com
Remote server:	us-smtp-1.mimecast.com

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
1	6/4/2018 2:43:30 PM	BL0PR0901MB2339.namprd09.prod.outlook.com	BL0PR0901MB2339.namprd09.prod.outlook.com	mapi
2	6/4/2018 2:43:30 PM	BL0PR0901MB2339.namprd09.prod.outlook.com	BL0PR0901MB2340.namprd09.prod.outlook.com	Microsoft SMTP Se cipher=TLS_ECDHE

Original Message Headers

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h=From:Date:Subject:Message-ID:Content-Type:MIME-Version:X-MS-Exchange-SenderADCheck;
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14:43:30 +0000
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To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: 500 Days...
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authentication-results: spf=none (sender IP is)
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x-originating-ip: [161.80.87.199]
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received-spf: None (protection.outlook.com: epa.gov does not designate
 permitted sender hosts)

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Content-Type: multipart/mixed;
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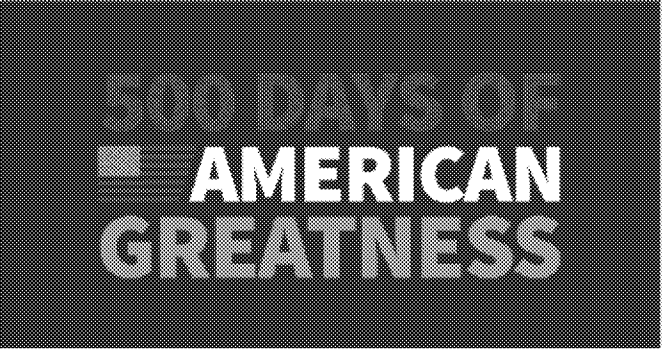
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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/4/2018 2:43:30 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: 500 Days...
Attachments: Promises Made and Kept.pdf

Good morning. As we approach the 500th day of the Trump Administration, I thought you might be interested in the attached document. Let me know if you have any questions. -Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov





Notable Policy Achievements

1. Withdraw From The Paris Climate Accords
2. Ensure Clean Air & Water
3. Reduce Burdensome Government Regulations
4. Repeal The So Called "Clean Power Plan"
5. Repeal The Waters of The United States Rule
6. Promote Energy Dominance
7. Promote Science Transparency
8. End Sue & Settle
9. Promote the Auto Industry

Withdraw From The Paris Climate Accords



Promise Made

While On The Campaign Trail, Then-Candidate Donald Trump Pledged To Withdraw From The Paris Climate Accord. Donald Trump "railed against 'draconian climate rules' and said he would 'cancel' the Paris climate agreement. (NBC News, 5/26/2017)

Promise Kept

In June 2017, President Trump Announced His Decision To Withdraw From The Paris Climate Accords, Pledging To Put American Jobs First. "President Donald Trump kept a campaign promise by announcing Thursday that he is immediately withdrawing the U.S. from a global climate pact. Trump had said as a candidate that the Paris climate accord, signed by nearly 200 countries in 2015, would cause job losses in the U.S." (PBS, 6/1/2018).

Ensure Clean Air and Water

Promise Made

President-Elect Trump Stressed "Clean Air And 'Crystal Clear Water' Were Vitally Important." (The New York Times, 11/22/2016)

Promise Kept

Greenhouse Gas Emissions Are Down Despite Critics' Claims That Top-Down Government Regulations Are Needed. "The EPA administrator yesterday touted the results of the agency's annual report that tallies U.S. emissions. The inventory, released last week, shows that domestic greenhouse gas emissions were down 2.5 percent in 2016 compared with 2015. Between 2005 and 2016, emissions fell about 11 percent." (E&E News, 4/19/2018)

Democratic Senator Jon Tester Applauded Administrator Pruitt's Commitment To Superfund Communities In Montana. "You committed to working with Superfund communities in Montana to increase transparency and solicit additional public input. I applaud that. I am glad to hear that EPA and BP-ARCO are finally moving forward the framework agreement to cleaning up Butte and move forward soon with Anaconda." (Senator Jon Tester, 5/16/2018)

EPA Administrator Scott Pruitt Approved Cleanup Plan To Remove Toxic Material From West Lake Superfund Site. "Environmental Protection Agency Administrator Scott Pruitt said Monday that he believes he has proposed a "sound, solid" solution to clean up the West Lake Landfill Superfund site — but that a final decision could include excavating more than the 67 percent of the site the EPA says will be sufficient to protect the health of neighboring residents." (St. Louis Dispatch, 3/13/2018)

The Trump Administration's EPA Has Made It A Priority To Clean Up Toxic Superfund Sites To Improve Environmental Quality For Surrounding Communities. "Federal environmental regulators have reached a long-awaited agreement with the owners of a polluted toxic waste site in Texas that was damaged during Hurricane Harvey, releasing dangerous chemicals into a river. The Environmental Protection Agency says it reached a final deal with International Paper Co. and McGinnes Industrial Maintenance Corp. to design a plan to remove dioxin-contaminated materials from the San Jacinto River Waste Pits Superfund site, located outside Houston." (The Associated Press, 4/11/2018)

Reduce Burdensome Government

Promise made

President-Elect Trump Promised To Reduce Burdensome, Job-Killing Regulations Prior To Taking Office. "I will formulate a rule which says for every one new regulation, two old regulations must be eliminated." (President-Elect Donald Trump, 11/21/2016)

Promise Kept

During The First Year Of The Trump Administration, EPA Finalize 22 Deregulatory Actions, Which Could Save Americans more Than $1 Billion In Regulatory Costs. (EPA Releases Administrator Pruitt's year On Accomplishments Report, 3/5/2018)

For Fiscal Year 2017, EPA Finalized Two Deregulatory Actions For Each Final Regulatory Action. (EPA Releases Annual Regulatory Plan, 12/14/2017)

In October 2017, EPA Relaunched The Smart Sectors Program To Collaborate With Regulated Sectors And Develop Sensible Approaches That Better Protect The Environment And Human Health. "'EPA's Smart Sectors program will re-examine how EPA engages with industry in order to reduce unnecessary regulatory burden, create certainty and predictability, and improve the ability of both EPA and industry to conduct long-term regulatory planning while also protecting the environment and public health,' according to the EPA." (Washington Examiner, 9/27/2017)

Repeal The So Called "Clean Power Plan"

Promise Made

Then-Candidate Donald Trump Promised To Repeal The Job-Killing Clean Power Plan On The Campaign Trail. "During an economic policy speech in New York, Trump said he would eliminate the Clean Power Plan and the Waters of the United States rule. In a fact sheet released accompanying the speech." (The Washington Examiner, 9/15/2016)

Promise Kept

In October 2017, EPA Announced The Agency Has Submitted A Proposal To Repeal The So-Called "Clean Power Plan." "The Environmental Protection Agency announced on Tuesday that Scott Pruitt, the chief of the agency, had signed a measure to repeal President Barack Obama's signature policy to curb greenhouse gas emissions from power plants." (The New York Times, 10/9/2017)

Repeal The Water of The United States Rule

Promise Made

Then-Candidate Donald Trump Promised To Repeal The "Waters Of The United States" Rule On The Campaign Trail. "During an economic policy speech in New York, Trump said he would eliminate the Clean Power Plan and the Waters of the United States rule. In a fact sheet released accompanying the speech." (The Washington Examiner, 9/15/2016)



Promise Kept

In June 2017, President Trump's EPA Proposed To Repeal The Obama A dministration's Overreaching "Waters Of The United States" Rule That Will Provide Regulatory Certainty For Farmers And Land Owners. "The Environmental Protection Agency (EPA) formally proposed Tuesday to repeal the Obama administration's controversial regulation that extended the reach of the federal government over small waterways." (The Hill, 6/27/2018)

Promote Energy Dominance

Promise Made

Then-Candidate Donald Trump Pledged "Energy Revolution." "A Trump administration would end this war on the American worker and unleash an energy revolution that will bring vast new wealth to our country." (The Hill, 8/8/2016)

Promise Kept

In October 2017, EPA Released Energy Independence Report To Highlight Success And Lay Out Plans For The Future. "Today, the U.S. Environmental Protection Agency (EPA) released its final report on how EPA, under Administrator Scott Pruitt's leadership, is implementing President Trump's Executive Order 13783 to curb regulatory burdens in order to promote energy production and economic growth – while protecting human health and the environment." (EPA Releases Energy Independence Report, 10/25/2017)

Promote Science Transparency

Promise Made

Then-Candidate Donald Trump Promised That "Policy Decisions Will Be Public And Very, Very Transparent." (Speech in Bismarck, ND, 5/26/2016)

Promise Kept

In April 2018, EPA Issued A Proposed Rule To Provide Transparency In EPA Regulations. "Taking steps to increase access to data, with strong privacy protections, is how society will continue to make scientific and economic progress and ensure that evidence in rule-making is sound. The EPA's proposed rule follows principles laid out in 2017 by the bipartisan Commission on Evidence-Based Policymaking — humility, transparency, privacy, capacity and rigor — and moves us toward providing greater access to scientific data while protecting individual privacy." (Washington Post, 5/10/2018)

End Sue & Settle

Promise Made

Then-Candidate Donald Trump Promised That "In A Trump Administration, Political Activists With Extreme Agendas Will No Longer Write The Rules Because That Is What Is Happening Now." (Speech in Bismarck, ND, 5/26/2016)

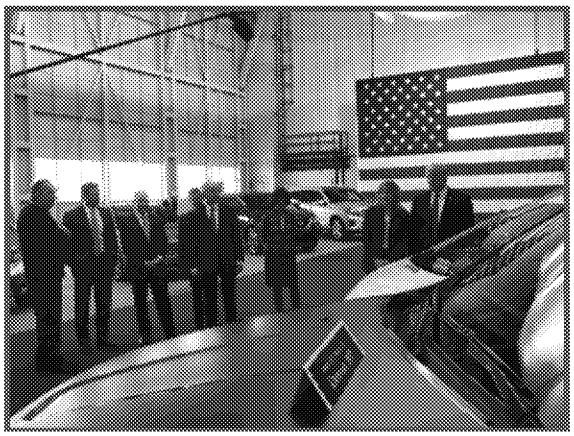
Promise Kept

In October 2017, EPA Put An End To The Use Of "Sue & Settle." "… Pruitt declared 'the days of regulation through litigation are over.' He is directing the agency to take a series of steps intended to increase transparency, improve public participation, and provide direct accountability for the actions that EPA officials take. That includes forbidding the practice of entering into any settlements that 'exceed the authority of the courts' and requiring that any proposed settlement be published for a 30-day public comment period." (National Review, 10/21/2017)

Promote the Auto Industry

Promise Made

Then-Candidate Donald Trump Promised, "We Are Going To Bring Back The Automobile Industry To Michigan, Bigger And Better And Stronger Than Ever Before." (Rally in Grand Rapids, MI, 11/8/2016)



Promise Kept

In April 2018, Administrator Pruitt Determined that Obama-Era Standards for Light-Duty Vehicles Were Not Appropriate and Unnecessary Regulatory Burdens On the Auto Industry. "Obama administration regulations on fuel efficiency for automobiles were both unrealistic and coercive, Environmental Protection Agency Administrator Scott Pruitt said Tuesday. 'Oftentimes this agency has been used to try to be coercive, and to try to pick winners and losers and advance certain outcomes in the marketplace,' Pruitt told The Daily Signal in an interview." (Daily Signal, 4/3/2018)



Message

From: Taylor Barkley [Taylor.Barkley@cei.org]
Sent: 5/11/2018 1:17:15 PM
To: Taylor Barkley [Taylor.Barkley@cei.org]
CC: Ex. 6
Subject: Moving On

Hello!

It feels bittersweet to announce that today is my last day at the Competitive Enterprise Institute. But I am very excited to join the technology and innovation policy team at the Charles Koch Institute on May 21.

My time at CEI has easily been one of the most exciting, fulfilling, and educational steps of my career. It's been my privilege to work at such a fantastic place. It has also been my privilege to work with all of you! Although I am hanging up my government affairs hat I won't be going too far and will continue to see many of you regularly. I am looking forward to what comes next!

For all questions related to government affairs please contact Harper Lanier, our government affairs coordinator, at harper.lanier@cei.org and Annie Dwyer, our VP of communications, at annie.dwyer@cei.org. They will be filling in for me until the next government affairs manager steps into the role. Info on that position is here.

If you would like to stay in touch please do email me at Ex. 6

Sincerely,

Taylor Barkley
Government Affairs Manager
Competitive Enterprise Institute

Message

From: Hewitt, James [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=41B19DD598D340BB8032923D902D4BD1-HEWITT, JAM]
Sent: 4/27/2018 8:50:24 PM
To: Bluey, Rob [rob.bluey@heritage.org]
CC: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: May 8 lunch

Sounds good. I'll see you then.

Sent from my iPhone

On Apr 27, 2018, at 4:48 PM, Bluey, Rob <rob.bluey@heritage.org> wrote:

> I'm going to be out of the office Tuesday and thought it was best to postpone our lunch until Tuesday, May 8. Please let me know if you have any requests for the meeting.

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

Message

From: Katz, Diane [Diane.Katz@heritage.org]
Sent: 4/24/2018 8:00:44 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Tune in at 2 PM for a special announcement

Hi, Elizabeth.
I was at the announcement this afternoon.
Can you provide a copy of the proposed rule?
Thanks.
Diane

Diane Katz
Senior Research Fellow in Regulatory Policy
Institute for Economic Freedom
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Tuesday, April 24, 2018 1:59 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Tune in at 2 PM for a special announcement

https://www.epa.gov/home/live

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bluey, Rob [rob.bluey@heritage.org]
Sent: 4/27/2018 8:48:44 PM
To: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Hewitt, James [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=41b19dd598d340bb8032923d902d4bd1-Hewitt, Jam]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: May 8 lunch

I'm going to be out of the office Tuesday and thought it was best to postpone our lunch until Tuesday, May 8. Please let me know if you have any requests for the meeting.

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

Message

From: Laura Skaer [lskaer@miningamerica.org]
Sent: 4/9/2018 10:13:49 PM
To: Kelly, Albert [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08576e43795149e5a3f9669726dd044c-Kelly, Albe]
CC: Cook, Steven [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=394f5dede6184bc083cf9390e49a192c-Cook, Steve]; Chancellor, Erin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ae6aeabeca754643bdb01c9f5b653ca6-Chancellor,]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Matt Ellsworth [ellsworth@miningamerica.org]
Subject: RE: Abandoned Mines question

I think that would be great.

Laura Skaer
Executive Director
American Exploration & Mining Association
lskaer@miningamerica.org

From: Kelly, Albert <kelly.albert@epa.gov>
Sent: Monday, April 9, 2018 3:04 PM
To: Laura Skaer <lskaer@miningamerica.org>
Cc: Cook, Steven <cook.steven@epa.gov>; Chancellor, Erin <chancellor.erin@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Matt Ellsworth <ellsworth@miningamerica.org>
Subject: Re: Abandoned Mines question

Thanks Laura. Can Erin do this?

Sent from my iPad

On Apr 9, 2018, at 3:54 PM, Laura Skaer <lskaer@miningamerica.org> wrote:

> All,
>
> I know you are aware of the upcoming Summit on AML and Good Sam to be held at the Colorado School of Mines on April 26. I believe Erin is registered to attend as are a few EPA career folks. We would like to have someone from EPA present at the Summit during the mid-morning session (see attached Agenda). I mentioned this to Byron Brown when we met at the end of January, but so far no one has been identified as a possible speaker.
>
> Let me know if it is possible for EPA to provide a speaker for the Summit.
>
> Thank you.
>
> Laura Skaer
> Executive Director
> American Exploration & Mining Association
> lskaer@miningamerica.org
>
> **From:** Cook, Steven <cook.steven@epa.gov>
> **Sent:** Friday, March 16, 2018 5:27 AM

To: Laura Skaer <lskaer@miningamerica.org>; Matt Ellsworth <ellsworth@miningamerica.org>; brent.fewell@earthandwatergroup.com; smoyer@tu.org
Cc: Chancellor, Erin <chancellor.erin@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Abandoned Mines question

One additional ask – could you provide more details (perhaps something like a fact sheet) about prior projects where work was done and the fish returned but while water quality improved, perhaps the precise targets of clean water standards were not reached? Also of interest would be whether the fish that returned would be suitable for consumption.

Thanks

From: Laura Skaer [mailto:lskaer@miningamerica.org]
Sent: Thursday, March 15, 2018 9:00 PM
To: Matt Ellsworth <ellsworth@miningamerica.org>; Cook, Steven <cook.steven@epa.gov>; brent.fewell@earthandwatergroup.com; smoyer@tu.org
Cc: Chancellor, Erin <chancellor.erin@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Abandoned Mines question

All,

Thanks for letting me participate via telephone. We are encouraged by the discussion and the opportunity we believe we have.

Attached is the announcement and current agenda for the AML/Good Sam Summit at the Colorado School of Mines (CSM) on April 26 sponsored by the Mining and metallurgical Society of America, Trout Unlimited and CSM. As you can see, we have a good group of speakers lined up. We would like to have someone from EPA speak in the mid-morning session. I mentioned this to Byron Brown when I met with him at the end of January, but have not heard back from him. Any help you can provide in helping us identify the right person from EPA is much appreciated.

Thanks

Laura Skaer
Executive Director
American Exploration & Mining Association
lskaer@miningamerica.org

From: Matt Ellsworth
Sent: Thursday, March 15, 2018 5:54 AM
To: Cook, Steven <cook.steven@epa.gov>; brent.fewell@earthandwatergroup.com; smoyer@tu.org; Laura Skaer <lskaer@miningamerica.org>
Cc: Chancellor, Erin <chancellor.erin@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Abandoned Mines question

Adding Laura

-------- Original message --------

From: "Cook, Steven" <cook.steven@epa.gov>
Date: 3/15/18 8:18 AM (GMT-05:00)
To: brent.fewell@earthandwatergroup.com, smover@tu.org, Matt Ellsworth <ellsworth@miningamerica.org>
Cc: "Chancellor, Erin" <chancellor.erin@epa.gov>, "Kelly, Albert" <kelly.albert@epa.gov>, "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: Abandoned Mines question

Once again appreciate your interest in this topic. I had a couple of additional questions –

1. Given the type of projects you are interested in, what is the estimated average cost (or range or cost) of a project?
2. What would be the anticipated timeframe for completion of a typical project (1 year, 1-2 years or something else)?
3. Given the available resources and assuming adequate funds were available, what level of effort (i.e. number of active projects) do you think could be sustained on an annual basis over several years?

Please let me know if you need any clarifications on these questions.

Steven Cook
Deputy Assistant Administrator
Office of Land and Emergency Management
U.S. Environmental Protection Agency

<Agenda_Draft 04-03-18.docx>

Message

From: Laura Skaer [lskaer@miningamerica.org]
Sent: 4/9/2018 9:54:00 PM
To: Cook, Steven [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=394f5dede6184bc083cf9390e49a192c-Cook, Steve]; Chancellor, Erin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ae6aeabeca754643bdb01c9f5b653ca6-Chancellor,]; Kelly, Albert [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08576e43795149e5a3f9669726dd044c-Kelly, Albe]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Matt Ellsworth [ellsworth@miningamerica.org]
Subject: RE: Abandoned Mines question
Attachments: Agenda_Draft 04-03-18.docx

All,

I know you are aware of the upcoming Summit on AML and Good Sam to be held at the Colorado School of Mines on April 26. I believe Erin is registered to attend as are a few EPA career folks. We would like to have someone from EPA present at the Summit during the mid-morning session (see attached Agenda). I mentioned this to Byron Brown when we met at the end of January, but so far no one has been identified as a possible speaker.

Let me know if it is possible for EPA to provide a speaker for the Summit.

Thank you.

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American Exploration & Mining Association
lskaer@miningamerica.org

From: Cook, Steven <cook.steven@epa.gov>
Sent: Friday, March 16, 2018 5:27 AM
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To: Matt Ellsworth <ellsworth@miningamerica.org>; Cook, Steven <cook.steven@epa.gov>; brent.fewell@earthandwatergroup.com; smoyer@tu.org
Cc: Chancellor, Erin <chancellor.erin@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Bennett, Tate

<Bennett.Tate@epa.gov>
Subject: RE: Abandoned Mines question

All,

Thanks for letting me participate via telephone. We are encouraged by the discussion and the opportunity we believe we have.

Attached is the announcement and current agenda for the AML/Good Sam Summit at the Colorado School of Mines (CSM) on April 26 sponsored by the Mining and metallurgical Society of America, Trout Unlimited and CSM. As you can see, we have a good group of speakers lined up. We would like to have someone from EPA speak in the mid-morning session. I mentioned this to Byron Brown when I met with him at the end of January, but have not heard back from him. Any help you can provide in helping us identify the right person from EPA is much appreciated.

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American Exploration & Mining Association
lskaer@miningamerica.org

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Sent: Thursday, March 15, 2018 5:54 AM
To: Cook, Steven <cook.steven@epa.gov>; brent.fewell@earthandwatergroup.com; smoyer@tu.org; Laura Skaer <lskaer@miningamerica.org>
Cc: Chancellor, Erin <chancellor.erin@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Abandoned Mines question

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-------- Original message --------
From: "Cook, Steven" <cook.steven@epa.gov>
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Subject: Abandoned Mines question

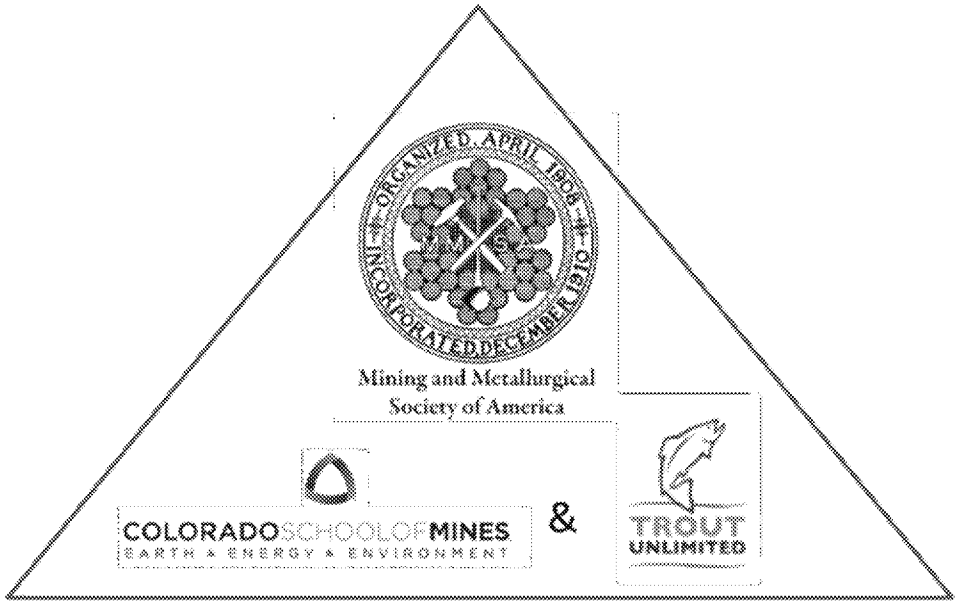
Once again appreciate your interest in this topic. I had a couple of additional questions –

1. Given the type of projects you are interested in, what is the estimated average cost (or range or cost) of a project?
2. What would be the anticipated timeframe for completion of a typical project (1 year, 1-2 years or something else)?
3. Given the available resources and assuming adequate funds were available, what level of effort (i.e. number of active projects) do you think could be sustained on an annual basis over several years?

Please let me know if you need any clarifications on these questions.

Steven Cook

Deputy Assistant Administrator
Office of Land and Emergency Management
U.S. Environmental Protection Agency



Good Samaritan Protection to Enhance Abandoned Mine Land Cleanup - Finding a Path Forward

April 26, 2018 – Colorado School of Mines – 8am to 5pm

SUMMIT AGENDA—DRAFT—03-28-18

Purpose: Identify necessary liability protection from applicable environmental laws that advance closure and remediation of the identified pilot/demonstration projects.

Outcome: A diverse coalition of stakeholders working to advance pilot/demonstration project-focused Good Samaritan legislation that enhances (or advances) AML cleanup.

Morning Plenary Session (8:00 to 10:00 AM) - Laying Out the Challenges
Laura Skaer- Session Moderator

Session Objective: Identify Social, Political and Legal Issues Impeding Closure and Reclamation of AML Lands.

- Enhanced pathway to AML Cleanup – ***Laura Skaer;*** Executive Director, American Exploration & Mining Association
- State Government Considerations – ***Jeff Graves;*** Director, Office of Active & Inactive Mines, Colorado Division of Reclamation, Mining, and Safety
- Conservation Group Perspectives – ***Chris Wood***; President, Trout Unlimited
- Private Sector / Industry Considerations – ***National Mining Association Representative***
- Congressional Perspective – ***Dustin Sherer***; Aide to Sen. Cory Gardner

Break (10:00 to 10:15 AM)

Mid-Morning Session (10:15 to 11:45) – Issues Impacting AML clean-up
Dennis Ferrigno - Session Moderator

Session Objective: Address Social, Political and Legal Issues Related to Enhanced AML Clean-up

- Legal Issues- ***Carolyn McIntosh;*** Partner, Squire Patton Boggs.
- AML / Good Samaritan Political Issues – ***Kathy Benedetto;*** Senior Adviser to the Director of the Bureau of Land Management
- Examples of Successful Reclamation and Closure (Processes and Results) to Guide Candidate Site Selection – ***Jeff Parshley;*** Group Chairman and Corporate Consultant, SRK Consulting North America
- Discussion for Good Samaritan Initiative – ***TBD,*** U.S. Environmental Protection Agency ***(Invited)***

Lunch (12:00 to 12:45 PM) - *Compliments of MMSA*

Afternoon Session (12:45 PM to 3:15 PM) - Break-out & Planning
Ann Carpenter - Session Moderator

Session Objective: Build Consensus on Best Paths Forward

Delegates will break into multiple working groups to build consensus on the critical language and programmatic components needed to advance Good Samaritan legislation focused on pilot/demonstration projects. After the building blocks for the legislation are identified, avenues for partnership, the ideal process for selection of candidate demonstration sites, and other issues raised by the morning sessions will be discussed.

Break (3:15 PM to 3:30)

Summary Session (3:30 PM to 5:00 PM) - Feedback and Actionable Items
Ann Carpenter - Session Moderator

Session Objective: The goal of the final session is to fold in outcomes from the morning and early afternoon sessions to collaboratively establish an action plan.

Closing of Summit (5:00 PM)

For more information about the Summit, and to participate, contact Betty Gibbs, Executive Director, MMSA, at contactmmsa@mmsa.net or 303-444-6032. Watch the MMSA Web page for updates: http://www.mmsa.net.

Sign up for your *FREE* ticket.

Message

From: Bluey, Rob [rob.bluey@heritage.org]
Sent: 4/4/2018 2:59:41 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: [SPAM] Re: year in review accomplishments page

Our coverage from today:

https://www.dailysignal.com/2018/04/03/epa-revision-obama-era-fuel-standards-will-make-new-cars-affordable/

https://www.dailysignal.com/2018/04/03/epa-rework-obama-fuel-efficiency-standards-cars-trucks/

https://www.dailysignal.com/2018/04/03/ethics-officials-okd-bedroom-rental-epa-chief-says/

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

From: Elizabeth Bennett <Bennett.Tate@epa.gov>
Date: Tuesday, April 3, 2018 at 3:16 PM
To: Rob Bluey <rob.bluey@heritage.org>
Subject: year in review accomplishments page

For full review click here.

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 5/31/2018 4:21:22 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Cooler Heads Coalition next meeting 11th June and please celebrate tomorrow's Paris anniversary

Sure! That would be great.

-----Original Message-----
From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, May 31, 2018 12:20 PM
To: Myron Ebell <Myron.Ebell@cei.org>
Subject: Re: Cooler Heads Coalition next meeting 11th June and please celebrate tomorrow's Paris anniversary

Monday! Lunch or coffee soon?

> On May 31, 2018, at 11:38 AM, Myron Ebell <Myron.Ebell@cei.org> wrote:
>
> Dear Tate, Great. How are you doing? When are you back? Yours, Myron.
>
> Myron Ebell
> Director, Center for Energy and Environment Competitive Enterprise
> Institute
> 1310 L Street, N. W., Seventh Floor
> Washington, DC 20005, USA
> Tel direct: Ex. 6
> Tel mobile:
> E-mail: Myron.Ebell@cei.org
> Stop continental drift!
>
>
> -----Original Message-----
> From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> Sent: Thursday, May 31, 2018 11:35 AM
> To: Myron Ebell <Myron.Ebell@cei.org>
> Cc: Hewitt, James <hewitt.james@epa.gov>; Gordon, Stephen
> <gordon.stephen@epa.gov>
> Subject: Re: Cooler Heads Coalition next meeting 11th June and please
> celebrate tomorrow's Paris anniversary
>
> EPA can attend this day.
>
>> On May 31, 2018, at 11:10 AM, Myron Ebell <Myron.Ebell@cei.org> wrote:
>>
>>
>

Message

From: Candice Boyer [cboyer@atr.org]
Sent: 4/10/2018 5:25:22 PM
To: Candice Boyer [cboyer@atr.org]
Subject: Wednesday Meeting tomorrow

Dear Hill and Administration Colleagues,

Please let me know if you are interested in giving an update to the Wednesday Meeting tomorrow. I have heard from a few of you--hope to hear from the rest of you.

Kind regards,

Candice N. Boyer
Director of Scheduling and Outreach
Americans for Tax Reform
PH: Ex. 6



Message

From: Candice Boyer [cboyer@atr.org]
Sent: 4/10/2018 5:18:19 PM
To: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Administrator Pruitt at Wed Meeting

Okay.

From: Gordon, Stephen [mailto:gordon.stephen@epa.gov]
Sent: Tuesday, April 10, 2018 1:18 PM
To: Candice Boyer <cboyer@atr.org>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Administrator Pruitt at Wed Meeting

Candice,

I am unavailable to speak tomorrow and Tate is out on maternity leave.

Thanks so much.

-Stephen

Stephen L. Gordon Jr.
Deputy Director for Public Engagement
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1301
Gordon.Stephen@epa.gov

From: Candice Boyer [mailto:cboyer@atr.org]
Sent: Tuesday, April 10, 2018 1:07 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: RE: Administrator Pruitt at Wed Meeting

Hi Tate and Gordon,

Did one of you want to speak to the Wednesday Meeting tomorrow?

Kind regards,

Candice N. Boyer
Director of Scheduling and Outreach
Americans for Tax Reform
PH: Ex. 6



From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, March 19, 2018 3:02 PM
To: Candice Boyer <cboyer@atr.org>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: RE: Administrator Pruitt at Wed Meeting

Actually scratch that. Just add me for now and Gordon.Stephen@epa.gov

From: Bennett, Tate
Sent: Monday, March 19, 2018 3:01 PM
To: 'Candice Boyer' <cboyer@atr.org>
Subject: RE: Administrator Pruitt at Wed Meeting

Do you mind adding myself and Liz Bowman?

Bowman.elizabeth@epa.gov

From: Candice Boyer [mailto:cboyer@atr.org]
Sent: Monday, March 19, 2018 2:56 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: Administrator Pruitt at Wed Meeting

Hi Tate,

Here is the speaker form we used when the Administrator spoke in 2017. I hope he can join us again soon. Also, any member of your staff may attend weekly at any time. Just let me know who should be added to the list and I will make sure they get on my email list. I usually send one weekly reminder day before to see if any Hill and Admin people want to give an update.

Let me know what else we can be helpful with.

Kind regards,

Candice N. Boyer
Director of Scheduling and Outreach
Americans for Tax Reform
PH: Ex. 6
AMERICANS FOR TAX REFORM

From: Candice Boyer
Sent: Monday, September 11, 2017 1:51 PM
To: Ford, Hayley <ford.hayley@epa.gov>
Cc: Justin Sykes <jsykes@atr.org>; McMurray, Forrest <mcmurray.forrest@epa.gov>; Bowman, Liz

<Bowman.Liz@epa.gov>
Subject: RE: Administrator Pruitt at Wed Meeting

Dear Hayley,

I hope this helps. I am happy to discuss the agenda with you tomorrow, but we do not send it out in any way, shape, or form. We look forward to hosting the Administrator. His remarks are best kept to 3-5min tops. Our presentations are quick and our group will value questions more.

In terms of entrance, he is welcome to come through the front or back door. That is up to your office. Front would probably be easier because it is unlocked and either way he would need to use the same elevator. Let me know what else I can help with.

Kind regards,

Candice N. Boyer
Director of Scheduling and Outreach
Americans for Tax Reform
PH: Ex. 6

From: Ford, Hayley [mailto:ford.hayley@epa.gov]
Sent: Monday, September 11, 2017 11:55 AM
To: Candice Boyer <cboyer@atr.org>
Cc: Justin Sykes <jsykes@atr.org>; McMurray, Forrest <mcmurray.forrest@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Administrator Pruitt at Wed Meeting

Hi Candice,

The Administrator looks forward to this event on Wednesday! I've attached our speaker request form with requested information. I apologize if you've maybe already completed this form, but we've had some transition on our scheduling team and just want to make sure we have all of the necessary information. Would you mind completing the applicable fields and sending back to me?

Thank you so much!

Hayley Ford
Deputy White House Liaison
Office of the Administrator
Environmental Protection Agency
Room: 3309C William Jefferson Clinton North
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: Ex. 6

From: Bowman, Liz
Sent: Monday, September 11, 2017 11:00 AM

To: Candice Boyer <cboyer@atr.org>
Cc: Justin Sykes <jsykes@atr.org>; Ford, Hayley <ford.hayley@epa.gov>; McMurray, Forrest <mcmurray.forrest@epa.gov>
Subject: Re: Administrator Pruitt at Wed Meeting

Great, thank you, I am adding Haley Ford, our new scheduler and Forest, our advance team. So they can connect with you all on logistics. Madeline is no longer here, Haley is new contact. Thank you - Liz

Sent from my iPhone

Message

From: Loris, Nick [Nick.Loris@heritage.org]
Sent: 4/2/2018 4:33:01 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Quick call?

Ex. 6

Thanks!

Nick Loris
Research Manager, Energy and Environment and Herbert and Joyce Morgan Research Fellow
Institute for Economic Freedom
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Monday, April 2, 2018 10:49 AM
To: Loris, Nick <Nick.Loris@heritage.org>
Subject: Quick call?

Nick- give me a shout when you have a second? **Ex. 6**

Message

From: Pat Michaels [PMichaels@cato.org]
Sent: 4/2/2018 4:14:21 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: EMBARGOED UNTIL NOON- MTE Announcement

Hi Tate

I'd like to attend. Venue?

PJM

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Monday, April 02, 2018 11:03 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: EMBARGOED UNTIL NOON- MTE Announcement

Please see below talking points regarding our noon MTE announcement. Please flag any press that may be conducted on your end. Also, **please give me a call if you'd like to be a part of an event on this issue later in the week.** – Tate Ex. 6

- In 2012, EPA and the National Highway Traffic Safety Administration (NHTSA) set greenhouse gas (GHG) and Corporate Average Fuel Economy (CAFE) standards for light-duty vehicles starting in Model Year (MY) 2017 - 2025.
- As part of the 2012 rulemaking, EPA made a regulatory commitment to conduct a Midterm Evaluation of the standards for MY 2022-2025 no later than April 1, 2018. This Evaluation would determine whether the standards remain appropriate or should be made more or less stringent.

- In November 2016, the Obama Administration cut short the Midterm Evaluation process and rushed out a Final Determination days before leaving office, on January 12, 2017. Since then, the auto industry and other stakeholders sought a reinstatement of the original Midterm Evaluation timeline, so that the Agency could review the latest information.

- On March 15, 2017, President Trump alongside EPA Administrator Pruitt and U.S. Department of Transportation Secretary Chao announced a reestablishment of the Midterm Evaluation process.

- In August 2017, EPA and NHTSA formally reopened the regulatory docket initiating a 45-day comment period asking for additional information and data relevant to assessing whether the GHG emissions standards remain appropriate, including information on: consumer behavior, feedback on modeling approaches, costs and assessing advanced fuels technologies.

- EPA held a public hearing in Washington, DC, on September 6, 2017. By the end of the comment period, EPA received over 290,000 comments.

- **Based on EPA's review and analysis of the comments and information received, and the Agency's own analysis, the Administrator believes that the current GHG emission standards for MY 2022-2025 light-duty vehicles are not appropriate and should be revised.**

  - Future changes to the standards will ensure that auto-manufacturers can make cars that consumers both want and can afford. They will also treat all advanced vehicle technologies the same, including the potential of natural gas vehicles and the role of high-octane fuels.
  - EPA will continue its close partnership with NHTSA to ensure there is adequate consideration of any potential impacts on automobile safety.

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 4/10/2018 4:54:39 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: CORRECTED: Cooler Heads Coalition invitations to two events and to sign a comment on the 'Clean Power" Plan

Corrected: with the right month for the NAS events. This is the second time I've replaced April with November. My wires are crossed. I apologize for bothering you with a second e-mail.

The Cooler Heads Coalition will hold its May strategy meeting on Monday, 14th May, 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.

Invitation to sign joint comment on "Clean Power" Plan repeal

Marlo Lewis, my CEI colleague, has written an outstanding comment letter to the EPA on its proposed rule to repeal the "Clean Power" Plan. CEI invites non-profit free market and conservative groups to join us in signing the comment letter. It is lengthy, but clear and well-organized. If you are interested in signing on, please e-mail me and I'll send you a pdf of the draft comment. Comments are due by 26th April. Note that this comment letter is not for industry-affiliated groups.

Invitation to two events on the Irreproducibility Crisis of Modern Science

The National Association of Scholars will release an important new study on ***The Irreproducibility Crisis of Modern Science*** on Tuesday, 17th APRIL. You are invited to either of two launch events.

2 PM The NAS study will be formally launched at 2 PM in the House Science Committee hearing room, 2318 Rayburn, at 2 PM on Tuesday, 17th APRIL. Chairman Lamar Smith will make opening remarks and authors David Randall and Christopher Welser will give a presentation of their analysis and recommendations for reform. Here is the link to Rsvp: https://www.eventbrite.com/e/launch-event-the-irreproducibility-crisis-of-modern-science-tickets-44647901074.

4:30 PM Please join us at CEI for a discussion by the authors, David Randall and Christopher Welser, at 4:30 PM on Tuesday, 17th APRIL. We will have an informal reception with drinks and snacks after their presentation beginning at about 5:15 or so. If you can't make it at 4:30, you're still welcome to join us from 5:15 till 6:30. Please respond to this e-mail if you would like to attend. I'll send a reminder to those who Rsvp. Here are the details:
Location: CEI, 1310 L Street, N. W., Seventh Floor
Date: Tuesday, April 17th
Time: 4:30 PM—presentation by the authors and discussion

Time: 5:15-ish to 6:30—informal reception

Printed copies of the study will be available at both events. NAS President Peter Wood will also make brief remarks at both events. You will be interested to learn that junk science is prevalent in many more fields than climate science.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct: (
Tel mobile: Ex. 6
E-mail: Myron.Ebell@cei.org
Stop continental drift!

Message

From: Kuhn, Lauren [Lauren.Kuhn@heritage.org]
Sent: 4/13/2018 3:17:10 PM
To: Kundinger, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e3c9a5d16e2244079e222f342bf9992f-Kundinger,]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Daniell, Kelsi [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cd867173479344b3bda202b3004ff830-Daniell, Ke]; Jurkiw, Tia [Tia.Jurkiw@heritage.org]
Subject: RE: TEST | 5 Reasons to attend Heritage's Annual Leadership Conference

No issue thanks!

Lauren Volpe Kuhn
Senior Event Planner
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
myheritage.org

From: Kundinger, Kelly <kundinger.kelly@epa.gov>
Sent: Friday, April 13, 2018 11:15 AM
To: Kuhn, Lauren <Lauren.Kuhn@heritage.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Jurkiw, Tia <Tia.Jurkiw@heritage.org>
Subject: RE: TEST | 5 Reasons to attend Heritage's Annual Leadership Conference

Hi Lauren –

I apologize for the delayed response. Yes, please feel free to move forward with both the email and the agenda.

We appreciate your sharing it with us before distributing it.

Have a wonderful weekend!

From: Kuhn, Lauren [mailto:Lauren.Kuhn@heritage.org]
Sent: Friday, April 13, 2018 10:18 AM
To: Kundinger, Kelly <kundinger.kelly@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Jurkiw, Tia <Tia.Jurkiw@heritage.org>
Subject: RE: TEST | 5 Reasons to attend Heritage's Annual Leadership Conference

Hi Kelly,
Just wanted to check in on this. Let me know if it has your communications team green light!

Thanks,
Lauren

Lauren Volpe Kuhn
Senior Event Planner
The Heritage Foundation

214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
myheritage.org

From: Kuhn, Lauren
Sent: Tuesday, April 10, 2018 12:20 PM
To: 'Kundinger, Kelly' <kundinger.kelly@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>
Subject: FW: TEST | 5 Reasons to attend Heritage's Annual Leadership Conference

Hi Kelly,

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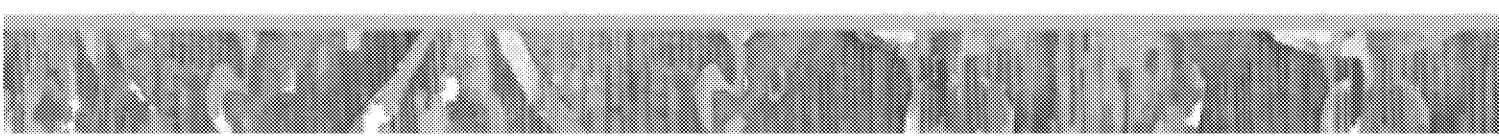
We also like to add Mr. Pruitt's to the overall agenda (here - https://www.heritagealc.org/register2018/agenda). *Please let me know if this okay;* I know there are concerns of publicly posting his location and engagements with protestors. The URL is not publicly searchable and only goes to the individuals that are invited to this conference (those that give at our Associate level and above which is $10k+).

Thank you!

Lauren

From: Andrew McIndoe <Specialevents@heritage.org>
Sent: Monday, April 9, 2018 2:49 PM
To: Foster, Annie <Annie.Foster@heritage.org>
Subject: 5 Reasons to attend Heritage's Annual Leadership Conference

2018
Annual Leadership Conference
THE HERITAGE FOUNDATION



Dear Fellow Conservative,

In a little over two weeks, Heritage's most exclusive event of the year for our top supporters begins, and I hope to see you

To register, go to heritagealc.org/register2018.

Here are five reasons why you should make sure to attend the 2017 Annual Leadership Conference in Palm Beach. You'll

1. Important updates on how Heritage, with your support, is doing its part to give power back to the American peopl
2. Some of the best conservative voices, including Jeff Sessions, Ron DeSantis and Scott Pruitt, and our very own Ka James, deliver addresses that will leave you inspired and motivated to continue the fight for what makes America
3. Rising stars in the conservative movement share excellent insight into how conservative policy is rebuilding an An where freedom, opportunity and prosperity flourish
4. Educational sessions on Heritage's Mandate for Leadership and its impact on the current administration, an upda the fight for immigration reform and insight into how Heritage is impacting our nation's opioid crisis
5. And you'll have an opportunity to enjoy unique local experiences, such as a wave runner adventure, or catamaran on the Atlantic, or a competitive mixology class, that will provide unforgettable memories with Heritage friends

Register today to make sure you don't miss out on the most exciting Annual Leadership Conference we've had to date. To

1. Visit: https://www.heritagealc.org/register2018
2. Enter Invitation Code when prompted during registration

If you have any questions, please feel free to contact our Special Events department at (202) 608-1524 or specialevents@heritage.org.

Sincerely,

Andrew McIndoe
Director, Donor Relations
The Heritage Foundation

The Heritage Foundation | 214 Massachusetts Avenue, NE | Washington, D.C. 20002 | (800) 546-2843

You are subscribed to Heritage Foundation event communication emails as annie.foster@heritage.org. If you want to change your event preferences, please click here to update your subscription.

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Message

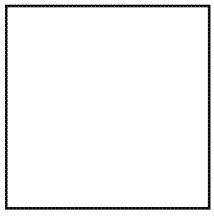
From: Bluey, Rob [rob.bluey@heritage.org]
Sent: 4/3/2018 7:25:12 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: FW: Free-Market Coalition Supports CAFE Reform

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

From: Loris, Nick
Sent: Tuesday, April 3, 2018 3:22 PM
To: Bluey, Rob <rob.bluey@heritage.org>
Subject: FW: Free-Market Coalition Supports CAFE Reform

Nick Loris
Research Manager, Energy and Environment and Herbert and Joyce Morgan Research Fellow
Institute for Economic Freedom
Ex. 6

From: American Energy Alliance <jmcgillis=energydc.org@mail175.suw16.rsgsv.net> **On Behalf Of** American Energy Alliance
Sent: Monday, April 2, 2018 1:03 PM
To: Loris, Nick <Nick.Loris@heritage.org>
Subject: Free-Market Coalition Supports CAFE Reform



FOR IMMEDIATE RELEASE
April 2, 2018

MEDIA CONTACT: JORDAN McGILLIS
202.621-2947

Free-market coalition supports fuel economy reform, fairness for American drivers

"The fundamental question associated with this mandate is clear: who should decide what cars and trucks consumers should buy?"

WASHINGTON – This afternoon the American Energy Alliance and ten co-signing organizations sent a letter to Transportation Secretary Elaine Chao and EPA Administrator Scott Pruitt expressing support for the joint effort to reform the Corporate Average Fuel Economy program in favor of lower costs and consumer choice.

"The entire mandate is a relic of the narrative of scarcity. The surge in American energy production has rendered it moot. Moreover, it should be clear to everyone that decisions about what kinds of cars people buy and drive should be made by the consumers themselves, not bureaucrats in Sacramento," said AEA President Thomas Pyle.

The text of the letter can be read below:

Dear Secretary Chao and Administrator Pruitt:

We are writing to thank you for your principled leadership on numerous issues, but most especially on federal fuel mandates, including the Corporate Average Fuel Economy (CAFE) standards program.

As you know, the CAFE program is riven with problems. While we believe repealing the entire program is appropriate and warranted, we are pleased that the Department of Transportation (DOT) and the Environmental Protection Agency (EPA), under your leadership, are taking meaningful steps to reduce the burden and irrationality of this outdated and unnecessarily complicated mandate.

As your agencies examine the mandate and its next steps, we encourage you and your team to remain focused on the fundamental problems with the program.

Cost to consumers. According to the National Auto Dealers Association, the existing mandates would cause the price of an average vehicle to increase by $3,000 in 2025. Research from The Heritage Foundation concluded that repealing the CAFE mandate would save 2025 car buyers at least $7,200 per vehicle. Additionally, we understand that the DOT may have modeling that indicates that drivers may never recover the costs imposed by the next sequence of mandates. These significant increases in the average price of a vehicle are a hidden regressive tax on American families, pricing millions of consumers entirely out of the new car market, especially the poor.

Consumer choice. Automakers are now being forced to design vehicles not for what consumers want but for what regulators want. The fundamental question associated with

this mandate is clear: who should decide what cars and trucks consumers should buy, consumers themselves or unelected bureaucrats in Sacramento?

Inefficiency. As originally created, Congress authorized one regulator, the National Highway Traffic Safety Administration (NHTSA), to carry out the program. Today, three different regulators — NHTSA, EPA, and the California Air Resources Board (CARB) — are responsible for implementing the federal mandate under three different laws using three different standards. It is arguable that the EPA and CARB programs should not exist at all, as the EPA program is duplicative of the CAFE program, and the CARB program is preempted under federal law, which was ignored by the previous Administration.

It's a relic. What started as a mandate in the mid-1970's to reduce foreign imports of oil was changed by the previous Administration to an environmental mandate. Its foundational assumption — that oil is becoming scarce and needs to be rationed by the government action — has proved false. The entire mandate is a relic of the narrative of scarcity. The surge in American energy production has rendered it moot.

As a productive first step towards genuine reform of this program, we hope you will protect and enhance consumer choice to the maximum extent possible. Additionally, any actions taken as part of this mandate need to ensure that costs to consumers are minimized. Finally, we hope you will restore the program to its original legal regime as laid out by Congress.

Thank you again for your leadership on this issue. We stand ready to help you and your team in any way.

Sincerely,

Thomas Pyle, American Energy Alliance

Michael Needham, Heritage Action

Phil Kerpen, American Commitment

Rick Manning, Americans for Limited Government

Brent Wm. Gardner, Americans for Prosperity

Myron Ebell, Competitive Enterprise Institute

Mike Stenhouse, Rhode Island Center for Freedom and Prosperity

Dan Peterson, James Madison Institute

Paul Gessing, Rio Grande Foundation

Adam Brandon, FreedomWorks

David T. Stevenson, Caesar Rodney Institute

Grover Norquist, Americans for Tax Reform

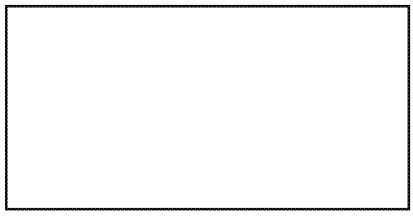
For a PDF of the letter click here.

For more information about the CAFE mandate, click here.

###

For media inquiries, please contact Jordan McGillis
jmcgillis@energydc.org

Ex. 6



AEA is a not-for-profit organization that engages in grassroots public policy advocacy and debate concerning energy and environmental issues. AEA is the advocacy arm of the Institute for Energy Research, a tax-exempt public foundation that conducts intensive research and analysis on global energy markets.

This email was sent to nick.loris@heritage.org
why did I get this? unsubscribe from this list update subscription preferences
American Energy Alliance · 1155 15th Street NW, Suite 900 · Washington, DC 20005 · USA

Message

From: Kuhn, Lauren [Lauren.Kuhn@heritage.org]
Sent: 4/10/2018 4:20:25 PM
To: Kundinger, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e3c9a5d16e2244079e222f342bf9992f-Kundinger,]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Daniell, Kelsi [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cd867173479344b3bda202b3004ff830-Daniell, Ke]
Subject: FW: TEST | 5 Reasons to attend Heritage's Annual Leadership Conference

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Lauren

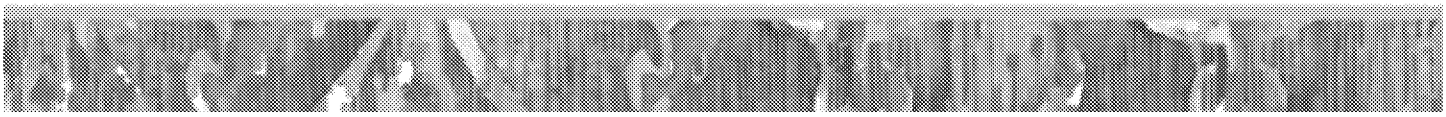
Lauren Volpe Kuhn
Senior Event Planner
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Washington, DC 20002
Ex. 6
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2018

Annual Leadership Conference

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Andrew McIndoe
Director, Donor Relations
The Heritage Foundation

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Message

From: Kuhn, Lauren [Lauren.Kuhn@heritage.org]
Sent: 4/13/2018 2:17:38 PM
To: Kundinger, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e3c9a5d16e2244079e222f342bf9992f-Kundinger,]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Daniell, Kelsi [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cd867173479344b3bda202b3004ff830-Daniell, Ke]; Jurkiw, Tia [Tia.Jurkiw@heritage.org]
Subject: RE: TEST | 5 Reasons to attend Heritage's Annual Leadership Conference

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Thanks,
Lauren

Lauren Volpe Kuhn
Senior Event Planner
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
myheritage.org

From: Kuhn, Lauren
Sent: Tuesday, April 10, 2018 12:20 PM
To: 'Kundinger, Kelly' <kundinger.kelly@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>
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We also like to add Mr. Pruitt's to the overall agenda (here - https://www.heritagealc.org/register2018/agenda). *Please let me know if this okay;* I know there are concerns of publicly posting his location and engagements with protestors. The URL is not publicly searchable and only goes to the individuals that are invited to this conference (those that give at our Associate level and above which is $10k+).

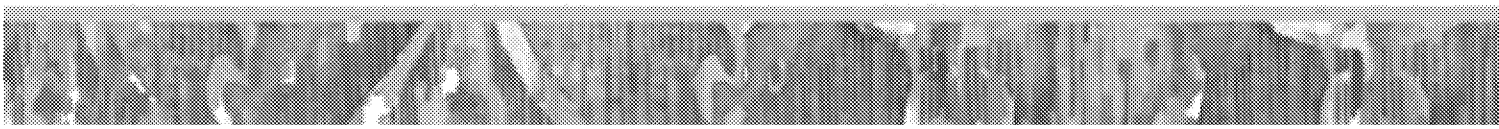
Thank you!

Lauren

From: Andrew McIndoe <Specialevents@heritage.org>
Sent: Monday, April 9, 2018 2:49 PM
To: Foster, Annie <Annie.Foster@heritage.org>
Subject: 5 Reasons to attend Heritage's Annual Leadership Conference

2018 Annual Leadership Conference

THE HERITAGE FOUNDATION



Dear Fellow Conservative,

In a little over two weeks, Heritage's most exclusive event of the year for our top supporters begins, and I hope to see you

To register, go to heritagealc.org/register2018.

Here are five reasons why you should make sure to attend the 2017 Annual Leadership Conference in Palm Beach. You'll

1. Important updates on how Heritage, with your support, is doing its part to give power back to the American peopl
2. Some of the best conservative voices, including Jeff Sessions, Ron DeSantis and Scott Pruitt, and our very own Ka James, deliver addresses that will leave you inspired and motivated to continue the fight for what makes America
3. Rising stars in the conservative movement share excellent insight into how conservative policy is rebuilding an An where freedom, opportunity and prosperity flourish
4. Educational sessions on Heritage's Mandate for Leadership and its impact on the current administration, an upda the fight for immigration reform and insight into how Heritage is impacting our nation's opioid crisis
5. And you'll have an opportunity to enjoy unique local experiences, such as a wave runner adventure, or catamaran on the Atlantic, or a competitive mixology class, that will provide unforgettable memories with Heritage friends

Register today to make sure you don't miss out on the most exciting Annual Leadership Conference we've had to date. To

1. Visit: https://www.heritagealc.org/register2018
2. Enter Invitation Code when prompted during registration

If you have any questions, please feel free to contact our Special Events department at (202) 608-1524 or specialevents@heritage.org.

Sincerely,

Andrew McIndoe
Director, Donor Relations
The Heritage Foundation

You are subscribed to Heritage Foundation event communication emails as annie.foster@heritage.org. If you want to change your event
preferences, please click here to update your subscription.

-

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 4/10/2018 4:15:29 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition invitations to two events and to sign a comment on the 'Clean Power" Plan

The Cooler Heads Coalition will hold its May strategy meeting on Monday, 14th May, 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.

Invitation to sign joint comment on "Clean Power" Plan repeal

Marlo Lewis, my CEI colleague, has written an outstanding comment letter to the EPA on its proposed rule to repeal the "Clean Power" Plan. CEI invites non-profit free market and conservative groups to join us in signing the comment letter. It is lengthy, but clear and well-organized. If you are interested in signing on, please e-mail me and I'll send you a pdf of the draft comment. Comments are due by 26th April. Note that this comment letter is not for industry-affiliated groups.

Invitation to two events on the Irreproducibility Crisis of Modern Science

The National Association of Scholars will release an important new study on ***The Irreproducibility Crisis of Modern Science*** on Tuesday, 17th November. You are invited to either of two launch events.

2 PM The NAS study will be formally launched at 2 PM in the House Science Committee hearing room, 2318 Rayburn, at 2 PM on Tuesday, 17th November. Chairman Lamar Smith will make opening remarks and authors David Randall and Christopher Welser will give a presentation of their analysis and recommendations for reform. Here is the link to Rsvp: https://www.eventbrite.com/e/launch-event-the-irreproducibility-crisis-of-modern-science-tickets-44647901074.

4:30 PM Please join us at CEI for a discussion by the authors, David Randall and Christopher Welser, at 4:30 PM on Tuesday, 17th November. We will have an informal reception with drinks and snacks after their presentation beginning at about 5:15 or so. If you can't make it at 4:30, you're still welcome to join us from 5:15 till 6:30. Please respond to this e-mail if you would like to attend. I'll send a reminder to those who Rsvp. Here are the details:
Location: CEI, 1310 L Street, N. W., Seventh Floor
Date: Tuesday, April 17th
Time: 4:30 PM—presentation by the authors and discussion
Time: 5:15-ish to 6:30—informal reception

Printed copies of the study will be available at both events. NAS President Peter Wood will also make brief remarks at both events. You will be interested to learn that junk science is prevalent in many more fields than climate science.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
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Tel mobile: Ex. 6
E-mail: Myron.Ebell@cei.org
Stop continental drift!

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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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
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct: (
Tel mobile:
E-mail: Myron.Ebell@cei.org
Stop continental drift!

Ex. 6

Message

From: Candice Boyer [cboyer@atr.org]
Sent: 3/19/2018 6:55:50 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: FW: Administrator Pruitt at Wed Meeting
Attachments: EPA Administrator Pruitt Speaker Request Form.docx

Hi Tate,

Here is the speaker form we used when the Administrator spoke in 2017. I hope he can join us again soon. Also, any member of your staff may attend weekly at any time. Just let me know who should be added to the list and I will make sure they get on my email list. I usually send one weekly reminder day before to see if any Hill and Admin people want to give an update.

Let me know what else we can be helpful with.

Kind regards,

Candice N. Boyer
Director of Scheduling and Outreach
Americans for Tax Reform
PH: Ex. 6
AMERICANS for TAX REFORM

From: Candice Boyer
Sent: Monday, September 11, 2017 1:51 PM
To: Ford, Hayley <ford.hayley@epa.gov>
Cc: Justin Sykes <jsykes@atr.org>; McMurray, Forrest <mcmurray.forrest@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Administrator Pruitt at Wed Meeting

Dear Hayley,

I hope this helps. I am happy to discuss the agenda with you tomorrow, but we do not send it out in any way, shape, or form. We look forward to hosting the Administrator. His remarks are best kept to 3-5min tops. Our presentations are quick and our group will value questions more.

In terms of entrance, he is welcome to come through the front or back door. That is up to your office. Front would probably be easier because it is unlocked and either way he would need to use the same elevator. Let me know what else I can help with.

Kind regards,

Candice N. Boyer
Director of Scheduling and Outreach
Americans for Tax Reform

PH: Ex. 6
AMERICANS FOR TAX REFORM

From: Ford, Hayley [mailto:ford.hayley@epa.gov]
Sent: Monday, September 11, 2017 11:55 AM
To: Candice Boyer <cboyer@atr.org>
Cc: Justin Sykes <jsykes@atr.org>; McMurray, Forrest <mcmurray.forrest@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Administrator Pruitt at Wed Meeting

Hi Candice,

The Administrator looks forward to this event on Wednesday! I've attached our speaker request form with requested information. I apologize if you've maybe already completed this form, but we've had some transition on our scheduling team and just want to make sure we have all of the necessary information. Would you mind completing the applicable fields and sending back to me?

Thank you so much!

Hayley Ford
Deputy White House Liaison
Office of the Administrator
Environmental Protection Agency
Room: 3309C William Jefferson Clinton North
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: Ex. 6

From: Bowman, Liz
Sent: Monday, September 11, 2017 11:00 AM
To: Candice Boyer <cboyer@atr.org>
Cc: Justin Sykes <jsykes@atr.org>; Ford, Hayley <ford.hayley@epa.gov>; McMurray, Forrest <mcmurray.forrest@epa.gov>
Subject: Re: Administrator Pruitt at Wed Meeting

Great, thank you, I am adding Haley Ford, our new scheduler and Forest, our advance team. So they can connect with you all on logistics. Madeline is no longer here, Haley is new contact. Thank you - Liz

Sent from my iPhone

ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM
U.S. Environmental Protection Agency

Deadline for Acceptance:	
Requesting Individual / Affiliation:	*Candice Boyer, Americans for Tax Reform*
Event Title:	*Wednesday Meeting*
Event Date:	*9/11/2017*
Is the Above Date Flexible:	*Yes*
Event Time & Duration:	*10am -11:30am (The Administrator does not need to stay the whole time.)*
Type of Event:	*Meeting*
Purpose of the Event:	*Weekly, off the record, 150 conservative think tanks and activists*
Role of the Administrator:	*3-5min presentation, Possible questions from group (we have 25 presentations total)*
Requested Presentation Topic, if Speaking Involved:	
Requested Presentation Format:	*These presentations are short and pretty rapid fire*
Speech/Presentation Duration:	*Absolutely no more than 5 min.*
Would You Consider a Surrogate:	*Yes, but we prefer the Administator*
Event Location:	*Americans for Tax Reform, 722 12th Street, NW 6th floor*
Event Audience:	*150*
Event Host(s)/Organizer(s):	*List all hosts organizing the event*
Host(s)' Relationship to EPA:	
Run of Show/ Agenda:	*Agenda is off the record, happy to discuss via phone*
Is there a Hold Room Available for the Administrator?	*yes*
Open Press/Closed Press?	*Off the record*
Dress Code:	*Business*

ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM
U.S. Environmental Protection Agency

Teleprompter Available:	*no*
Microphone / Room Setup:	*Hand held mic*
Honorable Guests Attending:	*Will update you day before*
Notable Federal, State or Local Appointed or Elected officials attending:	
Individual Introducing Administrator:	*Tim Jones, Former Speaker of MO House*
Person to contact for media purposes:	*John Kartch, ATR Commination's*
Is this event held Weekly, Monthly, Annually?	*Each week*
Day of Event Point of Contact:	*Name & Title; Email; Office Number, Cell Number*
Security Contact:	*Name & Title; Email; Office Number, Cell Number*
Suggested Entrance/ Exit to Event Venue:	*Front or back door—your choice*
Is the host of the event a registered 501(c)(3), (4), or has a 527 Political Action Committee (PAC):	*yes*
Will there be a "gift" presented to the Administrator? If so, what is the US currency value of the gift?	*no*
Will a meal be provided, if so what is the US currency value?	*No—there are coffee and donuts.*

Please return this form completed to scheduling@epa.gov and Aaron Dickerson at dickerson.aaron@epa.gov

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 4/3/2018 6:53:17 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition alert on EPA's CAFE mid-term review and notice of our next meeting--Monday, 9th April

Reminder: the Cooler Heads Coalition will hold its next monthly strategy meeting on Monday, 9th April, 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. Rupert Darwall from London will be our special guest.

CAFÉ Mid-Term Review

The EPA on Monday announced the results of its mid-term review of the 2021-25 CAFÉ standards. Here is the press release: https://www.epa.gov/newsreleases/epa-administrator-pruitt-ghg-emissions-standards-cars-and-light-trucks-should-be. Here is the document: https://www.epa.gov/regulations-emissions-vehicles-and-engines/midterm-evaluation-light-duty-vehicle-greenhouse-gas.

Clearly, this is a big step in the right direction. Pasted below are some resources that might be useful in talking or writing about it.

Here are links to two joint letters on CAFÉ, the first organized by Tom Pyle at the American Energy Alliance and the second by Steve Pociask at the American Consumer Institute:
https://gallery.mailchimp.com/7cbc7dd79831a84c870f9842e/files/ecdabd1d-cdb2-4b6e-a19a-165ba71df113/CAFE_Coalition_letter.pdf
http://www.theamericanconsumer.org/wp-content/uploads/2018/03/ACI-Coalition-Letter-Final.pdf

Here is my colleague Marlo Lewis's op-ed in the San Francisco Chronicle: https://www.sfchronicle.com/opinion/openforum/article/Opinion-Cutting-tailpipe-emission-not-that-12799988.php. Here is CEI's press release: https://cei.org/content/cei-commends-epa-reviewing-cafe-rules.

Here are EPA's talking points:

- In 2012, EPA and the National Highway Traffic Safety Administration (NHTSA) set greenhouse gas (GHG) and Corporate Average Fuel Economy (CAFE) standards for light-duty vehicles starting in Model Year (MY) 2017 - 2025.
- As part of the 2012 rulemaking, EPA made a regulatory commitment to conduct a Midterm Evaluation of the standards for MY 2022-2025 no later than April 1, 2018. This Evaluation would determine whether the standards remain appropriate or should be made more or less stringent.

- In November 2016, the Obama Administration cut short the Midterm Evaluation process and rushed out a Final Determination days before leaving office, on January 12, 2017. Since then, the auto industry and other stakeholders sought a reinstatement of the original Midterm Evaluation timeline, so that the Agency could review the latest information.

- On March 15, 2017, President Trump alongside EPA Administrator Pruitt and U.S. Department of Transportation Secretary Chao announced a reestablishment of the Midterm Evaluation process.

- In August 2017, EPA and NHTSA formally reopened the regulatory docket initiating a 45-day comment period asking for additional information and data relevant to assessing whether the GHG emissions standards remain appropriate, including information on: consumer behavior, feedback on modeling approaches, costs and assessing advanced fuels technologies.

- EPA held a public hearing in Washington, DC, on September 6, 2017. By the end of the comment period, EPA received over 290,000 comments.

- **Based on EPA's review and analysis of the comments and information received, and the Agency's own analysis, the Administrator believes that the current GHG emission standards for MY 2022-2025 light-duty vehicles are not appropriate and should be revised.**

    - Future changes to the standards will ensure that auto-manufacturers can make cars that consumers both want and can afford. They will also treat all advanced vehicle technologies the same, including the potential of natural gas vehicles and the role of high-octane fuels.
    - EPA will continue its close partnership with NHTSA to ensure there is adequate consideration of any potential impacts on automobile safety.

Myron Ebell
Director, Center for Energy and Environment
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1310 L Street, N. W., Seventh Floor
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Tel direct: (
Tel mobile: **Ex. 6**
E-mail: Myron.Ebell@cei.org
Stop continental drift!

Message

From: Wonya Lucas [WYLucas@pba.org]
Sent: 3/15/2018 2:25:12 AM
To: Decker Anstrom [Ex. 6] Kevin Butt (TMNA) [kevin.butt@toyota.com]
CC: Carlos Alcazar [calcazar@cultureoneworld.com]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; William Cibulas Phd [wic1@cdc.gov]; David Kiser [Ex. 6] Shannon Schuyler (shannon.schuyler@pwc.com) [shannon.schuyler@pwc.com]; Tanner, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=153d1b6b96fa4681a06c2868d5f8d691-Lee Tanner]; Michiko Martin [michikojmartin@fs.fed.us]; Louisa Koch [louisa.koch@noaa.gov]; Jeniffer Harper-Taylor [jeniffer.harper@siemens.com]; George Basile [george.basile@asu.edu]; Newman, Sara [sara_newman@nps.gov]; Maureen Sullivan [maureen.sullivan18.civ@mail.mil]; Angela Hernandez-Marshall [angela.hernandez-marshall@ed.gov]; rgarcia@cityprojectca.org [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0e854c6dec4b4456a0701e041d0fe812-rgarcia@cityprojectca.org]; Megan Cayten [Ex. 6]; Diane Wood [dwood@neefusa.org]; Nora Savage [nosavage@nsf.gov]; Ken Strassner [Ex. 6]; Ericka Reid [reidel@niehs.nih.gov]; Gibson, Art (arthur_gibson@baxter.com) [arthur_gibson@baxter.com]; Christopher Strager [christopher.strager@noaa.gov]; Clarissa Childers [clarissa.childers@ee.doe.gov]; Sheilah Watts [SWatts@pba.org]; Sara Espinoza [sespinoza@neefusa.org]; Montrese Diggs [montrese.diggs@noaa.gov]; Nicha Jumsil [nicha.jumsil.ctr@mail.mil]; tisha.hansen@noaa.gov; Tim Mok [tmok@cityproject.org]; Cheryl Everhart [bqf5@cdc.gov]
Subject: Re: NHL as promised

Double ditto Decker!!! Diane, how very excting! Congrats to you and the team!
Wonya

From: Decker Anstrom [Ex. 6]
Date: Monday, March 12, 2018 at 10:03 PM
To: "Kevin Butt (TMNA)" <kevin.butt@toyota.com>
Cc: Carlos Alcazar <calcazar@cultureoneworld.com>, Tate <bennett.tate@epa.gov>, William Cibulas Phd <wic1@cdc.gov>, "David Kiser [Ex. 6], "Shannon Schuyler (shannon.schuyler@pwc.com)" <shannon.schuyler@pwc.com>, Lee Tanner <tanner.lee@epa.gov>, Michiko Martin <michikojmartin@fs.fed.us>, Louisa Koch <louisa.koch@noaa.gov>, Jeniffer Harper-Taylor <jeniffer.harper@siemens.com>, George Basile <george.basile@asu.edu>, "Newman, Sara" <sara_newman@nps.gov>, Maureen Sullivan <maureen.sullivan18.civ@mail.mil>, Angela Hernandez-Marshall <angela.hernandez-marshall@ed.gov>, "Robert Garcia (rgarcia@cityprojectca.org)" <rgarcia@cityprojectca.org>, Megan Cayten [Ex. 6] Diane Wood <dwood@neefusa.org>, Nora Savage <nosavage@nsf.gov>, "Ken Strassner [Ex. 6] Ericka Reid <reidel@niehs.nih.gov>, Wonya Lucas <WYLucas@pba.org>, "Gibson, Art (arthur_gibson@baxter.com)" <arthur_gibson@baxter.com>, Christopher Strager <christopher.strager@noaa.gov>, Clarissa Childers <clarissa.childers@ee.doe.gov>, Sheilah Watts <SWatts@pba.org>, Sara Espinoza <sespinoza@neefusa.org>, Montrese Diggs <montrese.diggs@noaa.gov>, Nicha Jumsil <nicha.jumsil.ctr@mail.mil>, "tisha.hansen@noaa.gov" <tisha.hansen@noaa.gov>, Tim Mok <tmok@cityproject.org>, Cheryl Everhart <bqf5@cdc.gov>
Subject: Re: NHL as promised

Ditto Kevin!
Decker

Sent from my iPad

On Mar 12, 2018, at 8:40 PM, Kevin Butt (TMNA) <kevin.butt@toyota.com> wrote:

I can only echo the comments from Carlos. Well done and this is why NEEF is making change happen. Diane and Sarah.....outstanding!!!!!!

Sent from my iPad

On Mar 12, 2018, at 7:37 PM, Carlos Alcazar <calcazar@cultureoneworld.com> wrote:

Diane,

This is another tremendous example of your leadership and vision to achieve our mission. With the NBA committing to a second campaign year, and now the NHL on board, we're taking on the biggest sports franchises. Congratulations to you and Sara for pulling this together. Great work!

Carlos

--
Carlos Alcazar
Culture ONE World
e: calcazar@cultureoneworld.com
m: Ex. 6
o: 202-796-1096; Ex. 6
www.cultureoneworld.com

On March 12, 2018 at 11:16:24 AM, Diane Wood (dwood@neefusa.org) wrote:

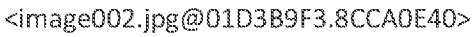
Dear members of the board

Please enjoy. Any questions/comments please reach out to Sara Espinoza. Congrats to Sara, her team and all at NEEF who worked on this project.

The NHL infographic page is live today: https://www.neefusa.org/nhl.

NEEF will be sharing through social media and our EE Week, NEEF Weekly emails.

My best, Diane



Diane Wood

President

National Environmental Education Foundation

4301 Connecticut Ave., NW, Suite 160

Washington, DC 20008

Direct 202-261-6476

General Ex. 6

Fax 202-261-6464

NEEFusa.org

Message

From: Candice Boyer [cboyer@atr.org]
Sent: 4/3/2018 6:37:10 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Wednesday meeting

Okay thank you. Just to be clear these updates are about 3min. No speech required.

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, April 03, 2018 2:00 PM
To: Candice Boyer <cboyer@atr.org>
Subject: Re: Wednesday meeting

Candice- can you give me one more week? I'll be prepared to speak then. Thank you!

On Apr 3, 2018, at 12:55 PM, Candice Boyer <cboyer@atr.org> wrote:

> **Dear Hill and Administration Colleagues,**
>
> **Please let me know if you are interested in speaking at the ATR Wednesday meeting with week. I hope we will hear from some of you.**
>
> **Kind regards,**

Candice N. Boyer
Director of Scheduling and Outreach
Americans for Tax Reform
PH: Ex. 6



Message

From: Scales, Sam (S.A.) [SSCALES3@ford.com]
Sent: 8/2/2018 1:32:00 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: 11 am call on cafe

Thank you!!

We gotta catch up.

Sam A. Scales
Ford Motor Company
Ex. 6

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Thursday, August 02, 2018 9:14 AM
To: Scales, Sam (S.A.) <SSCALES3@ford.com>
Subject: 11 am call on cafe

Participant Toll Free Dial-In Number: Ex. 6
Conference ID: Ex. 6

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 8/2/2018 1:29:50 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: FW: Sacramento Bee: More realistic fuel economy rule would cut fatalities and lower car prices

The headline inexplicably reads "… and lower gas prices". I've changed it below. This was syndicated yesterday and should appear in a lot of papers.

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

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct: (
Tel mobile:
E-mail: Myron.Ebell@cei.org
Ex. 6
Stop continental drift!

Message

From: Candice Boyer [cboyer@atr.org]
Sent: 3/20/2018 7:16:47 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Wednesday meeting tomorrow--Let me know if you would like to speak

We begin at 10am at 722 12th Street NW, 6th floor. Please check-in at 6th floor reception when you arrive.

Kind regards,

Candice N. Boyer
Director of Scheduling and Outreach
Americans for Tax Reform
PH: Ex. 6

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, March 20, 2018 3:14 PM
To: Candice Boyer <cboyer@atr.org>
Subject: Re: Wednesday meeting tomorrow--Let me know if you would like to speak

What is the time and location of the meeting?

On Mar 20, 2018, at 2:42 PM, Candice Boyer <cboyer@atr.org> wrote:

> **Dear Hill and Administration Colleagues,**
>
> **Please let me know if you are interested in making a presentation tomorrow. The agenda is almost full so I would appreciate hearing from everyone sooner rather than later.**
>
> **For anyone asking about weather—We will be hosting the meeting regardless of snow.**
>
> **Kind regards,**
>
> Candice N. Boyer
> Director of Scheduling and Outreach
> Americans for Tax Reform
> PH: Ex. 6
> <image001.png>

Message

From: Kuhn, Lauren [Lauren.Kuhn@heritage.org]
Sent: 4/4/2018 7:54:47 PM
To: Kundinger, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e3c9a5d16e2244079e222f342bf9992f-Kundinger,]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Daniell, Kelsi [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cd867173479344b3bda202b3004ff830-Daniell, Ke]
Subject: RE: Heritage Annual Leadership Conference April 26-28

Thanks for the quick reply!

Lauren Volpe Kuhn
Senior Event Planner
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
myheritage.org

From: Kundinger, Kelly <kundinger.kelly@epa.gov>
Sent: Tuesday, April 3, 2018 9:58 PM
To: Kuhn, Lauren <Lauren.Kuhn@heritage.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>
Subject: Re: Heritage Annual Leadership Conference April 26-28

Hi Lauren -

Thank you for your email. Unfortunately, due to another prior commitment, the Administrator is unable to speak during the dinner that evening.

We are looking forward to the luncheon on the 28th.

Thanks!

Kelly

On Apr 3, 2018, at 3:55 PM, Kuhn, Lauren <Lauren.Kuhn@heritage.org> wrote:

> Hi Kelly,
>
> I wanted to double check to see if Administrator Pruitt would potentially be available to speak at our dinner on Saturday evening opposed to the luncheon.
>
> We have a two speakers who are interested in participating in the conference but cannot do the evening timeslot (correspondents dinner among other conflicts).

At this point I'm just connecting with your office to see if this is a remote possibility. I'm trying to make all the puzzle pieces work but if this is not plausible, no issue.

Please let me know.

Thank you,
Lauren

Lauren Volpe Kuhn
Senior Event Planner
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
myheritage.org

From: Kundinger, Kelly <kundinger.kelly@epa.gov>
Sent: Monday, March 12, 2018 2:31 PM
To: Kuhn, Lauren <Lauren.Kuhn@heritage.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>
Subject: RE: Heritage Annual Leadership Conference April 26-28

Lauren –

Thank you for taking the time to talk on Friday. I want to follow up on our conversation to confirm Administrator Pruitt's attendance as a guest speaker during your lunch on Saturday, April 28th.

If you plan to promote his attendance on any medium, we kindly ask that you send it to us for review before distributing.

I look forward to working with you in the coming weeks.

Best,

Kelly

From: Kuhn, Lauren [mailto:Lauren.Kuhn@heritage.org]
Sent: Wednesday, March 7, 2018 4:59 PM
To: Kundinger, Kelly <kundinger.kelly@epa.gov>
Subject: RE: Heritage Annual Leadership Conference April 26-28

Kelly,

9:30 on Friday works for me. My cell is best – Ex. 6

Thank you,
Lauren

Lauren Volpe Kuhn
Senior Event Planner
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002

Ex. 6
myheritage.org

From: Kundinger, Kelly [mailto:kundinger.kelly@epa.gov]
Sent: Wednesday, March 7, 2018 4:54 PM
To: Kuhn, Lauren <Lauren.Kuhn@heritage.org>
Subject: RE: Heritage Annual Leadership Conference April 26-28

Lauren –

Thank you for sending this over so quickly. Are you available for a call on Friday morning at 9:30 to discuss your event further? If so, what is the best number for you?

Thanks.

Kelly

From: Kuhn, Lauren [mailto:Lauren.Kuhn@heritage.org]
Sent: Friday, March 2, 2018 4:19 PM
To: Kundinger, Kelly <kundinger.kelly@epa.gov>
Subject: RE: Heritage Annual Leadership Conference April 26-28

Kelly,

Thank you so much for a quick reply.

Attached is the form. Should you have any additional questions, I am happy to connect.

Best,
Lauren

Lauren Volpe Kuhn
Senior Event Planner
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
myheritage.org

From: Kundinger, Kelly [mailto:kundinger.kelly@epa.gov]
Sent: Wednesday, February 28, 2018 3:46 PM
To: Kuhn, Lauren <Lauren.Kuhn@heritage.org>
Subject: Re: Heritage Annual Leadership Conference April 26-28

Hi Lauren –

My name is Kelly Kundinger and I work in Administrator Pruitt's Office of Scheduling and Advance. First, we would like to thank you for extending an invitation to the Administrator for your upcoming Leadership Conference. We are interested in learning more about this event. As such, would you mind completing the attached form with as much detail as possible at your earliest convenience?

Thank you,

Kelly Kundinger
Deputy Director of Scheduling and Advance
Kundinger.Kelly@epa.gov

Ex. 6

Message

From: Pat Michaels [PMichaels@cato.org]
Sent: 3/13/2018 8:26:36 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: draft short oped
Attachments: earthquakepjm.docx

Will see light of day somewhere (Politico, Hill, Examiner…). Thought you and the boss might want a quick look. Thx!

PJM

CLIMATE ALARMISM COMES CRASHING DOWN

What's with global warming? The dependably alarmist *Scientific American* suddenly has become downright reasonable, noting that climate change is likely to be a minor overlay in a world increasingly insulated from the vagaries of nature. The cause: global economic growth, unfolding before our eyes.

Just last month, the popular ecomodernist journalist Will Boisvert wrote "How bad will climate change be? Not very." He went on to note what many of us have been saying for years—as long as there has been capital for innovation and civil order, we've been adapting to climate change all along, and will continue to do so. Boisvert neatly skewers horseman after horseman of the apocalypse—drought, hunger and heat, and notes our increasingly clean and efficient energy technology (and that wind and solar are bit players). But he can't quite bring himself to acknowledge that climate models are now known to have been forced to predict way too much warming.

Say *what?* Last week, with little fanfare—no doubt due to the embarrassing implications of the result, *Nature Communications* published an article by Yousuke Sato (and coauthors) from Nagoya University, showing that the controversial "indirect cooling effect" of particulates that often go in the air along with dreaded carbon dioxide is much smaller than what's in the climate models. The models are generally tuned with these aerosols to match the climate history of the 20th century, where a large warming occurs before much carbon dioxide is emitted, followed by a slight cooling for several decades as emissions ramped up. Because the aerosol cooling is large, the warming that they counter must be huge...which is why in recent decades the models predict so much more warming in the lower atmosphere than is being observed.

The largest warmings are driven by an emissions scenario that is now known to be impossible (it was similarly impossible when it was dreamed up in 2011). Researchers at the University of British Columbia recently noted there is simply not enough carbon-rich coal to drive it.

Yesterday (March 12) , in a *Wall Street Journal* essay, Oren Cass of the Manhattan Institute destroyed the "laughably bad economics" behind the doomsday scenarios, that refuse "to consider how society will evolve and adapt". It's based on a detailed report that you can download here.

A lengthy review of my book Lukewarming, which generally summarizes all of these trends, was recently published by Obama EPA general counsel John Hannon in the tony Berkeley Law journal *Ecology Law Quarterly*. It ends by noting that the lukewarm view may represent the new "cultural commitment" where "former climate change doubters can coalesce", and that you really ought to read the book. I agree.

The recent tectonic shifts on global warming notwithstanding, the Trump Administration has a teensy problem not very far offstage. Written largely in the last Administration, the fourth "National Assessment" of climate change impacts on the US is getting ready for publication. It is simply too kind to call it an alarmist screed, driven by those laughable bad economics and models that run way too hot. The authors, many careerists who made their mark flogging the heat, can't back down. I advised that

the Administration simply tear up the report and start over with a new crew and something at least vaguely related to reality.

Otherwise, some really serious questions are going to be asked. People in the Administration are reading the same stuff noted here. They know the apocalyptic house of cards is crashing faster than Venezuela. How on earth are they going to defend letting this miscarriage of science see the light of day?

Patrick J. Michaels is Director of the Center for the Study of Science at the Cato Institute.

Message

From: Gunasekara, Mandy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=53D1A3CAA8BB4EBAB8A2D28CA59B6F45-GUNASEKARA,]
Sent: 4/7/2018 12:15:23 AM
To: Marlo Lewis [Marlo.Lewis@cei.org]
CC: Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Teller, Paul S. EOP/WHO
Ex. 6
Subject: Re: My rebuttal to the New York Times editorial. Cheers!

Thanks Marlo!

Sent from my iPhone

On Apr 6, 2018, at 4:48 PM, Marlo Lewis <Marlo.Lewis@cei.org> wrote:

> https://cei.org/blog/misfiring-all-cylinders-new-york-times-attack-pruitts-fuel-economy-reset

Message

From: Candice Boyer [cboyer@atr.org]
Sent: 3/20/2018 6:42:06 PM
To: Candice Boyer [cboyer@atr.org]
Subject: Wednesday meeting tomorrow--Let me know if you would like to speak

Dear Hill and Administration Colleagues,

Please let me know if you are interested in making a presentation tomorrow. The agenda is almost full so I would appreciate hearing from everyone sooner rather than later.

For anyone asking about weather—We will be hosting the meeting regardless of snow.

Kind regards,

Candice N. Boyer
Director of Scheduling and Outreach
Americans for Tax Reform
PH: Ex. 6

Message

From: Annie Dwyer [Annie.Dwyer@cei.org]
Sent: 4/12/2018 11:13:04 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Dewey, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fc3a7e01b12f4aeba5d34b813df8112a-Dewey, Amy]
CC: Taylor Barkley [Taylor.Barkley@cei.org]
Subject: CEI on EPA's Pruitt and Wheeler

Tate and Amy – ICYMI – flagging CEI's statement on Andrew Wheeler confirmation and some relevant press coverage on the agency.
Thanks,
Annie

Myron Ebell's Statement: Senate Confirms Well-Qualified Deputy EPA Administrator

4/12/2018

Buzzfeed:
https://www.buzzfeed.com/zahrahirji/andrew-wheeler-epa?utm_term=.wudp08RPQ#.opmz7vQYx
"We strongly support Andrew. We look forward to him getting to EPA," Myron Ebell, a director at the conservative group Competitive Enterprise Institute and Trump's EPA transition head, told BuzzFeed News.

Washington Post:
https://www.washingtonpost.com/business/economy/the-senate-is-about-to-confirm-a-coal-lobbyist-as-top-epa-deputy/2018/04/12/b1bb6844-3dbe-11e8-a7d1-e4efec6389f0_story.html?utm_term=.65cdce5c6c39

Myron Ebell, a senior fellow at the conservative Competitive Enterprise Institute who headed Trump's EPA transition team and is a climate skeptic, described Wheeler in a statement as levelheaded and effective.

"He has the experience and the expertise necessary to manage the agency and to make sure that the reforms undertaken by Administrator Pruitt will be fully implemented," Ebell said. "[His]experience in how the EPA operates and his commitment to President Trump's agenda to undo the regulatory onslaught of the previous administration will be valuable to his work managing and reforming the agency."

Washington Examiner:
https://www.washingtonexaminer.com/policy/energy/senate-confirms-andrew-wheeler-as-scott-pruitts-deputy-at-epa
"He is a really good guy, he is very soft spoken, he works not to be flamboyant, or noticed, and he wants to keep the rhetoric down as a way of being more about efficiency and getting things done," Myron Ebell, director of the Center for Energy and Environment at the free-market Competitive Enterprise Institute, told the *Washington Examiner*.

"Wheeler is ideal to be No. 2 at EPA to manage the agency to accomplish the Trump agenda." said Ebell, who led President Trump's EPA transition team. "They have needed him. The reform effort will really take off with Andrew providing the expertise."

Daily Caller:
http://dailycaller.com/2018/04/12/ex-trump-official-coal-lobbyist-epa-deputy-nominee/
"Andrew Wheeler is a great choice to be deputy administrator of the Environmental Protection Agency," Ebell said in a statement shortly before Senate passed cloture. "He has the experience and the expertise necessary to manage the agency and to make sure that the reforms undertaken by Administrator Pruitt will be fully implemented."

Ebell also touted Wheeler's ability to navigate Washington, D.C.'s bureaucracy. "He is level-headed, soft-spoken, and knows how to get things done," he said. "During his tenure on the committee, he helped the Senator defeat ruinous cap-and-trade legislation, and also pass major energy legislation with bipartisan support."

Bloomberg:
https://www.bloomberg.com/news/articles/2018-04-12/epa-chief-scott-pruitt-is-safe-for-now

Back in Washington, conservative leaders including Myron Ebell of the Competitive Enterprise Institute and Tom Pyle of the American Energy Alliance scrambled to find ways to show support, resulting in an open letter from dozens of Republicans hailing Pruitt's work. Soon, what started as an email effort morphed into a full-throated #SaveScott campaign, with prominent Republicans and leaders of the Tea Party movement such as Steve Forbes and Kentucky Senator Rand Paul penning op-eds, posting on Twitter, and picking up the phone to lobby the president against firing the man they see as a champion of deregulation and for whose confirmation they fought. "He's a conservative hero," Deason says. "We burned a lot of chits to get him into that position." They couldn't afford to lose him now.

4/9/2018

Daily Caller:
http://dailycaller.com/2018/04/09/media-epa-scott-pruitt-obama-scandals/

Jackson emailed under "Richard Windsor," a fake identity, which lawmakers worried could be used to circumvent transparency laws. It's really hard to justify using a fake name for official work unless it's to avoid records requests.

Competitive Enterprise Institute's (CEI) Chris Horner discovered Jackson's use of an alias while writing his book on the Obama administration's lack of transparency. It turns out Jackson also used her email to communicate with the White House and outside activists.

During Jackson's tenure, top EPA officials used private email accounts to correspond with environmental activists, TheDCNF reported. Jackson resigned in 2013 and subsequently got a job at Apple.

4/7/2018

CNN Newsroom w/ Ana Cabrera:
https://cei.org/content/video-myron-ebell-joins-cnn-newsroom-ana-cabrera-discuss-criticisms-epa-administrator-pruitt
Long, tough interview about Pruitt with Van Jones on the panel. Best comments are clipped here.

Annie Dwyer
Vice President of Communications
Competitive Enterprise Institute
Ex. 6 | cei.org

Message

From: Patrick Gleason [pgleason@atr.org]
Sent: 3/26/2018 5:54:43 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Greenwalt, Sarah [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c13775b8f424e90802669b87b135024-Greenwalt,]
Subject: Conservative coalition letter to Administrator Pruitt re: his decision on Pebble
Attachments: ConservativeCoalitionLetter_404cVeto__Pebble.pdf; ATT00001.htm

Tate & Sarah,

I am contacting you today to submit the attached coalition letter to Administrator Pruitt re: his decision on Pebble.

This letter is also being sent to Administrator Pruitt's assistant with a request that it be passed along to the Administrator.

If you have any questions about this letter, don't hesitate to contact me via email or phone Ex. 6.

Best wishes,

Patrick

Patrick M. Gleason
Director of State Affairs | **Americans for Tax Reform**
722 12th Street NW – Fourth Floor | Washington, DC 20005
W. Ex. 6 | F. 202.785.0261 | www.atr.org
pgleason@atr.org | www.twitter.com/patrickmgleason

March 26, 2018

The Honorable Scott Pruitt
Administrator
Environmental Protection Agency
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

Dear Administrator Pruitt,

In 2013, organizations from Coast to Coast called on EPA Administrator Gina McCarthy to reject an unprecedented decision on Pebble and warned a preemptive veto, "would have a dramatic chilling effect on investment in America." Unfortunately, this call went unheeded as the Obama EPA promulgated the 'Proposed Determination.' This action was essentially a preemptive veto on the development of a copper mine in Southwest Alaska (AKA Pebble Mine) before the project had the chance to go through the permitting process. The veto was based on incomplete, shoddy analysis and agency collusion with liberal environmental activists and other project opponents.

This action undertaken by the Obama EPA killed the opportunity for thousands of well-paying, private sector jobs, many of which would be held by native Alaskans, in an economic sector and region starved for gainful employment to sustain families. The pre-permit project veto by the previous Administration (and post permit veto in the case of the Spruce Mine) sent a chilling message to the international investment community that banana republics have a more reliable and rational permitting process than the largest economy in the world.

One does not have to be a mining proponent to oppose the unprecedented action taken by the Obama EPA with their preemptive veto of the Pebble Mine—before it even submitted a permit application. The harmful effects of continuing with EPA's veto process go well beyond the mining industry. The need to secure 404 permits touches every state and all areas of our economy.

The conduct of EPA over the last forty years confirms that its issuance of a preemptive veto in this particular case was unprecedented. EPA has only exercised its authority under Section 404(c) thirteen times. In each previous instance, EPA invoked Section 404(c) only after receipt of a permit application describing the scope and details of the project proposed, the anticipated environmental impact, and the techniques employed to mitigate, which is normal for all applicants under the well-established NEPA process.

The permit process should not be a popularity contest determined by liberal environmental groups. We cannot change the past, but we can change the future. You have the ability to right the wrongs of the past and close the book on the use of a preemptive 404(c) veto.

We are disappointed with your action to suspend the withdrawal of the Obama Administration's 'Proposed Determination' against mining in Southwest Alaska and urge you to move forward with overturning the "veto" as soon as possible. This action would be important step in returning fair and due process to the EPA. Rescinding the preemptive "404(c) veto" will signal to the rest of the world that the United States will re-institutionalize a traditional, rational permitting process—a basis businesses use to make sound investment decisions based on acumen—that would enhance the overall economic growth in the United States.

We appreciate your leadership on reducing the burdensome EPA regulations implemented by the Obama EPA, and we look forward to your action on this issue as well.

Sincerely,

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

Brent Gardner
Chief Government Affairs Officer
Americans for Prosperity

Grover Norquist
President
Americans for Tax Reform

Pete Sepp
President
National Taxpayers Union

Daniel Schneider
Executive Director
American Conservative Union

Message

From: Laura Skaer [lskaer@miningamerica.org]
Sent: 3/16/2018 3:07:52 PM
To: Brent Fewell [brent.fewell@earthandwatergroup.com]; Matt Ellsworth [ellsworth@miningamerica.org]; Cook, Steven [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=394f5dede6184bc083cf9390e49a192c-Cook, Steve]; smoyer@tu.org
CC: Chancellor, Erin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ae6aeabeca754643bdb01c9f5b653ca6-Chancellor,]; Kelly, Albert [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08576e43795149e5a3f9669726dd044c-Kelly, Albe]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Abandoned Mines question

Thanks Brent!

Laura Skaer
Executive Director
American Exploration & Mining Association
lskaer@miningamerica.org

From: Brent Fewell <brent.fewell@earthandwatergroup.com>
Sent: Friday, March 16, 2018 2:55 AM
To: Laura Skaer <lskaer@miningamerica.org>; Matt Ellsworth <ellsworth@miningamerica.org>; Cook, Steven <cook.steven@epa.gov>; smoyer@tu.org
Cc: Chancellor, Erin <chancellor.erin@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Bennett, Tate <bennett.tate@epa.gov>
Subject: Re: Abandoned Mines question

I will follow up with Susan Bodine on the event.

Get Outlook for iOS

From: Laura Skaer <lskaer@miningamerica.org>
Sent: Thursday, March 15, 2018 9:00:27 PM
To: Matt Ellsworth; Cook, Steven; Brent Fewell; smoyer@tu.org
Cc: Chancellor, Erin; Kelly, Albert; Bennett, Tate
Subject: RE: Abandoned Mines question

All,

Thanks for letting me participate via telephone. We are encouraged by the discussion and the opportunity we believe we have.

Attached is the announcement and current agenda for the AML/Good Sam Summit at the Colorado School of Mines (CSM) on April 26 sponsored by the Mining and metallurgical Society of America, Trout Unlimited and CSM. As you can see, we have a good group of speakers lined up. We would like to have someone from EPA speak in the mid-morning session. I mentioned this to Byron Brown when I met with him at the end of January, but have not heard back from him. Any help you can provide in helping us identify the right person from EPA is much appreciated.

Thanks

Laura Skaer
Executive Director
American Exploration & Mining Association
lskaer@miningamerica.org

From: Matt Ellsworth
Sent: Thursday, March 15, 2018 5:54 AM
To: Cook, Steven <cook.steven@epa.gov>; brent.fewell@earthandwatergroup.com; smoyer@tu.org; Laura Skaer <lskaer@miningamerica.org>
Cc: Chancellor, Erin <chancellor.erin@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Abandoned Mines question

Adding Laura

-------- Original message --------
From: "Cook, Steven" <cook.steven@epa.gov>
Date: 3/15/18 8:18 AM (GMT-05:00)
To: brent.fewell@earthandwatergroup.com, smoyer@tu.org, Matt Ellsworth <ellsworth@miningamerica.org>
Cc: "Chancellor, Erin" <chancellor.erin@epa.gov>, "Kelly, Albert" <kelly.albert@epa.gov>, "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: Abandoned Mines question

Once again appreciate your interest in this topic. I had a couple of additional questions –

1. Given the type of projects you are interested in, what is the estimated average cost (or range or cost) of a project?
2. What would be the anticipated timeframe for completion of a typical project (1 year, 1-2 years or something else)?
3. Given the available resources and assuming adequate funds were available, what level of effort (i.e. number of active projects) do you think could be sustained on an annual basis over several years?

Please let me know if you need any clarifications on these questions.

Steven Cook
Deputy Assistant Administrator
Office of Land and Emergency Management
U.S. Environmental Protection Agency

Message

From: Bluey, Rob [rob.bluey@heritage.org]
Sent: 4/2/2018 1:56:47 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Tomorrow's event

Tate, good to chat with you Friday. I'm following up on the list for tomorrow's event.

Fred Lucas of The Daily Signal will cover it: Fred.Lucas@dailysignal.com

I'd suggest you also invite Nick Loris: Nick.Loris@heritage.org

Here are some others for consideration:
Richard Manning rmanning@getliberty.org
Mike Thompson mthompson@CRCPublicRelations.com
Keith Appell kappell@CRCPublicRelations.com
Myron.Ebell@cei.org

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org


Message

From: Candice Boyer [cboyer@atr.org]
Sent: 4/3/2018 4:37:12 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: RE: Administrator Pruitt at Wed Meeting

Hi Tate,

I wanted to confirm that you are still planning to give an EPA Update at the Wednesday meeting tomorrow—Will we see you then?

Kind regards,

Candice N. Boyer
Director of Scheduling and Outreach
Americans for Tax Reform
PH: Ex. 6

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, March 27, 2018 1:50 PM
To: Candice Boyer <cboyer@atr.org>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: RE: Administrator Pruitt at Wed Meeting

Hey Candice! Unfortunately I have to do a walk through in VA for an event with the Admin next week at 10 AM tomorrow and Stephen is out of town. However, perhaps put EPA on the books for next week?

From: Candice Boyer [mailto:cboyer@atr.org]
Sent: Tuesday, March 27, 2018 1:48 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: RE: Administrator Pruitt at Wed Meeting

Would either of you like to give an update tomorrow?

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, March 19, 2018 3:02 PM
To: Candice Boyer <cboyer@atr.org>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: RE: Administrator Pruitt at Wed Meeting

Actually scratch that. Just add me for now and Gordon.Stephen@epa.gov

From: Bennett, Tate
Sent: Monday, March 19, 2018 3:01 PM
To: 'Candice Boyer' <cboyer@atr.org>
Subject: RE: Administrator Pruitt at Wed Meeting

Do you mind adding myself and Liz Bowman?

Bowman.elizabeth@epa.gov

From: Candice Boyer [mailto:cboyer@atr.org]
Sent: Monday, March 19, 2018 2:56 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: Administrator Pruitt at Wed Meeting

Hi Tate,

Here is the speaker form we used when the Administrator spoke in 2017. I hope he can join us again soon. Also, any member of your staff may attend weekly at any time. Just let me know who should be added to the list and I will make sure they get on my email list. I usually send one weekly reminder day before to see if any Hill and Admin people want to give an update.

Let me know what else we can be helpful with.

Kind regards,

Candice N. Boyer
Director of Scheduling and Outreach
Americans for Tax Reform
PH: Ex. 6

From: Candice Boyer
Sent: Monday, September 11, 2017 1:51 PM
To: Ford, Hayley <ford.hayley@epa.gov>
Cc: Justin Sykes <jsykes@atr.org>; McMurray, Forrest <mcmurray.forrest@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Administrator Pruitt at Wed Meeting

Dear Hayley,

I hope this helps. I am happy to discuss the agenda with you tomorrow, but we do not send it out in any way, shape, or form. We look forward to hosting the Administrator. His remarks are best kept to 3-5min tops. Our presentations are quick and our group will value questions more.

In terms of entrance, he is welcome to come through the front or back door. That is up to your office. Front would probably be easier because it is unlocked and either way he would need to use the same elevator. Let me know what else I can help with.

Kind regards,

Candice N. Boyer
Director of Scheduling and Outreach
Americans for Tax Reform
PH: Ex. 6

From: Ford, Hayley [mailto:ford.hayley@epa.gov]
Sent: Monday, September 11, 2017 11:55 AM
To: Candice Boyer <cboyer@atr.org>
Cc: Justin Sykes <jsykes@atr.org>; McMurray, Forrest <mcmurray.forrest@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Administrator Pruitt at Wed Meeting

Hi Candice,

The Administrator looks forward to this event on Wednesday! I've attached our speaker request form with requested information. I apologize if you've maybe already completed this form, but we've had some transition on our scheduling team and just want to make sure we have all of the necessary information. Would you mind completing the applicable fields and sending back to me?

Thank you so much!

Hayley Ford
Deputy White House Liaison
Office of the Administrator
Environmental Protection Agency
Room: 3309C William Jefferson Clinton North
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: Ex. 6

From: Bowman, Liz
Sent: Monday, September 11, 2017 11:00 AM
To: Candice Boyer <cboyer@atr.org>
Cc: Justin Sykes <jsykes@atr.org>; Ford, Hayley <ford.hayley@epa.gov>; McMurray, Forrest <mcmurray.forrest@epa.gov>
Subject: Re: Administrator Pruitt at Wed Meeting

Great, thank you, I am adding Haley Ford, our new scheduler and Forest, our advance team. So they can connect with you all on logistics. Madeline is no longer here, Haley is new contact. Thank you - Liz

Sent from my iPhone

Message

From: Loris, Nick [Nick.Loris@heritage.org]
Sent: 4/24/2018 5:59:31 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Automatic reply: Tune in at 2 PM for a special announcement

I'm currently out of the office and will return your message as quickly as possible.

Thanks,

Nick

Nick Loris
Research Manager, Energy and Environment and Herbert and Joyce Morgan Research Fellow
Institute for Economic Freedom
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

Message

From: Annemarie Pender [apender@globalautomakers.org]
Sent: 3/30/2018 5:49:59 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Automatic reply: Final Determination on Vehicle GHG Standards

I am currently out of the office and will return on Monday, April 9. I will have limited access to email. If you require immediate assistance, please contact Lauren Boland at lboland@globalautomakers.org.

Otherwise, I will respond to your emails as soon as possible upon my return.

Thanks!

Annemarie

Annemarie B. Pender
Director, Communications
Association of Global Automakers, Inc. (Global Automakers)
1050 K Street, NW Suite 650
Washington, DC 20001
Ex. 6 (direct)
(cell)
202.650.5555 (main)
apender@globalautomakers.org

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 4/16/2018 3:04:38 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition: Rupert Darwall on the World Bank's anti-energy policies

Pasted below is Rupert Darwall's op-ed on the World Bank's anti-energy policies, which is based on the presentation he made at Cooler Heads on 9th April. The World Bank's spring meeting is this week in DC.

Pasted below that are the items I sent last week on two NAS events tomorrow and Marlo's joint comment letter on the "Clean Power" Plan repeal. I forgot to mention the competing event that AEI is having tomorrow: http://www.aei.org/events/what-did-they-know-and-when-did-they-know-it-the-municipal-climate-litigation-the-fossil-fuel-industry-and-the-municipal-bond-market/.

Finally, here is an amusing article: https://www.technologyreview.com/s/610719/how-the-science-of-persuasion-could-change-the-politics-of-climate-change/.

(Reminder: The Cooler Heads Coalition will hold its May strategy meeting on Monday, 14th May, 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.)

https://www.washingtonexaminer.com/opinion/op-eds/the-world-banks-anti-energy-policy-betrays-its-core-development-mission

The World Bank's anti-energy policy betrays its core development mission

by Rupert Darwall | April 16, 2018 12:00 AM

What is the best form of defense? There is a reason why the Climate Industrial Complex is targeting EPA Administrator Scott Pruitt.

It recognizes that the return to energy sanity is the Trump administration's greatest accomplishment. It ended the previous administration's war on coal. President Trump has freed the United States from the unilateral decarbonization ratchet of the Paris Agreement. Administrator Pruitt is rolling back the Clean Power Plan.

That explains the motive behind the coordinated attempt to force Pruitt out.

In responding to this attack, the administration would do well to take a leaf out of the environmental establishment's playbook. Just 500 yards from the White House, Obama-era energy policies reign supreme at the World Bank. Its president, Dr. Jim Yong Kim, is an Obama appointee. The bank uses American taxpayers' money to wage war on American coal and has become a willing tool of European Union climate policy, foisting its anti-hydrocarbon and pro-renewable agenda on the world's most vulnerable countries.

One year after Dr. Kim was appointed, the World Bank adopted a blanket ban on financing new coal-fired power stations. For many developing nations, coal is the cheapest and most reliable generating capacity. Last December, the bank announced it was extending the ban to the financing of oil and gas exploration, which will deny poor countries the ability to develop their natural resources. Europe has Dr. Kim and the World Bank in its pocket, with American taxpayers writing the checks.

The World Bank, conceived as the world's premier development bank, has turned itself into a progressive think tank with a $406 billion balance sheet. In the name of saving the planet from global warming, the World Bank has adopted anti-development energy policies that betray its core mission. The problem of the poor is that they consume very little energy. As the World Bank recognized before its complete capitulation to green ideology, the incremental greenhouse gas emissions from extending energy access to the world's poor will not make a "material difference" to global greenhouse gas emissions.

Of world electricity production in 2014, only 19 percent was consumed in the Asia-Pacific region excluding China, and only 3 percent in Africa. The bulk of this was generated from coal and gas, with wind and solar making negligible contributions (less than 1 percent in Africa). Even so, annual consumption of coal in many of these countries is miniscule and can be measured in pounds of coal per person and, in the case of Bangladesh, ounces. Their problem is they consume too little coal, not too much, and wind and solar are never going to make up the shortfall.

According to the UN, it would cost only $50 billion a year to provide the world with universal energy access. But it would cost ten times that with renewable energy and another $500 billion for energy efficiency schemes. The staggering scaling up of investment flows for a world of renewables simply isn't going to happen. So that means that the World Bank's decision to back wind and solar capacity and ban investment in new coal is an abandonment of the goal of providing electricity to the 1.2 billion people who currently don't have it.

Even if the investment in renewables were forthcoming (and again, it isn't), it would still be bad for the world's poor. Already in the developed world, the countries and states with the biggest commitment to renewables – notably California, Germany, Denmark and South Australia - have some of the world's most expensive electricity, and none of them have solved the curse of intermittency inherent in weather-dependent generation.

Last year at Davos, a priceless confrontation between former Vice President Al Gore and Bangladeshi Prime Minister Sheikh Hasina highlighted the contradiction between the dictates of

Western environmentalism and poor countries' development aspirations. Bangladesh had the fastest deployment of solar panels anywhere in the world – two per minute, night and day, Gore said, before noting with disgust that now Bangladesh wants to build a new coal fired power station to provide low cost, on-demand power that solar cannot.

Responding to Gore's attempt at green-shaming her, Sheikh Hasina pointed out that the plant will use the latest clean-burning coal technology. "We have to think about human beings," she said, putting Gore out of sorts. "We have to provide energy to our people. We have to develop our country."'

Of all the World Bank's donor countries, America's interests are most aligned with those countries wanting to develop faster, whereas the World Bank's pro-renewable policies most benefit China, a country with less than one third the World Bank voting rights of the US. Of those solar panels crowding up the scene every two minutes in Bangladesh, you can be sure that not one produces any power after nightfall and that the vast majority were made in China. So in addition to waging war on American coal, the World Bank is using American taxpayers' money to finance energy infrastructure that retards development and makes poor people poorer.

That's why energy secretary Rick Perry is absolutely right when he talks of the United States leading a fossil fuel alliance of countries promoting energy realism. The interests of the world's poor, huddled, energy-starved masses and those of the United States, as the world's hydrocarbon superpower, are completely aligned in over-turning the World Bank's immoral energy policies.

This week, the World Bank spring meeting is being held in Washington, D.C. At the previous World Bank meeting six months ago, there was virtually no public support for overturning the coal financing ban. The result was the ban being extended to upstream oil and gas. This time, Republicans should take a leaf out of the Climate Industrial Complex playbook and force it to defend the World Bank's anti-development energy policies that subsidize Chinese jobs and hurt American jobs. Attack is the best form of defense.

Rupert Darwall is the author of Green Tyranny: Exposing the totalitarian roots of the Climate Industrial Complex *(Encounter Books, 2017).*

From: Myron Ebell
Sent: Tuesday, April 10, 2018 12:15 PM
To: Myron Ebell (mebell@cei.org) <mebell@cei.org>
Subject: Cooler Heads Coalition invitations to two events and to sign a comment on the 'Clean Power" Plan

Invitation to sign joint comment on "Clean Power" Plan repeal

Marlo Lewis, my CEI colleague, has written an outstanding comment letter to the EPA on its proposed rule to repeal the "Clean Power" Plan. CEI invites non-profit free market and conservative groups to join us in signing the comment letter. It is lengthy, but clear and well-organized. If you are interested in signing on, please e-mail me and I'll send you a pdf of the

draft comment. Comments are due by 26th April. Note that this comment letter is not for industry-affiliated groups.

Invitation to two events on the Irreproducibility Crisis of Modern Science

The National Association of Scholars will release an important new study on ***The Irreproducibility Crisis of Modern Science*** on Tuesday, 17th April. You are invited to either of two launch events.

2 PM The NAS study will be formally launched at 2 PM in the House Science Committee hearing room, 2318 Rayburn, at 2 PM on Tuesday, 17th April. Chairman Lamar Smith will make opening remarks and authors David Randall and Christopher Welser will give a presentation of their analysis and recommendations for reform. Here is the link to Rsvp: https://www.eventbrite.com/e/launch-event-the-irreproducibility-crisis-of-modern-science-tickets-44647901074.

4:30 PM Please join us at CEI for a discussion by the authors, David Randall and Christopher Welser, at 4:30 PM on Tuesday, 17th April. We will have an informal reception with drinks and snacks after their presentation beginning at about 5:15 or so. If you can't make it at 4:30, you're still welcome to join us from 5:15 till 6:30. Please respond to this e-mail if you would like to attend. I'll send a reminder to those who Rsvp. Here are the details:

Location: CEI, 1310 L Street, N. W., Seventh Floor
Date: Tuesday, April 17th
Time: 4:30 PM—presentation by the authors and discussion
Time: 5:15-ish to 6:30—informal reception

Printed copies of the study will be available at both events. NAS President Peter Wood will also make brief remarks at both events. You will be interested to learn that junk science is prevalent in many more fields than climate science.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct: Ex. 6
Tel mobile
E-mail: Myron.Ebell@cei.org
Stop continental drift!

Message

From: Grant Kidwell [gkidwell@alec.org]
Sent: 4/2/2018 6:49:30 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: mid term evaluation event

Hi Tate,

I'd like to attend the MTE event tomorrow morning on behalf of ALEC.

Thanks,

Grant Kidwell
Task Force Director
Energy, Environment, and Agriculture
Ex. 6

ALEC | American Legislative Exchange Council
LIMITED GOVERNMENT • FREE MARKETS • FEDERALISM

Upcoming Meetings:
2018 Spring Task Force Summit – April 27, 2018 – Grand Rapids, Michigan
2018 Annual Meeting – August 8-10, 2018 – New Orleans, Louisiana
45th Anniversary Gala – September 26, 2018 – Washington, D.C.
2018 States & Nation Policy Summit – November 28-30, 2018 – Washington, D.C.

The American Legislative Exchange Council is a 501(c)3 nonprofit organization and is the largest nonpartisan, voluntary membership organization of state legislators in the United States dedicated to the principles of limited government, free markets and federalism. The Council is governed by state legislators who comprise the National Board of Legislators and is advised by the Private Enterprise Advisory Council, a group of private, foundation and think tank members.

Website | Facebook | Twitter | Blog

Message

From: Candice Boyer [cboyer@atr.org]
Sent: 3/27/2018 5:50:03 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: RE: Administrator Pruitt at Wed Meeting

Sure! Sounds good!

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, March 27, 2018 1:50 PM
To: Candice Boyer <cboyer@atr.org>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: RE: Administrator Pruitt at Wed Meeting

Hey Candice! Unfortunately I have to do a walk through in VA for an event with the Admin next week at 10 AM tomorrow and Stephen is out of town. However, perhaps put EPA on the books for next week?

From: Candice Boyer [mailto:cboyer@atr.org]
Sent: Tuesday, March 27, 2018 1:48 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: RE: Administrator Pruitt at Wed Meeting

Would either of you like to give an update tomorrow?

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, March 19, 2018 3:02 PM
To: Candice Boyer <cboyer@atr.org>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: RE: Administrator Pruitt at Wed Meeting

Actually scratch that. Just add me for now and Gordon.Stephen@epa.gov

From: Bennett, Tate
Sent: Monday, March 19, 2018 3:01 PM
To: 'Candice Boyer' <cboyer@atr.org>
Subject: RE: Administrator Pruitt at Wed Meeting

Do you mind adding myself and Liz Bowman?

Bowman.elizabeth@epa.gov

From: Candice Boyer [mailto:cboyer@atr.org]
Sent: Monday, March 19, 2018 2:56 PM

To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: Administrator Pruitt at Wed Meeting

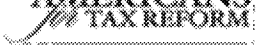
Hi Tate,

Here is the speaker form we used when the Administrator spoke in 2017. I hope he can join us again soon. Also, any member of your staff may attend weekly at any time. Just let me know who should be added to the list and I will make sure they get on my email list. I usually send one weekly reminder day before to see if any Hill and Admin people want to give an update.

Let me know what else we can be helpful with.

Kind regards,

Candice N. Boyer
Director of Scheduling and Outreach
Americans for Tax Reform
PH: Ex. 6



From: Candice Boyer
Sent: Monday, September 11, 2017 1:51 PM
To: Ford, Hayley <ford.hayley@epa.gov>
Cc: Justin Sykes <jsykes@atr.org>; McMurray, Forrest <mcmurray.forrest@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Administrator Pruitt at Wed Meeting

Dear Hayley,

I hope this helps. I am happy to discuss the agenda with you tomorrow, but we do not send it out in any way, shape, or form. We look forward to hosting the Administrator. His remarks are best kept to 3-5min tops. Our presentations are quick and our group will value questions more.

In terms of entrance, he is welcome to come through the front or back door. That is up to your office. Front would probably be easier because it is unlocked and either way he would need to use the same elevator. Let me know what else I can help with.

Kind regards,

Candice N. Boyer
Director of Scheduling and Outreach
Americans for Tax Reform
PH: Ex. 6



From: Ford, Hayley [mailto:ford.hayley@epa.gov]
Sent: Monday, September 11, 2017 11:55 AM
To: Candice Boyer <cboyer@atr.org>
Cc: Justin Sykes <jsykes@atr.org>; McMurray, Forrest <mcmurray.forrest@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Administrator Pruitt at Wed Meeting

Hi Candice,

The Administrator looks forward to this event on Wednesday! I've attached our speaker request form with requested information. I apologize if you've maybe already completed this form, but we've had some transition on our scheduling team and just want to make sure we have all of the necessary information. Would you mind completing the applicable fields and sending back to me?

Thank you so much!

Hayley Ford
Deputy White House Liaison
Office of the Administrator
Environmental Protection Agency
Room: 3309C William Jefferson Clinton North
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: **Ex. 6**

From: Bowman, Liz
Sent: Monday, September 11, 2017 11:00 AM
To: Candice Boyer <cboyer@atr.org>
Cc: Justin Sykes <jsykes@atr.org>; Ford, Hayley <ford.hayley@epa.gov>; McMurray, Forrest <mcmurray.forrest@epa.gov>
Subject: Re: Administrator Pruitt at Wed Meeting

Great, thank you, I am adding Haley Ford, our new scheduler and Forest, our advance team. So they can connect with you all on logistics. Madeline is no longer here, Haley is new contact. Thank you - Liz

Sent from my iPhone

Message

From: Scales, Sam (S.A.) [SSCALES3@ford.com]
Sent: 4/2/2018 6:37:55 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: EMBARGOED UNTIL NOON- MTE Announcement

Thank ya Tate!

Sam A. Scales
Ford Motor Company
Ex. 6

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, April 02, 2018 2:35 PM
To: Scales, Sam (S.A.) <SSCALES3@ford.com>
Subject: Re: EMBARGOED UNTIL NOON- MTE Announcement

http://createsend.com/t/d-4AC988BD1868DDC72540EF23F30FEDED

On Apr 2, 2018, at 1:21 PM, Scales, Sam (S.A.) <SSCALES3@ford.com> wrote:

> Thanks for sending over
>
> **Sam A. Scales**
> Ford Motor Company
> **Ex. 6**
>
> **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> **Sent:** Monday, April 02, 2018 12:59 PM
> **To:** Scales, Sam (S.A.) <SSCALES3@ford.com>
> **Subject:** FW: EMBARGOED UNTIL NOON- MTE Announcement
>
> **From:** Chuck Cunningham [mailto:ccunningham@secureenergy.org]
> **Sent:** Monday, April 2, 2018 12:05 PM
> **To:** Bennett, Tate <Bennett.Tate@epa.gov>
> **Subject:** RE: EMBARGOED UNTIL NOON- MTE Announcement
>
> Thanks for this information. Hope that you had a great Easter weekend.
>
> As we discussed last week, I would be interested in your event on this issue. Please send me the detail when they are available. Thanks.

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, April 02, 2018 11:03 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: EMBARGOED UNTIL NOON- MTE Announcement

Please see below talking points regarding our noon MTE announcement. Please flag any press that may be conducted on your end. Also, **please give me a call if you'd like to be a part of an event on this issue later in the week.** – Tate Ex. 6

- In 2012, EPA and the National Highway Traffic Safety Administration (NHTSA) set greenhouse gas (GHG) and Corporate Average Fuel Economy (CAFE) standards for light-duty vehicles starting in Model Year (MY) 2017 - 2025.
- As part of the 2012 rulemaking, EPA made a regulatory commitment to conduct a Midterm Evaluation of the standards for MY 2022-2025 no later than April 1, 2018. This Evaluation would determine whether the standards remain appropriate or should be made more or less stringent.

- In November 2016, the Obama Administration cut short the Midterm Evaluation process and rushed out a Final Determination days before leaving office, on January 12, 2017. Since then, the auto industry and other stakeholders sought a reinstatement of the original Midterm Evaluation timeline, so that the Agency could review the latest information.

- On March 15, 2017, President Trump alongside EPA Administrator Pruitt and U.S. Department of Transportation Secretary Chao announced a reestablishment of the Midterm Evaluation process.

- In August 2017, EPA and NHTSA formally reopened the regulatory docket initiating a 45-day comment period asking for additional information and data relevant to assessing whether the GHG emissions standards remain appropriate, including information on: consumer behavior, feedback on modeling approaches, costs and assessing advanced fuels technologies.

- EPA held a public hearing in Washington, DC, on September 6, 2017. By the end of the comment period, EPA received over 290,000 comments.

- **Based on EPA's review and analysis of the comments and information received, and the Agency's own analysis, the Administrator believes that the current GHG emission standards for MY 2022-2025 light-duty vehicles are not appropriate and should be revised.**

    - EPA will continue its close partnership with NHTSA to ensure there is adequate consideration of any potential impacts on automobile safety.

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 3/26/2018 2:49:58 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Cooler Heads Coalition next meeting Monday, 9th April, noon at CEI

The Cooler Heads Coalition will hold its April strategy meeting on Monday, 9th April, beginning at 12 noon at CEI, 1310 L Street, N. W., Seventh Floor. We will have Rupert Darwall as our special guest. You may recall that last fall Rupert spoke at two coalition events about his new book, Green Tyranny: Exposing the Totalitarian Roots of the Climate-Industrial Complex. Please e-mail or ring me at Ex. 6 with agenda items or questions.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct:
Tel mobile: Ex. 6
E-mail: Myron.Ebell@cei.org
Stop continental drift!

Message

From: Kevin Butt (TMNA) [kevin.butt@toyota.com]
Sent: 3/22/2018 2:24:06 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Still good to go?

Top of the morning. Could you give me a call when you get a chance?

Kevin M. Butt
Director, Environmental Sustainability
Toyota Motor North American
Environmental Sustainability
Cell Phone [Ex. 6]
NOTE: New Email Address: kevin.butt@toyota.com

-----Original Message-----
From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, March 20, 2018 8:24 AM
To: Kevin Butt (TMNA) <kevin.butt@toyota.com>
Cc: Kundinger, Kelly <kundinger.kelly@epa.gov>
Subject: Still good to go?

For April 5 around 1:45? Do you mind shooting us a run of show when you have it?

Message

From: Kevin Butt (TMNA) [kevin.butt@toyota.com]
Sent: 3/14/2018 1:44:06 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: NHL as promised

PROTECTED 関係者外秘

Absolutely Feel free to call anytime!

Kevin M. Butt
Director, Environmental Sustainability
Toyota Motor North American
Environmental Sustainability
Cell Phone Ex. 6
NOTE: New Email Address: kevin.butt@toyota.com

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, March 13, 2018 12:15 PM
To: Kevin Butt (TMNA) <kevin.butt@toyota.com>
Subject: Re: NHL as promised

Can I give you a shout re a site visit?

On Mar 12, 2018, at 8:41 PM, Kevin Butt (TMNA) <kevin.butt@toyota.com> wrote:

> I can only echo the comments from Carlos. Well done and this is why NEEF is making change happen. Diane and Sarah.....outstanding!!!!!!
>
> Sent from my iPad
>
> On Mar 12, 2018, at 7:37 PM, Carlos Alcazar <calcazar@cultureoneworld.com> wrote:
>
> > Diane,
> >
> > This is another tremendous example of your leadership and vision to achieve our mission. With the NBA committing to a second campaign year, and now the NHL on board, we're taking on the biggest sports franchises. Congratulations to you and Sara for pulling this together. Great work!
> >
> > Carlos
> >
> > --
> > Carlos Alcazar
> > Culture ONE World
> > e: calcazar@cultureoneworld.com
> > m: Ex. 6
> > o: 202-796-1096 Ex. 6
> > www.cultureoneworld.com
> >
> > On March 12, 2018 at 11:16:24 AM, Diane Wood (dwood@neefusa.org) wrote:

Dear members of the board

Please enjoy. Any questions/comments please reach out to Sara Espinoza. Congrats to Sara, her team and all at NEEF who worked on this project.

The NHL infographic page is live today: https://www.neefusa.org/nhl.

NEEF will be sharing through social media and our EE Week, NEEF Weekly emails.

My best, Diane

<image002.jpg@01D3B9F3.8CCA0E40>

Diane Wood

President

National Environmental Education Foundation

4301 Connecticut Ave., NW, Suite 160

Washington, DC 20008

Direct Ex. 6

General 202-833-2933

Fax 202-261-6464

NEEFusa.org

Message

From: Annie Dwyer [Annie.Dwyer@cei.org]
Sent: 4/3/2018 3:49:08 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Dewey, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fc3a7e01b12f4aeba5d34b813df8112a-Dewey, Amy]
Subject: Re: CEI media on CAFE announcement

Thanks for the heads up on the location change. I'm confirming that Marlo Lewis, Myron Ebell, and Sam Kazman would like to join you all tomorrow.

Thanks again,
Annie

Annie Dwyer
Vice President of Communications
Competitive Enterprise Institute
Ex. 6

On Apr 2, 2018, at 8:36 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Thank you! Flagging for my colleague Amy! Did you see my note about the location?

On Apr 2, 2018, at 8:32 PM, Annie Dwyer <Annie.Dwyer@cei.org> wrote:

> Tate – I wanted to flag CEI's support for Pruitt's CAFE announcement today. Our press release is here. The San Francisco Chronicle oped linked below should be in the print edition tomorrow. -- Annie
>
> **TV on Friday, March 30**
>
> - <!--[if !supportLists]--><!--[endif]-->**Sam Kazman on Fox News Special Report:** https://youtu.be/1Bcy5c5zTQE
> - <!--[if !supportLists]--><!--[endif]-->**Sam Kazman on CBS affiliate KPIX in San Francisco:** https://youtu.be/0xYXthfOsqw
>
> **Media Coverage April 2, 2018**
>
> **Oped by Marlo Lewis in San Francisco Chronicle: Cutting tailpipe emission not that effective against global warming**
> https://www.sfchronicle.com/opinion/openforum/article/Opinion-Cutting-tailpipe-emission-not-that-12799988.php?utm_campaign=twitter-premium
>
> The U.S. Environmental Protection Agency announced Monday it will reconsider the federal government's Corporate Average Fuel Economy standards for passenger cars for model years 2022-25. The Obama administration set very stringent standards, peaking at 54.5 miles per gallon in 2025. After the EPA's midterm review, it found these standards to be inappropriate. Automakers also warn that the standards are too strict and potentially price millions of consumers out of the market for new cars.
>
> The EPA's decision could save car buyers thousands of dollars in the showroom, make auto companies

more attuned to what consumers want rather than what bureaucrats want, and increase autoworkers' wages. At the same time, and contrary to what the EPA's critics claim, relaxing the standards would have no discernible impact on either climate change or energy security.

E&E News: Pruitt reopens 'inappropriate' rules to cheers, jeers
https://www.eenews.net/eenewspm/stories/1060077959

Free-market groups, meanwhile, expressed support for the Trump administration's efforts to scale back Obama-era fuel economy rules in a letter today to Pruitt and Transportation Secretary Elaine Chao.

"We stand ready to help you and your team in any way," says the letter from 12 groups, including the American Energy Alliance and Competitive Enterprise Institute.

ClimateWire: A skeptic's auto mall could host rollback on car rules
https://www.eenews.net/stories/1060077885

According to Pohanka's bio on NADA's website, he entered the auto industry in 1973 by working summers in his father's dealership. He is a third-generation dealer.

He launched his website on global warming in 2008 as part of his efforts to lobby against the carbon cap-and-trade bill in Congress.

"He's just a really nice guy," said Myron Ebell, director of the Center for Energy and Environment at the Competitive Enterprise Institute. "The auto dealers are much closer to consumers than the automakers are. They see them going into the showroom; they understand there's growing resistance to increasing vehicle prices."

In a 2010 video promoted by the Competitive Enterprise Institute, Pohanka said, "It's true temperatures have been rising moderately. ... The one thing about the warming is it's not global."

He continued, "If we had a choice between a warming environment and a cooling one, the historical record is a warming one is one of increased plant growth, increased harvests. ... Man has flourished in warming periods. It's cold periods that are ones of disease, sickness, political instability and depopulation."

Greentech Media: California Girds for Battle as EPA Rules to Weaken Vehicle Emissions Standards
https://www.greentechmedia.com/articles/read/california-prepares-for-battle-as-epa-rules-to-weaken-vehicle-emissions-sta#gs.tuWZZcQ

Meanwhile, the right-leaning Competitive Enterprise Institute celebrated Pruitt's announcement, claiming fuel economy mandates restrict consumer choice and negatively affect vehicle crashworthiness.

"We hope that the Trump administration will finally take account of those effects and start to liberalize this program," said CEI General Counsel Sam Kazman.

Buzzfeed: Trump's EPA Is Weakening Pollution Rules For Cars And Trucks
https://www.buzzfeed.com/zahrahirji/epa-pruitt-cars-pollution-climate?utm_term=.coz2YQeX5#.qvXRVGpLb

The long-anticipated announcement on car emissions rules was immediately praised by conservative groups.

"This is the first step in many years toward reducing government control over what kinds of cars people can choose to buy," Myron Ebell, a director of the Competitive Enterprise Institute who has long advocated against action on climate change, said in a statement.

Daily Caller: Trump's EPA Prepares To Repeal A Key Part Of Obama's Climate Agenda (also picked up by Western Journal)
http://dailycaller.com/2018/04/02/trump-epa-repeal-obama-climate-agenda/

"Fuel economy mandates restrict consumer choice, add thousands of dollars to the cost of new vehicles, and limit vehicle safety," Marlo Lewis, a senior fellow at the free market Competitive Enterprise Institute, said in an emailed statement.

"Contrary to the program's original rationale, the world is not running out of oil," Lewis said.

Reason: Trump Administration Announces Rollback of Obama-Era Vehicle Emissions Standards
https://reason.com/blog/2018/04/02/trump-administration-announces-rollback

Free market voices, conversely, cheered the move while pointing out the downsides that the current CAFE standards have had.

"CAFE's lethal effects on vehicle crashworthiness were documented by analysts and a federal appeals court years ago," said the Competitive Enterprise Institute's Sam Kazman in a statement. "We hope that the Trump Administration will finally take account of those effects and start to liberalize this program."

One way automobile manufacturers have satisfied CAFE standards over the years is by reducing the weight and size of their vehicles. This Kazman argues, and federal agencies concede, makes vehicles less safe in crashes, leading to a greater number of automobile fatalities.

Wash Exam Energy Newsletter: Daily on Energy: EPA ready to scrap Obama's fuel-efficiency rules this week
https://www.washingtonexaminer.com/daily-on-energy-epa-ready-to-scrap-obamas-fuel-efficiency-rules-this-week

CONSERVATIVE COALITION CALLS FOR REPEALING VEHICLE FUEL STANDARDS PROGRAM:A coalition of conservative leaders on Monday morning praised the EPA for its expected action to reject strict fuel-efficiency rules for vehicles imposed during the Obama administration and even called for repeal of the program that sets the rules.

Other signees include Michael Needham of Heritage Action, Brent Wm. Gardner of Americans for Prosperity, Myron Ebell of the Competitive Enterprise Institute, and Grover Norquist of Americans for Tax Reform.

Annie Dwyer
Vice President of Communications
Competitive Enterprise Institute
Ex. 6 | cei.org

Message

From: Candice Boyer [cboyer@atr.org]
Sent: 3/27/2018 5:17:56 PM
To: Candice Boyer [cboyer@atr.org]
Subject: Wednesday Meeting tomorrow

Dear Hill and Administration Colleagues,

Please let me know if you are interested in making a presentation at the Wednesday Meeting tomorrow. I hope to hear from you.

Kind regards,

Candice N. Boyer
Director of Scheduling and Outreach
Americans for Tax Reform
PH: Ex. 6

Message

From: Scales, Sam (S.A.) [SSCALES3@ford.com]
Sent: 4/2/2018 6:21:54 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Re: EMBARGOED UNTIL NOON- MTE Announcement

From Politico

By Alex Guillén and Emily Holden

04/02/2018 02:15 PM EDT

EPA will revise auto emissions regulations set by the Obama administration, according to a set of agency talking points reviewed by POLITICO.

"Based on EPA's review and analysis of the comments and information received, and the Agency's own analysis, the Administrator believes that the current GHG emission standards for MY 2022-2025 light-duty vehicles are not appropriate and should be revised," Tate Bennett, associate administrator for public engagement and environmental education, wrote in an email this morning to supportive groups outside the agency.

The changes "will ensure that auto-manufacturers can make cars that consumers both want and can afford," Bennett's email said. "They will also treat all advanced vehicle technologies the same, including the potential natural gas vehicles and the role of high-octane fuels."

The move was widely expected following automakers' request for the Trump administration revisit the rules.

Those opposed to changing the standards, including California regulators and environmentalists who helped create the original rules, say weakening them will cost consumers more in the long run because of higher fuel usage. California is authorized to enforce higher standards inside its borders and in a dozen other states, raising the threat of automakers facing two sets of requirements.

Standards for model year 2022-2025 vehicles were set by a 2012 rule that also directed EPA to conduct a "midterm" review. In the event automakers would not be able to reach those later standards, EPA could revise them.

EPA Administrator Scott Pruitt is expected to formally announce the decision on Tuesday.

WHAT'S NEXT: Pruitt's determination triggers a new round of notice-and-comment rulemaking to revise the standards for 2022-2025 model year cars and light trucks. A proposal describing the changes could come as soon as this summer, but the timeline is still unclear.

Sam A. Scales

Ex. 6

On Apr 2, 2018, at 1:53 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

negative

From: Scales, Sam (S.A.) [mailto:SSCALES3@ford.com]
Sent: Monday, April 2, 2018 1:53 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: EMBARGOED UNTIL NOON- MTE Announcement

Y'all send out other info yet?

Sam A. Scales
Ford Motor Company
Ex. 6

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, April 02, 2018 12:59 PM
To: Scales, Sam (S.A.) <SSCALES3@ford.com>
Subject: FW: EMBARGOED UNTIL NOON- MTE Announcement

From: Chuck Cunningham [mailto:ccunningham@secureenergy.org]
Sent: Monday, April 2, 2018 12:05 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: EMBARGOED UNTIL NOON- MTE Announcement

Thanks for this information. Hope that you had a great Easter weekend.

As we discussed last week, I would be interested in your event on this issue. Please send me the detail when they are available. Thanks.

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, April 02, 2018 11:03 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: EMBARGOED UNTIL NOON- MTE Announcement

Please see below talking points regarding our noon MTE announcement. Please flag any press that may be conducted on your end. Also, **please give me a call if you'd like to be a part of an event on this issue later in the week.** – Tate **Ex. 6**

- In 2012, EPA and the National Highway Traffic Safety Administration (NHTSA) set greenhouse gas (GHG) and Corporate Average Fuel Economy (CAFE) standards for light-duty vehicles starting in Model Year (MY) 2017 - 2025.
- As part of the 2012 rulemaking, EPA made a regulatory commitment to conduct a Midterm Evaluation of the standards for MY 2022-2025 no later than April 1, 2018. This Evaluation would determine whether the standards remain appropriate or should be made more or less stringent.

- In November 2016, the Obama Administration cut short the Midterm Evaluation process and rushed out a Final Determination days before leaving office, on January 12, 2017. Since then, the auto industry and other stakeholders sought a reinstatement of the original Midterm Evaluation timeline, so that the Agency could review the latest information.

- On March 15, 2017, President Trump alongside EPA Administrator Pruitt and U.S. Department of Transportation Secretary Chao announced a reestablishment of the Midterm Evaluation process.

- In August 2017, EPA and NHTSA formally reopened the regulatory docket initiating a 45-day comment period asking for additional information and data relevant to assessing whether the GHG emissions standards remain appropriate, including information on: consumer behavior, feedback on modeling approaches, costs and assessing advanced fuels technologies.

- EPA held a public hearing in Washington, DC, on September 6, 2017. By the end of the comment period, EPA received over 290,000 comments.

- **Based on EPA's review and analysis of the comments and information received, and the Agency's own analysis, the Administrator believes that the current GHG emission standards for MY 2022-2025 light-duty vehicles are not appropriate and should be revised.**

    - EPA will continue its close partnership with NHTSA to ensure there is adequate consideration of any potential impacts on automobile safety.

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 3/27/2018 4:39:44 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: Tate, Can you ring me some time in the next day or two?

Three items I want to discuss briefly. Ex. 6 Thanks, Myron.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct: Ex. 6
Tel mobile
E-mail: Myron.Ebell@cei.org
Stop continental drift!

Message

From: Bluey, Rob [rob.bluey@heritage.org]
Sent: 3/30/2018 2:01:23 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Hewitt, James [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=41b19dd598d340bb8032923d902d4bd1-Hewitt, Jam]; Mike Thompson [mthompson@CRCPublicRelations.com]
Subject: Re: Lunch on Tuesday

Yes. 202-340-6382

_____

>

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

On Mar 30, 2018, at 10:00 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> Hey Rob! We hope to see you Tuesday but can I call you really quickly about something else that day?
>
> -----Original Message-----
> From: Bluey, Rob [mailto:rob.bluey@heritage.org]
> Sent: Friday, March 30, 2018 10:00 AM
> To: Bennett, Tate <Bennett.Tate@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
> Cc: Mike Thompson <mthompson@CRCPublicRelations.com>
> Subject: Lunch on Tuesday
>
> Just confirming our 12:30 lunch at Heritage on Tuesday.
>
>
>
> Rob Bluey
> Vice President, Communications, and Editor-in-Chief, The Daily Signal The Heritage Foundation
> 214 Massachusetts Avenue, NE
> Washington, DC 20002
> Ex. 6
> heritage.org
>
> _____

Message

From: Grant Kidwell [gkidwell@alec.org]
Sent: 4/3/2018 1:48:48 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: Re: Urgent regarding tomorrow

I will be there. Grant Kidwell. Thanks for organizing

Sent from my iPhone

> On Apr 2, 2018, at 8:26 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> Hi All – apologies for the very last minute email re: a location change. We will now be hosting this event at EPA HQ located at 1200 Pennsylvania NW at 10:30 AM tomorrow.
>
> Directions: Please use the William Jefferson Clinton South Entrance located on your left as you exit the Federal Triangle Metro Station. Please arrive 20 minutes prior to the meeting with photo IDs to clear security.
>
> Please confirm your attendance by replying all (to Stephen and I) with your first and last name. This invite is invitation only.
>
> My cell is Ex. 6 if you have any trouble.
>
> Tate
>
>
>
>

Message

From: Myron Ebell [Myron.Ebell@cei.org]
Sent: 4/3/2018 1:21:20 AM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: Re: Urgent regarding tomorrow

Sam Kazman, Marlo Lewis, and I plan to attend.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
Tel: Ex. 6
Mobile Ex. 6
E-mail: Myron.Ebell@cei.org

> On Apr 2, 2018, at 8:26 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
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> Hi All – apologies for the very last minute email re: a location change. We will now be hosting this event at EPA HQ located at 1200 Pennsylvania NW at 10:30 AM tomorrow.
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>
> Please confirm your attendance by replying all (to Stephen and I) with your first and last name. This invite is invitation only.
>
> My cell is Ex. 6 if you have any trouble.
>
> Tate
>
>
>
>

Message

From: David G. Absher (TMNA) [david.absher@toyota.com]
Sent: 3/23/2018 2:52:03 PM
To: Kundinger, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e3c9a5d16e2244079e222f342bf9992f-Kundinger,]; Kevin Butt (TMNA) [kevin.butt@toyota.com]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Still good to go?

I will see you then.
Contact info below if you need to call.

David Absher
Sr. Manager
Toyota Motor North America
Environmental Sustainability
Ex. 6
e-mail - david.absher@toyota.com

-----Original Message-----
From: Kundinger, Kelly [mailto:kundinger.kelly@epa.gov]
Sent: Friday, March 23, 2018 10:22 AM
To: David G. Absher (TMNA) <david.absher@toyota.com>; Kevin Butt (TMNA) <kevin.butt@toyota.com>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Still good to go?

Great. I look forward to meeting you on the 3rd.

Thanks, David.

-----Original Message-----
From: David G. Absher (TMNA) [mailto:david.absher@toyota.com]
Sent: Friday, March 23, 2018 10:07 AM
To: Kundinger, Kelly <kundinger.kelly@epa.gov>; Kevin Butt (TMNA) <kevin.butt@toyota.com>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Still good to go?

That will work.
Expect about a 45-55 minute walk in the factory.
And maybe 20-30 minutes in office areas.
Followed by discussion.

-----Original Message-----
From: Kundinger, Kelly [mailto:kundinger.kelly@epa.gov]
Sent: Friday, March 23, 2018 10:04 AM
To: David G. Absher (TMNA) <david.absher@toyota.com>; Kevin Butt (TMNA) <kevin.butt@toyota.com>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Still good to go?

Thank you, David. Does 11:00am work for you?

-----Original Message-----
From: David G. Absher (TMNA) [mailto:david.absher@toyota.com]
Sent: Friday, March 23, 2018 10:02 AM
To: Kundinger, Kelly <kundinger.kelly@epa.gov>; Kevin Butt (TMNA) <kevin.butt@toyota.com>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Still good to go?

Hi Kelly, I will meet the team on the 3rd.
Can you confirm the time of arrival?

The facility is:
Toyota Motor Manufacturing Kentucky
1001 Cherry Blossom Way
Georgetown, KY 40324
Enter through Gate 2, Visitors Entrance.
I will meet you in the lobby.

-----Original Message-----

From: Kundinger, Kelly [mailto:kundinger.kelly@epa.gov]
Sent: Friday, March 23, 2018 9:49 AM
To: Kevin Butt (TMNA) <kevin.butt@toyota.com>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: David G. Absher (TMNA) <david.absher@toyota.com>
Subject: RE: Still good to go?

Thank you, Kevin.

David - I look forward to hearing from you regarding a walk-through on the 3rd.

-----Original Message-----
From: Kevin Butt (TMNA) [mailto:kevin.butt@toyota.com]
Sent: Friday, March 23, 2018 9:30 AM
To: Kundinger, Kelly <kundinger.kelly@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: David G. Absher (TMNA) <david.absher@toyota.com>
Subject: RE: Still good to go?

Kelly:

David Absher is your contact for the walk through. I have copied him on this email. I will send a run of show today.

Tate: I believe you indicated that the team would arrive at 2:00 PM ET. Correct?

Kevin M. Butt
Director, Environmental Sustainability
Toyota Motor North American
Environmental Sustainability
Cell Phone [Ex. 6]
NOTE: New Email Address: kevin.butt@toyota.com

-----Original Message-----
From: Kundinger, Kelly [mailto:kundinger.kelly@epa.gov]
Sent: Thursday, March 22, 2018 9:38 AM
To: Kevin Butt (TMNA) <kevin.butt@toyota.com>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Still good to go?

Kevin -

I am going to be traveling to Kentucky on Tuesday, April 3rd to prepare for the Administrator's visit. As such, would you mind connecting me with someone from your team that can meet me, along with our security detail, for a walk-through that afternoon?

I appreciate your assistance.

Kelly
-----Original Message-----
From: Kevin Butt (TMNA) [mailto:kevin.butt@toyota.com]
Sent: Wednesday, March 21, 2018 7:51 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Kundinger, Kelly <kundinger.kelly@epa.gov>
Subject: Re: Still good to go?

Yes good to go. Unfortunately the president of the plant will not be there at that time. Look forward to the visit.

Kevin M. Butt

> On Mar 20, 2018, at 8:24 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> For April 5 around 1:45? Do you mind shooting us a run of show when you have it?

Message

From: Laura Skaer [lskaer@miningamerica.org]
Sent: 3/16/2018 1:00:27 AM
To: Matt Ellsworth [ellsworth@miningamerica.org]; Cook, Steven [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=394f5dede6184bc083cf9390e49a192c-Cook, Steve]; brent.fewell@earthandwatergroup.com; smoyer@tu.org
CC: Chancellor, Erin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ae6aeabeca754643bdb01c9f5b653ca6-Chancellor,]; Kelly, Albert [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08576e43795149e5a3f9669726dd044c-Kelly, Albe]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Abandoned Mines question
Attachments: Announcement_DrftFnl_031318ForPrinting.docx; AnnouncementAndProgram_DrftFnl_031318.pdf

All,

Thanks for letting me participate via telephone. We are encouraged by the discussion and the opportunity we believe we have.

Attached is the announcement and current agenda for the AML/Good Sam Summit at the Colorado School of Mines (CSM) on April 26 sponsored by the Mining and metallurgical Society of America, Trout Unlimited and CSM. As you can see, we have a good group of speakers lined up. We would like to have someone from EPA speak in the mid-morning session. I mentioned this to Byron Brown when I met with him at the end of January, but have not heard back from him. Any help you can provide in helping us identify the right person from EPA is much appreciated.

Thanks

Laura Skaer
Executive Director
American Exploration & Mining Association
lskaer@miningamerica.org

From: Matt Ellsworth
Sent: Thursday, March 15, 2018 5:54 AM
To: Cook, Steven <cook.steven@epa.gov>; brent.fewell@earthandwatergroup.com; smoyer@tu.org; Laura Skaer <lskaer@miningamerica.org>
Cc: Chancellor, Erin <chancellor.erin@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Abandoned Mines question

Adding Laura

-------- Original message --------
From: "Cook, Steven" <cook.steven@epa.gov>
Date: 3/15/18 8:18 AM (GMT-05:00)
To: brent.fewell@earthandwatergroup.com, smoyer@tu.org, Matt Ellsworth <ellsworth@miningamerica.org>
Cc: "Chancellor, Erin" <chancellor.erin@epa.gov>, "Kelly, Albert" <kelly.albert@epa.gov>, "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: Abandoned Mines question

Once again appreciate your interest in this topic. I had a couple of additional questions –

1. Given the type of projects you are interested in, what is the estimated average cost (or range or cost) of a project?
2. What would be the anticipated timeframe for completion of a typical project (1 year, 1-2 years or something else)?
3. Given the available resources and assuming adequate funds were available, what level of effort (i.e. number of active projects) do you think could be sustained on an annual basis over several years?

Please let me know if you need any clarifications on these questions.

Steven Cook
Deputy Assistant Administrator
Office of Land and Emergency Management
U.S. Environmental Protection Agency



Good Samaritan Protection to Enhance Abandoned Mine Land Cleanup—Finding a Path Forward

April 26, 2018 – Colorado School of Mines -- 8am to 5pm

The **Mining and Metallurgical Society of America**, in conjunction with the **Colorado School of Mines** and **Trout Unlimited**, presents the Summit: ***Good Samaritan Protection to Enhance Abandoned Mine Land Cleanup -- Finding a Path Forward***, to be held on the Colorado School of Mines Campus on April 26, 2018.

The Purpose of the Summit is: Identify necessary liability protection from applicable environmental laws that advance closure and remediation of the identified pilot/demonstration projects.

The Summit's Outcome is: A diverse coalition of stakeholders working to advance pilot/demonstration project-focused Good Samaritan legislation that enhances (or advances) AML cleanup.

The topics and summit breakout session discussions presented at the Summit will be:

- **Laying out the Challenges**. Identify social, political and legal issues impeding closure and remediation of AML Lands, including: What is needed, State Government considerations, Environmental Coalition issues, Private Sector & Industry considerations, Congressional Representative discussion.
- **Existing Issues Impacting AML Clean-up**. Address social, political and legal issues related to AML cleanup within current regulatory structure and envision potential Good Samaritan protections. Issues to be discussed include: Legal, AML/Good Samaritan, Health, Safety & Environmental, EPA discussion of Good Samaritan.
- **Break-out and Planning.** Delegates will break into multiple working groups to build consensus on the critical language and programmatic components needed to advance Good Samaritan legislation focused on pilot/demonstration projects. After the building blocks for the legislation are identified, avenues for partnership, the ideal process for selection of candidate demonstration sites, and other issues raised by the morning sessions will be discussed.
- **Feedback and Actionable Items.** The goal of the final session is to fold in outcomes from the morning and early afternoon sessions to collaboratively establish an action plan.

This Summit is intended for all stakeholders in the public, private and civil sectors with an interest in accelerating the clean-up of abandoned mines through Good Samaritan legislation.

For more information about the Summit, and to participate, contact Betty Gibbs, Executive Director, MMSA, at contactmmsa@mmsa.net or 303-444-6032. Watch the MMSA Web page for updates: http://www.mmsa.net.

Tickets are FREE. Click on the link on the MMSA Web page.



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Sign up for your *FREE* ticket.



Good Samaritan Protection to Enhance Abandoned Mine Land Cleanup - Finding a Path Forward

April 26, 2018 – Colorado School of Mines – 8am to 5pm

SUMMIT AGENDA—DRAFT—02-13-18

Purpose: Identify necessary liability protection from applicable environmental laws that advance closure and remediation of the identified pilot/demonstration projects.

Outcome: A diverse coalition of stakeholders working to advance pilot/demonstration project-focused Good Samaritan legislation that enhances (or advances) AML cleanup.

Morning Plenary Session (8:00 to 10:00 AM) - Laying Out the Challenges
Laura Skaer- Session Moderator

Session Objective: Identify Social, Political and Legal Issues Impeding Closure and Reclamation of AML Lands.

- Enhanced pathway to AML Cleanup – ***Laura Skaer;*** Executive Director, American Exploration & Mining Association
- State Government Considerations – ***Jeff Graves;*** Director, Office of Active & Inactive Mines, Colorado Division of Reclamation, Mining, and Safety
- Conservation Group Perspectives – ***Chris Wood***; President, Trout Unlimited
- Private Sector / Industry Considerations – ***Tawny Bridgeford***, Associate General Counsel, National Mining Association
- Congressional Perspective – ***Dustin Sherer***; Aide to Sen. Cory Gardner

Break (10:00 to 10:15 AM)

Mid-Morning Session (10:15 to 11:45) – Issues Impacting AML clean-up
Dennis Ferrigno - Session Moderator

Session Objective: Address Social, Political and Legal Issues Related to Enhanced AML Clean-up

- Legal Issues- ***Carolyn McIntosh;*** Partner, Squire Patton Boggs.
- AML / Good Samaritan Political Issues – ***Kathy Benedetto;*** Senior Adviser to the Director of the Bureau of Land Management ***(Invited)***
- Examples of Successful Reclamation and Closure (Processes and Results) to Guide Candidate Site Selection – ***Jeff Parshley;*** Group Chairman and Corporate Consultant, SRK Consulting North America
- Discussion for Good Samaritan Initiative – ***TBD,*** U.S. Environmental Protection Agency ***(Invited)***

Lunch (12:00 to 12:45 PM) - *Compliments of MMSA*

Afternoon Session (12:45 PM to 3:15 PM) - Break-out & Planning
Ann Carpenter - Session Moderator

Session Objective: Build Consensus on Best Paths Forward

Delegates will break into multiple working groups to build consensus on the critical language and programmatic components needed to advance Good Samaritan legislation focused on pilot/demonstration projects. After the building blocks for the legislation are identified, avenues for partnership, the ideal process for selection of candidate demonstration sites, and other issues raised by the morning sessions will be discussed.

Break (3:15 PM to 3:30)

Summary Session (3:30 PM to 5:00 PM) - Feedback and Actionable Items
Ann Carpenter - Session Moderator

Session Objective: The goal of the final session is to fold in outcomes from the morning and early afternoon sessions to collaboratively establish an action plan.

Closing of Summit (5:00 PM)

For more information about the Summit, and to participate, contact Betty Gibbs, Executive Director, MMSA, at contactmmsa@mmsa.net or 303-444-6032. Watch the MMSA Web page for updates: http://www.mmsa.net.
Sign up for your *FREE* ticket.

Message

From: Patrick Gleason [pgleason@atr.org]
Sent: 3/15/2018 3:08:06 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Greenwalt, Sarah [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c13775b8f424e90802669b87b135024-Greenwalt,]
Subject: Re: Forbes article on Administrator Pruitt's decision on Pebble

Thanks again for taking the time to chat earlier this week.

Quick question - is the report on 2017 regulatory reform achievements (the one passed out at Heritage on Monday) available online? If so, can you send me a link?

At Heritage, Administrator Pruitt mentioned that the EPA has achieved $3 billion in regulatory reform savings over the past year. Do you have a citation for that? I'd like to include in my Forbes article, which will be published this afternoon.

Thanks!

PG

Patrick M. Gleason
Director of State Affairs | **Americans for Tax Reform**
722 12th Street NW – Fourth Floor | Washington, DC 20005
W. Ex. 6 | F. 202.785.0261 | www.atr.org
pgleason@atr.org | www.twitter.com/patrickmgleason

On Mar 10, 2018, at 9:08 AM, Rayanne Matlock <rmatlock@atr.org> wrote:

Yes, same line.

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Friday, March 9, 2018 6:16:02 PM
To: Christopher Butler; Patrick Gleason
Cc: Greenwalt, Sarah; Rayanne Matlock
Subject: RE: Forbes article on Administrator Pruitt's decision on Pebble

Great! Same line?

From: Christopher Butler [mailto:cbutler@atr.org]
Sent: Friday, March 9, 2018 12:43 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Patrick Gleason <pgleason@atr.org>
Cc: Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Rayanne Matlock <rmatlock@atr.org>
Subject: Re: Forbes article on Administrator Pruitt's decision on Pebble

I can do 3:30 as well.

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: Friday, March 9, 2018 at 12:42 PM
To: Christopher Butler <cbutler@atr.org>, Patrick Gleason <pgleason@atr.org>
Cc: "Greenwalt, Sarah" <greenwalt.sarah@epa.gov>, Rayanne Matlock <rmatlock@atr.org>
Subject: RE: Forbes article on Administrator Pruitt's decision on Pebble

Don't kill me but is 3:30 an option?

From: Christopher Butler [mailto:cbutler@atr.org]
Sent: Friday, March 9, 2018 12:29 PM
To: Patrick Gleason <pgleason@atr.org>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Rayanne Matlock <rmatlock@atr.org>
Subject: Re: Forbes article on Administrator Pruitt's decision on Pebble

That's good for me too. Let's book it.

Rayanne will you get us a bridge?

From: Patrick Gleason <pgleason@atr.org>
Date: Friday, March 9, 2018 at 12:27 PM
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Cc: Christopher Butler <cbutler@atr.org>, "Greenwalt, Sarah" <greenwalt.sarah@epa.gov>
Subject: Re: Forbes article on Administrator Pruitt's decision on Pebble

Works for me.

> On Mar 9, 2018, at 12:23 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> Would 4 PM Eastern work for ATR?
>
> **From:** Patrick Gleason [mailto:pgleason@atr.org]
> **Sent:** Friday, March 9, 2018 6:32 AM
> **To:** Bennett, Tate <Bennett.Tate@epa.gov>
> **Cc:** Christopher Butler <cbutler@atr.org>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>
> **Subject:** Re: Forbes article on Administrator Pruitt's decision on Pebble
>
> I will be traveling in the morning on Monday, but could do a call any time after 2 pm on Monday.
>
> Patrick

Patrick M. Gleason
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pgleason@atr.org | www.twitter.com/patrickmgleason

On Mar 9, 2018, at 6:30 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Chris, thanks for giving me a shout yesterday.

Just wanted to follow up on your offer from yesterday- is there a good time Monday that works for the two of you to jump on the phone with members of our team who worked on this decision for a little more background?

Thanks again for the opportunity to talk further on this.

Tate

Begin forwarded message:

> **From:** "Bowman, Liz" <Bowman.Liz@epa.gov>
> **Date:** March 8, 2018 at 12:12:03 PM EST
> **To:** "Bennett, Tate" <Bennett.Tate@epa.gov>
> **Subject: Fwd: Forbes article on Administrator Pruitt's decision on Pebble**

Begin forwarded message:

> **From:** Patrick Gleason <pgleason@atr.org>
> **Date:** March 8, 2018 at 12:09:52 PM EST
> **To:** "Bowman.liz@epa.gov" <Bowman.liz@epa.gov>
> **Subject: Forbes article on Administrator Pruitt's decision on Pebble**
>
> Greetings Liz,
>
> My colleague Paul Blair passed along your contact information.
>
> I'm getting ready to publish and article for Forbes that is critical of Administrator Pruitt's decision to undo the Obama Administration's preemptive veto of Pebble Mine in Alaska.

I'm reaching out to seek comment re: this decision in advance of this article's publication (it will run tomorrow). If there is someone else in your office I should reach out to on this matter, please let me know.

Thanks in advance,

Best wishes,
Patrick

Patrick M. Gleason
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Washington, DC 20005
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| www.atr.org
pgleason@atr.org| www.twitter.com/patrickmgleason

Message

From: Candice Boyer [cboyer@atr.org]
Sent: 3/20/2018 9:42:30 PM
To: Candice Boyer [cboyer@atr.org]
Subject: Yes, There is a Wednesday meeting tomorrow

Dear Hill and Administration Colleagues,

There is a Wednesday Meeting scheduled tomorrow. Just wanted to make sure everyone was looped in!

Candice N. Boyer
Director of Scheduling and Outreach
Americans for Tax Reform
PH: Ex. 6
AMERICANS FOR TAX REFORM

Message

From: Steve Moyer [Steve.Moyer@tu.org]
Sent: 3/15/2018 2:23:57 PM
To: Matt Ellsworth [ellsworth@miningamerica.org]; Cook, Steven [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=394f5dede6184bc083cf9390e49a192c-Cook, Steve]; brent.fewell@earthandwatergroup.com; Laura Skaer [lskaer@miningamerica.org]
CC: Chancellor, Erin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ae6aeabeca754643bdb01c9f5b653ca6-Chancellor,]; Kelly, Albert [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08576e43795149e5a3f9669726dd044c-Kelly, Albe]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: Abandoned Mines question
Attachments: Trout Unlimited Testimony for Hardrock Good Sam Hearing (003).doc

Steven, many thanks for the questions and for your cogent points at our meeting. I'll get back to you from our end asap.

Here's our testimony for this afternoon.

Regards, all. Steve

From: Matt Ellsworth <ellsworth@miningamerica.org>
Sent: Thursday, March 15, 2018 8:54 AM
To: Cook, Steven <cook.steven@epa.gov>; brent.fewell@earthandwatergroup.com; Steve Moyer <Steve.Moyer@tu.org>; Laura Skaer <lskaer@miningamerica.org>
Cc: Chancellor, Erin <chancellor.erin@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Abandoned Mines question

Adding Laura

-------- Original message --------
From: "Cook, Steven" <cook.steven@epa.gov>
Date: 3/15/18 8:18 AM (GMT-05:00)
To: brent.fewell@earthandwatergroup.com, smoyer@tu.org, Matt Ellsworth <ellsworth@miningamerica.org>
Cc: "Chancellor, Erin" <chancellor.erin@epa.gov>, "Kelly, Albert" <kelly.albert@epa.gov>, "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: Abandoned Mines question

Once again appreciate your interest in this topic. I had a couple of additional questions –

1. Given the type of projects you are interested in, what is the estimated average cost (or range or cost) of a project?
2. What would be the anticipated timeframe for completion of a typical project (1 year, 1-2 years or something else)?
3. Given the available resources and assuming adequate funds were available, what level of effort (i.e. number of active projects) do you think could be sustained on an annual basis over several years?

Please let me know if you need any clarifications on these questions.

Steven Cook

Deputy Assistant Administrator
Office of Land and Emergency Management
U.S. Environmental Protection Agency

TROUT UNLIMITED
Chris Wood
President & CEO

March 15, 2018

Testimony of Trout Unlimited on the House Natural Resource Committee's Subcommittee on Energy and Mineral Resource Subcommittee hearing on: Abandoned Hardrock Mines and the Role of Non-Governmental Entities.

Chairman Gosar, Ranking Member Lowenthal, and Subcommittee Members:

My name is Chris Wood. I am the President and CEO of Trout Unlimited. Thank you for the opportunity to testify today on abandoned hardrock mines and the role of nongovernmental entities in helping to clean up pollution from them.

I offer the following testimony on behalf of Trout Unlimited and its nearly 300,000 members and supporters nationwide. My testimony will focus on the need for legislation and funding to facilitate the cleanup of abandoned hardrock mine lands and water, and specifically the need to facilitate abandoned hardrock mine cleanups by "Good Samaritans" — those individuals or entities who have no legal obligation to take on an abandoned mine cleanup, but who wish to improve water quality and watershed health.

We deeply appreciate the Subcommittee's focus on this issue, and we urge the Subcommittee to continue to work with us, the states, the Interior Department, the EPA, and other stakeholders to fashion a bill to help provide an important tool to facilitate cleanups. Last year's successful passage of the Subcommittee's "Community Reclaimers" bill to facilitate clean-up of abandoned coal mines was a great step forward.

But we need both the coal and hardrock Good Sam bills to cross the finish line and get enacted into law. Looking back, I was very involved in the effort to develop a hardrock Good Sam bill that passed the Senate Environment and Public Works Committee – but got no further – all the way back in 2006. We are 12 years down the road and past due for passage of Good Sam legislation.

In the vein of making it more, rather than less, likely that a bill could pass Congress this year, there are several legislative approaches that could work well for Good Samaritans that might reduce potential opposition to the Good Sam concept. Specifically, we urge your attention to the idea of legislating a pilot program whereby EPA, in coordination with the states, could authorize 5-10 projects in the western states to allow us and others to prove that the Good Sam concept can be turned into reality. Last Congress's Gardner, Bennet, Tipton Draft measure could be used as the permit mechanism for the pilot programs. Title III, of Representative Lamborn's HR 3843 of the previous Congress, could also work as the pilot project permit mechanism.

Sierra Club v. EPA 18cv3472 NDCA Tier 5 ED_002061_00073792-00001

Whatever the legislative solution might be, TU is ready to go to work to clean up abandoned mine pollution. TU's mission is to conserve, protect and restore North America's trout and salmon fisheries and the watersheds they depend on. In pursuit of this mission TU has worked to restore streams and rivers damaged by pollution from abandoned mines from the Appalachian coalfields in Pennsylvania to the hardrock mining areas of the Rocky Mountain states, and my testimony is based upon these experiences. We need such legislation and additional funding to expand the pace and scale of work to clean up abandoned mines. We seek a bipartisan Good Sam bill to address what is clearly a bipartisan, multi-state, problem.

Allow me to take a few moments to describe one of the nation's worst remaining pollution problems – the scourge of acidic and toxic orange colored abandoned mine pollution coming down into the headwaters of the West's great rivers.

Abandoned mine pollution is a widespread problem but much of it is fixable

Americans want clean water. Americans do not want orange water running through their back yards and into their rivers.

Trout Unlimited members and staff are passionate about cleaning up abandoned mine pollution. Even a cursory look at the damages to our streams, rivers and groundwater caused by pollution from abandoned coal and hardrock mines show that we have a long way to go to achieve clean water for all. There is no better time than right now, as the Trump Administration and the 115th Congress discuss including water clean-up work as part of an infrastructure package, to address clean-up of pollution from abandoned coal mine.

Sadly, much of abandoned mine pollution is "out of sight, out of mind." But in August 2015, we received a vivid view of the mess. The three-million gallons spill of polluted water from the Gold King mine near Silverton, Colorado showed the world what TU members and staff who live in mining country see every day: Orange, polluted water leaking out from abandoned mines.

Cleaning up abandoned mines is challenging and expensive. That does not make it any less important. The legacy of historical mining practices — thousands of abandoned coal and hardrock mines with an estimated cleanup cost in the billions of dollars — has persisted for the better part of a century with insufficient progress toward a solution.

Abandoned coal mines dot the Rocky Mountain and Appalachian landscape. Pollution from abandoned hardrock mines impairs as much as 40 percent of the headwater streams in the region, and abandoned coal mines continue to damage thousands of miles of streams and rivers — over 10,000 miles just within Pennsylvania and West Virginia. While much has been accomplished through the Surface Mining Control and Reclamation Act's (SMCRA) extremely valuable Abandoned Mine Lands Fund (AML Fund) for abandoned coal mine clean up, no analogue exists for hard rock mines. Coming up with dedicated funding is essential to cleaning up abandoned hard rock mines in the western US.

We have developed several model projects that can be replicated and taken to scale. In Pennsylvania, aided by state-based Good Samaritan policy, watershed groups, including Trout Unlimited, are working with state agencies, communities, and other partners to conduct more than 250 abandoned coal mine pollution projects throughout the state. We can do lot more if the problem is fixed in the East, and we can develop similar model projects in the West if the right policies and adequate funding are in place. I will speak to the barriers, and then I will turn to the solutions.

Parts of our best environmental laws, the Clean Water Act and CERCLA (Superfund), can be barriers to abandoned coal mine cleanup

TU and other prospective Good Samaritans are interested in cleaning up smaller, lower risk abandoned mine sites. We are not interested in larger, higher risk, sites where ownership and reclamation responsibility is clear.

Smaller sites generally are not a high enough priority to get funding under the "Superfund" provisions of CERCLA. For these sites, where the parties responsible for the mining pollution are long gone, and with current owners having little to no incentive to do any of the cleanup because of liability risks, projects to reduce pollution can become a legal quagmire. A partnership between TU, western states, and EPA resulted in EPA policy that provides useful protection to Good Samaritans from CERCLA liability in 2007,[1] but CWA liability has remained a significant obstacle.

CERCLA: When TU first started working on abandoned hardrock mines in the West, we had liability concerns under CERCLA and the Clean Water Act that prevented many Good Samaritan projects from moving forward. CERCLA presented a significant barrier to Good Samaritan projects, both because the statute presents real risks for any party helping to clean up toxic wastes, but also because the statute's complexities and perceived risks are incredibly daunting for many watershed groups, local communities and NGOs. If any liability concerns were raised, even the legal cost of sorting through it would financially strain a nonprofit such as TU.

In 2006, TU completed a pioneering Good Samaritan cleanup in Utah's American Fork Canyon that overcame CERCLA liability concerns with the help of EPA, the Forest Service and the state of Utah. The liability protection document (an Administrative Order on Consent, or "AOC") negotiated with the EPA for the American Fork work led to the issuance of EPA guidance and model documents for dealing with CERCLA liability protection for future Good Samaritans to use in similar projects.

TU has now negotiated three separate AOCs with the EPA covering two different projects — one project on the American Fork in Utah (two AOC's for different phases of the project) and another on Kerber Creek in Colorado. These AOC's have allowed TU to undertake clean-up projects with significant local benefits while eliminating the risks of additional cleanup expenses or future liability under CERCLA. We greatly appreciate the work that EPA has put into their model AOC for Good Samaritan cleanups, and the work that EPA staff have put into negotiating the specific AOCs for TU. Though there remains the need for legislation, the AOCs have helped to reduce one of the major impediments that have prevented communities, watershed groups, conservation organizations, TU chapters and others from undertaking abandoned mine cleanup projects.

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[1] http://water.epa.gov/action/goodsamaritan/

Clean Water Act: There are many projects where water quality could be improved by collecting run-off, or taking an existing discrete discharge, and running the polluted water through a treatment system. However, for would-be Good Samaritans, Clean Water Act (CWA) compliance and liability issues remain a barrier to such projects. Several courts have held that discharges from systems that treat wastewater from abandoned mines are point source discharges that require a National Pollutant Discharge Elimination System (NPDES) permit under section 402 of the CWA. Although EPA and some eastern states have not considered such projects to be point sources requiring NPDES permits, the Fourth Circuit's 2010 decision in *West Virginia Highlands Conservancy, Inc. v. Huffman* creates uncertainty around that approach.

Stakeholders in projects involving treatment of mine drainage have been held back because of CWA liability for two reasons. First, NGOs, including TU, are not well suited to apply for and hold permits for such projects. TU does not have an adequate funding mechanism to legally bind itself to pay for the perpetual costs associated with operating a water-treatment facility and permit compliance.

Second, for many projects it may be impossible to obtain a permit, because the treatment systems, even if they will greatly improve conditions, may not be able to treat abandoned mine wastewater to a level that meets all applicable water quality standards or other applicable criteria. It should be noted that while these treatment systems are certainly capable of producing water that will support a healthy fishery, the resulting water quality might not meet CWA standards for some pollutants that are particularly difficult to remove from mine waste. For example, passive wetland systems that effectively treat highly polluted water often leave levels of manganese that do not comply with CWA standards.

This is not to say that CWA standards should be weakened; just the opposite, in fact. But there should be incentives for would-be Good Samaritans to make water cleaner even if water quality is still short of full CWA standards. Put another way, federal law should provide incentives for would be Good Samaritans to make our water cleaner and communities safer, one project at a time. The rationale for this is simple – Good Samaritans can deliver outstanding projects with our local, state and federal partners, which cumulatively can make a huge improvement in a particular watershed.

TU has worked with the EPA to try to address these challenges, and we appreciate the efforts the agency has made to help us and other would-be Good Samaritans. For example, in December of 2012 the EPA issued a guidance memo designed to clarify how the Clean Water Act applies to Good Samaritan abandoned mine cleanup projects. The guidance memo requires potential Good Samaritans to fully comply with the 2007 Superfund Good Sam policy, but allows eligible Good Samaritans to avoid CWA requirements under certain circumstances.

Several years of experience now indicate that the restrictions in the guidance memo may not be a good fit for the type of work, such as passive treatment facilities, that is needed. Indeed, the details of the policies application remain quite unclear, in part because no one has yet opted to use it for a project because, among other questions, the policy leaves open the liability and compliance obligations of owners of land where projects take place. While the EPA's guidance memo is a good start, a legislative solution is necessary.

As we explain in more detail below, TU is working with our partners and allied watershed groups to restore miles of stream in places like Pennsylvania, Colorado, Montana and Washington right now under the constraints of current law. With Good Sam policy and increased funding in place, the sky is the limit on fighting back against pervasive abandoned mine pollution.

Good projects could be expanded and replicated with effective Good Samaritan policy for coal

Western Projects

By using the CERCLA liability protection and avoiding projects that trigger Clean Water Act liability, and with the support of the Tiffany & Co. Foundation, Freeport-McMoRan Copper & Gold, Inc., and other partners and supporters, TU has made substantial progress in cleaning up abandoned mine impacts in several watersheds in the West. These projects not only improve the environment, but also put local contractors to work, providing both clean water and jobs.

American Fork, Utah. The Pacific Mine cleanup in the American Fork Canyon was the first voluntary, non-profit-led abandoned hardrock mine restoration project in the West. TU and its partners received awards from the Utah Board of Oil, Gas and Mining and the EPA for work on the American Fork. Anglers can now catch Bonneville cutthroat trout immediately downstream of the area where pollution used to run off mine tailings piles.

Mores Creek, Idaho. To date, over 14,000 cubic yards of mine tailings have been removed from the banks of Mores Creek to create a more natural floodplain area, and trees planted along the stream will provide critically needed shade for coldwater fish. Hundreds of schoolchildren from the area have participated in tree plantings and other restoration work. Migratory fish are now seen using instream habitat structures installed as part of the restoration effort.

Kerber Creek Watershed, Colorado. In total, TU and its partners restored over 80 acres of mine tailings, improved 8 miles of stream, and installed more than 340 instream structures that are now home to a reproducing brook trout population. Volunteers logged over 13,000 hours of work in the watershed over the past three years. The restoration project has received four prestigious awards: the BLM's *Hardrock Mineral Environmental Award*, the Colorado Riparian Association's *Excellence in Riparian Area Management Award*, the Rocky Mountain Region of the USFS's *Forest and Grassland Health Partner of the Year*, and the Public Lands Foundation's *Landscape Stewardship Award*.

Leavenworth Creek Watershed, Colorado. In 2015, TU and Federal partners removed and capped 5,400 cubic yards of mill tailings containing high levels of zinc and lead, while constructing 2,500 feet of hardened channel through a dispersed tailings area adjacent to the Waldorf Mine. Removing the mill tailings, creating a vegetated floodplain, and establishing a hardened channel will allow for the conveyance of clean surface water runoff to Leavenworth Creek. This is an important step in improving water quality to downstream South Clear Creek, which acts as the drinking water source for the town of Georgetown, Colo.

Clark Fork River Basin, Montana. TU and partners have reclaimed four mine sites in the Middle Clark Fork River and have six ongoing mine reclamation project in the planning and design phases. For example, on Mattie V Creek, TU and its partners removed 12,000 cubic yards of dredge tailings and reclaimed 500 feet of stream channel reclamation project. Fish are now swimming up Mattie V Creek from Ninemile Creek for the first time in 80 years. Because of these and other accomplishments, the TU project manager in Montana was awarded with the American Fisheries Society's Individual Achievement Award and the US Forest Service's Rise to the Future Award in 2010.

Eastern Projects

In Pennsylvania, abandoned coal mine pollution is being successfully treated and streams and rivers are being brought back to life because the Commonwealth has provided Good Samaritans with dedicated funding. We believe that we can export the Pennsylvania model across the rest of the country if liability concerns are eased and funding is increased.

Kettle Creek, Pennsylvania. Our experiences in Pennsylvania are illustrative of the positive effect of Good Samaritan cleanups. Over the past 20 years, Pennsylvania has seen an increase in abandoned mine reclamation projects by watershed groups, including TU. This boom has been fueled by funding from the state's Growing Greener grant program and the federal Abandoned Mine Land (AML) reclamation fund. Most of these projects involve treatment of acid mine drainage using passive treatment systems, which run the polluted mine drainage through a series of limestone basins and wetlands that increase the water's pH and cause heavy metals to precipitate out. These projects have significantly improved water quality and restored fish populations in numerous Pennsylvania streams.

The Pennsylvania Department of Environmental Protection estimates that public funding sources have paid for the construction of nearly 250 passive treatment systems in the state, the majority of which have been constructed by private watershed groups, conservation districts or other local groups.

Beginning in 1998, the work of TU and its partners in the lower Kettle Creek watershed has resulted in the reclamation of approximately 160 acres of scarred abandoned mine lands and installation of nine treatment systems that successfully improved mine water polluted with high levels of acidity and metals. The results to date have been tremendous, with water quality restored to 3 miles of previously dead streams and 6 miles of a fully reconnected and thriving native brook trout population.

This story of recovery plays out again and again in individual streams and watersheds. Several years ago, the Babb Creek Watershed Association accomplished delisting 14 miles of Babb Creek, now a wild trout fishery, from EPA's impaired streams list. Another 14 miles in the Tangascootack Creek watershed is pending removal from the impaired streams list as a result of passive treatment systems constructed by the Clinton County Conservation District.

On a much larger scale, the West Branch Susquehanna River watershed has made tremendous strides over the past few decades. A comparison of conditions in the West Branch Susquehanna in 1972 with those in 2009 indicated that fish species increased 3,000 percent, and pH increased from 3.8 to 6.6.

These improvements result in economic benefits. In Pennsylvania, almost $4 billion was spent on fishing, hunting, and wildlife viewing in 2006. A 2008 study found that full remediation of the West Branch Susquehanna River watershed would result in "an additional $22.3 million in sport fishing revenues could be expected to be generated each year. Additional recreation spending—over and above that for fishing—would be expected after remediation is completed."[1]

Regardless of the overall scope of the abandoned mine problem, each of these projects restored a significant water body and represents a big win for the local community.

What we would like to see in a Good Sam bill

Good Samaritan projects need an appropriate mechanism that requires the project to produce significant improvements in water quality, implement best-design and management practices, and conduct appropriate monitoring, but that does not expose the Good Samaritan to liability if the project at some point fails to achieve a required criterion for a given pollutant.

Positive Features of a Draft Bill

- Authorizes EPA, in coordination with the appropriate state agencies, to approve 5-10 qualified Good Sam pilot projects.

- The Clean Water Act liability protection mechanism for should be narrowly tailored and ensures that water pollution clean-up results in a significant improvement to the environment.

- The bill should supply adequate public notice and comment for each project.

- The bill should clarify that private landowners who are not responsible for abandoned mine clean up on their lands, but who are willing to work cooperatively with the Good Sams and the state to clean up pollution from abandoned mines on their land, should also receive liability protection from the bill over the life of the project.

- Projects must meet applicable water quality standards to the maximum extent practicable "under the circumstances." We will need to make sure that implementing agencies understand that "under the circumstances" will mean performing cleanup activities that are cost-effective at high elevations and in remote locales.

- Projects are eligible for Clean Water Act Section 319 funding. Abandoned mine clean activities sometimes fall in to a gray area of the law between non-point and point source control. Greater application of 319 funds to this work will be very helpful.

- The bill should provide protection from future liability from the Clean Water Act and CERCLA once Good Samaritans have successfully completed their permitted work activities. This provision is much appreciated and is in fact, essential for any Good Samaritan projects.

More funding is needed

Clean up of abandoned coal mine pollution is a long term job, and long term funding is needed to get the job done.

We urge Congress to consider establishing a fair royalty from any minerals taken from public lands, a portion of which could be invested in an abandoned hardrock mine cleanup fund. Almost every commodity developed on our public lands — coal, wood fiber, oil, gas, and livestock forage — has

dedicated funding for mitigation of impacts and restoration. The only commodity that lacks such a dedicated fund is hardrock minerals.

Conclusion

Improving water quality around the Nation is a fundamental goal of the work of this Subcommittee, and thus we are pleased that the Subcommittee is looking at one of the most vexing water problems remaining in coal country. We stand ready to work with you so that affected communities around the Nation will again have clean, fishable waters. Thank you for considering our views, and thank you for working with us on these important matters.

Message

From: Kundinger, Kelly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E3C9A5D16E2244079E222F342BF9992F-KUNDINGER,]
Sent: 3/13/2018 3:49:06 PM
To: Courtney Cook [ccook@alec.org]; Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]
CC: Jeff Lambert [jlambert@alec.org]; Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]; Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: ALEC Annual Meeting - New Orleans

Hi Courtney –

Thank you for your quick reply. I look forward to talking with you next week.

Kelly

From: Courtney Cook [mailto:ccook@alec.org]
Sent: Tuesday, March 13, 2018 11:47 AM
To: Kundinger, Kelly <kundinger.kelly@epa.gov>; Ford, Hayley <ford.hayley@epa.gov>
Cc: Jeff Lambert <jlambert@alec.org>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: ALEC Annual Meeting - New Orleans

Hi Kelly –

Thank you! Yes, I am available and would be happy to discuss our Annual Meeting. The best number to call is my cell, Ex. 6

Look forward to speaking with you.

Best,
Courtney

Courtney Cook, CMP
Director of Events
Ex. 6
ccook@alec.org

2900 Crystal Drive, Sixth Floor
Arlington, VA 22202

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From: Kundinger, Kelly <kundinger.kelly@epa.gov>
Sent: Tuesday, March 13, 2018 10:40 AM
To: Courtney Cook <ccook@alec.org>; Ford, Hayley <ford.hayley@epa.gov>

Cc: Jeff Lambert <jlambert@alec.org>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: ALEC Annual Meeting - New Orleans

Hi Courtney –

Thank you for your email. While we have not begun planning the Administrator's summer schedule, I would be happy to arrange a phone call with you to learn more about your Annual Meeting. Are you available for a phone call next Thursday at 10:00am? If so, please let me know the best number to call.

Thank you,

Kelly

From: Courtney Cook [mailto:ccook@alec.org]
Sent: Tuesday, March 13, 2018 11:32 AM
To: Ford, Hayley <ford.hayley@epa.gov>
Cc: Jeff Lambert <jlambert@alec.org>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: ALEC Annual Meeting - New Orleans

Hi Hayley –

Hope this note finds you doing well!

I wanted to reach out and touch base on the status of our attached invitation to Secretary Pruitt to speak at the **Thursday Lunch** of the **ALEC Annual Meeting in New Orleans, LA** on **August 9**. We have recently confirmed Secretary Elaine Chao to address our attendees and would be honored to have Secretary Pruitt included. While I know we are still a few months out from the event, we are hopeful we can confirm his attendance and have him address our attendees. I have also attached the speaking engagement request form again, just in case there are any questions about our event.

We appreciate you taking the time to consider our invitation. If you have any questions, please let me know.

Thank you!
Courtney

Courtney Cook, CMP
Director of Events
Ex. 6
ccook@alec.org

2900 Crystal Drive, Sixth Floor
Arlington, VA 22202



Upcoming Meetings:
2018 Spring Task Force Summit – April 27, 2018 – Grand Rapids, Michigan
2018 Annual Meeting – August 8 - 10, 2018 – New Orleans, Louisiana
45th Anniversary Gala – September 26, 2018 – Washington, D.C.
2018 States & Nation Policy Summit – November 28 - 30, 2018 – Washington, D.C.

The American Legislative Exchange Council is a 501(c)3 nonprofit organization and is the largest nonpartisan, voluntary membership organization of state legislators in the United States dedicated to the principles of limited government, free markets and federalism. The Council is governed by state legislators who comprise the National Board of Legislators and is advised by the Private Enterprise Advisory Council, a group of private, foundation and think tank members.

Website ¦ Facebook ¦ Twitter ¦ Blog

From: Ford, Hayley <ford.hayley@epa.gov>
Sent: Tuesday, February 13, 2018 1:36 PM
To: Courtney Cook <ccook@alec.org>
Cc: Jeff Lambert <jlambert@alec.org>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: ALEC Annual Meeting - New Orleans

Hi Courtney,

Thank you for the invitation to the Administrator. I've attached our standard speaking engagement request form here, which I believe you've seen in the past. Would you mind completing it for this particular event, so that we can capture additional information?

As you can imagine, we are far off from planning his summer schedule, so it will be some time before we can get back to you on this. If you can indicate on the form when you need to hear by, that would be helpful to our planning.

Thank you!

Hayley Ford
Deputy White House Liaison and Personal Aide to the Administrator
Environmental Protection Agency
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: Ex. 6

From: Courtney Cook [mailto:ccook@alec.org]
Sent: Thursday, February 8, 2018 12:27 PM
To: Ford, Hayley <ford.hayley@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Cc: Jeff Lambert <jlambert@alec.org>
Subject: ALEC Annual Meeting - New Orleans

Hi Hayley and Lincoln -

I hope this note finds you doing well and that 2018 has started off great for you!

We have started the planning process for the **ALEC Annual Meeting in New Orleans, LA** this August and wanted to be sure the attached invitation was received by your office. We would love to have Administrator Pruitt attend and keynote the **Thursday Lunch session** on **August 9, 2018**.

As you review the attached invitation, please let me know if you have any questions or feel free to pass me along if I should be working with someone else. Happy to help!

Best,
Courtney

Courtney Cook, CMP

Director of Events
Ex. 6
ccook@alec.org

2900 Crystal Drive, Sixth Floor
Arlington, VA 22202

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2018 Spring Task Force Summit – April 27, 2018 – Grand Rapids, Michigan
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Website | Facebook | Twitter | Blog

Message

From: Courtney Cook [ccook@alec.org]
Sent: 3/13/2018 3:31:30 PM
To: Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]
CC: Jeff Lambert [jlambert@alec.org]; Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]; Kundinger, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e3c9a5d16e2244079e222f342bf9992f-Kundinger,]; Hupp, Millan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=92cac7b684b64f90953b753a01bee0d5-Hupp, Milla]; Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
Subject: RE: ALEC Annual Meeting - New Orleans
Attachments: AM 18 - Pruitt Invite.pdf; AM 18 - EPA Administrator Pruitt Speaker Request Form.docx

Hi Hayley –

Hope this note finds you doing well!

I wanted to reach out and touch base on the status of our attached invitation to Secretary Pruitt to speak at the **Thursday Lunch** of the **ALEC Annual Meeting in New Orleans, LA** on **August 9**. We have recently confirmed Secretary Elaine Chao to address our attendees and would be honored to have Secretary Pruitt included. While I know we are still a few months out from the event, we are hopeful we can confirm his attendance and have him address our attendees. I have also attached the speaking engagement request form again, just in case there are any questions about our event.

We appreciate you taking the time to consider our invitation. If you have any questions, please let me know.

Thank you!
Courtney

Courtney Cook, CMP
Director of Events
Ex. 6
ccook@alec.org

2900 Crystal Drive, Sixth Floor
Arlington, VA 22202

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From: Ford, Hayley <ford.hayley@epa.gov>
Sent: Tuesday, February 13, 2018 1:36 PM
To: Courtney Cook <ccook@alec.org>
Cc: Jeff Lambert <jlambert@alec.org>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: ALEC Annual Meeting - New Orleans

Hi Courtney,

Thank you for the invitation to the Administrator. I've attached our standard speaking engagement request form here, which I believe you've seen in the past. Would you mind completing it for this particular event, so that we can capture additional information?

As you can imagine, we are far off from planning his summer schedule, so it will be some time before we can get back to you on this. If you can indicate on the form when you need to hear by, that would be helpful to our planning.

Thank you!

Hayley Ford
Deputy White House Liaison and Personal Aide to the Administrator
Environmental Protection Agency
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: 202-306-1296

From: Courtney Cook [mailto:ccook@alec.org]
Sent: Thursday, February 8, 2018 12:27 PM
To: Ford, Hayley <ford.hayley@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Cc: Jeff Lambert <jlambert@alec.org>
Subject: ALEC Annual Meeting - New Orleans

Hi Hayley and Lincoln -

I hope this note finds you doing well and that 2018 has started off great for you!

We have started the planning process for the **ALEC Annual Meeting in New Orleans, LA** this August and wanted to be sure the attached invitation was received by your office. We would love to have Administrator Pruitt attend and keynote the **Thursday Lunch session** on **August 9, 2018**.

As you review the attached invitation, please let me know if you have any questions or feel free to pass me along if I should be working with someone else. Happy to help!

Best,
Courtney

Courtney Cook, CMP
Director of Events
571-482-5003
ccook@alec.org

2900 Crystal Drive, Sixth Floor
Arlington, VA 22202

ALEC American Legislative Exchange Council
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Upcoming Meetings:
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ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM
U.S. Environmental Protection Agency

Deadline for Acceptance:	*June 1, 2017 however we are open to his availability*
Requesting Individual / Affiliation:	*American Legislative Exchange Council (ALEC)*
Event Title:	*2018 Annual Meeting*
Event Date:	*August 8 - 10, 2018 – Requesting him to join us on August 9, 2018.*
Is the Above Date Flexible:	*Yes*
Event Time & Duration:	*Requesting that he speak at our Thursday Lunch session which runs from 12:30PM – 2:00PM*
Type of Event:	*Conference General Session Lunch*
Purpose of the Event:	***Brief Description:*** *The ALEC Annual Meeting gathers more than 1500 state legislators, business leaders and public policy experts from across the nation to discuss major state issues.*
Role of the Administrator:	*Keynote address*
Requested Presentation Topic, if Speaking Involved:	*Insight into the future of our environmental programs.*
Requested Presentation Format:	*Keynote address*
Speech/Presentation Duration:	*40 – 60 mins*
Would You Consider a Surrogate:	*Yes*
Event Location:	*Hilton New Orleans Riverside* *2 Poydras St.* *New Orleans, LA 70130*
Event Audience:	*The ALEC Annual Meeting gathers more than 1500 state legislators, business leaders and public policy experts from across the nation to discuss major state issues.*
Event Host(s)/Organizer(s):	*List all hosts organizing the event: ALEC will be the only organizer*
Host(s)' Relationship to EPA:	

ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM
U.S. Environmental Protection Agency

Run of Show/ Agenda:	***Please see 2017 Annual Meeting agenda attached to email. Will send updated version as available.***
Is there a Hold Room Available for the Administrator?	*Yes*
Open Press/Closed Press?	*Open – all media are registered in advance*
Dress Code:	*Business*
Teleprompter Available:	*If needed*
Microphone / Room Setup:	*The event set-up will be a large hotel ballroom with round tables. The stage will have steps onto the stage and will have a podium with microphone for speaking. We will have a reserved seat at the head table for him.*
Honorable Guests Attending:	***TBD***
Notable Federal, State or Local Appointed or Elected officials attending:	*Various Federal, State and Chamber Leadership from across the country are invited and will be in attendance*
Individual Introducing Administrator:	***TBD***
Person to contact for media purposes:	*Bill Meierling* *O:* *C:* **Ex. 6** *wmeierling@alec.org*
Is this event held Weekly, Monthly, Annually?	*Annually*
Day of Event Point of Contact:	*Courtney Cook* *ALEC Director of Events* *ccook@alec.org* *O:* *C:* **Ex. 6**
Security Contact:	*Lt. Jeff Lathan* *ALEC Director of Security* *cvlprotection@cox.net* *C:* **Ex. 6**
Suggested Entrance/ Exit to Event Venue:	***TBD***

ADMINISTRATOR SCOTT PRUITT EVENT REQUEST FORM
U.S. Environmental Protection Agency

Is the host of the event a registered 501(c)(3), (4), or has a 527 Political Action Committee (PAC): *ALEC is a registered 501 (c)(3).*

Will there be a "gift" presented to the Administrator? If so, what is the US currency value of the gift? *No*

Will a meal be provided, if so what is the US currency value? *Yes, estimated to be $75*

Please return this completed form to Hayley Ford at ford.hayley@epa.gov

---

American Legislative Exchange Council
2900 Crystal Drive, Suite 600
Arlington, VA 22202
TEL 703.373.0933 • FAX 703.373.0927
www.alec.org

February 2, 2018

Administrator Scott Pruitt
Environmental Protection Agency
Office of the Administrator, 1101A
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Pruitt, Scott

Thank you for your commitment to our nation's founding principles and free market ideals. Members of the American Legislative Exchange Council (ALEC) share your belief in limited government, free markets and federalism. It is my honor to invite you to deliver a keynote address at our **2018 Annual Meeting** in **New Orleans, Louisiana**. Our Annual Meeting gathers more than 1500 state legislators, business leaders and public policy experts from across the nation to discuss major state issues.

From your time at the state and federal levels, you understand the importance and influence of the partnership between state and federal leaders. I would be honored to have you address our attendees and welcome them to Louisiana during the **Thursday lunch** on **August 9, 2018.** If this time does not work, we are happy to find a time that best fits your schedule.

As you may know, ALEC is the largest nonpartisan voluntary membership organization of state legislators in the country, representing one quarter of all state lawmakers, 60 million Americans and 30 million jobs. ALEC members advance the Jeffersonian principles of limited government, free markets and federalism. Your perspective on those ideals would be influential to our members.

If you are able to share your leadership perspective with ALEC members at the 2018 Annual Meeting, or if you have additional questions, please contact Courtney Cook, Director of Events, by email at ccook@alec.org or at Ex. 6

Thank you for your consideration and service to our country.

Respectfully,

Trying again!

Lisa B. Nelson
Chief Executive Officer

Message

From: Kuhn, Lauren [Lauren.Kuhn@heritage.org]
Sent: 3/13/2018 9:54:20 PM
To: Kundinger, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e3c9a5d16e2244079e222f342bf9992f-Kundinger,]
CC: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Daniell, Kelsi [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cd867173479344b3bda202b3004ff830-Daniell, Ke]
Subject: RE: Heritage Annual Leadership Conference April 26-28

Kelly –

Wonderful news. Absolutely on collateral approval.

Best,
Lauren

Lauren Volpe Kuhn
Senior Event Planner
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
myheritage.org

From: Kundinger, Kelly [mailto:kundinger.kelly@epa.gov]
Sent: Monday, March 12, 2018 2:31 PM
To: Kuhn, Lauren <Lauren.Kuhn@heritage.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>
Subject: RE: Heritage Annual Leadership Conference April 26-28

Lauren –

Thank you for taking the time to talk on Friday. I want to follow up on our conversation to confirm Administrator Pruitt's attendance as a guest speaker during your lunch on Saturday, April 28th.

If you plan to promote his attendance on any medium, we kindly ask that you send it to us for review before distributing.

I look forward to working with you in the coming weeks.

Best,

Kelly

From: Kuhn, Lauren [mailto:Lauren.Kuhn@heritage.org]
Sent: Wednesday, March 7, 2018 4:59 PM
To: Kundinger, Kelly <kundinger.kelly@epa.gov>
Subject: RE: Heritage Annual Leadership Conference April 26-28

Kelly,

9:30 on Friday works for me. My cell is best – Ex. 6

Thank you,
Lauren

Lauren Volpe Kuhn
Senior Event Planner
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
myheritage.org

From: Kundinger, Kelly [mailto:kundinger.kelly@epa.gov]
Sent: Wednesday, March 7, 2018 4:54 PM
To: Kuhn, Lauren <Lauren.Kuhn@heritage.org>
Subject: RE: Heritage Annual Leadership Conference April 26-28

Lauren –

Thank you for sending this over so quickly. Are you available for a call on Friday morning at 9:30 to discuss your event further? If so, what is the best number for you?

Thanks.

Kelly

From: Kuhn, Lauren [mailto:Lauren.Kuhn@heritage.org]
Sent: Friday, March 2, 2018 4:19 PM
To: Kundinger, Kelly <kundinger.kelly@epa.gov>
Subject: RE: Heritage Annual Leadership Conference April 26-28

Kelly,

Thank you so much for a quick reply.

Attached is the form. Should you have any additional questions, I am happy to connect.

Best,
Lauren

Lauren Volpe Kuhn
Senior Event Planner
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
myheritage.org

From: Kundinger, Kelly [mailto:kundinger.kelly@epa.gov]
Sent: Wednesday, February 28, 2018 3:46 PM
To: Kuhn, Lauren <Lauren.Kuhn@heritage.org>
Subject: Re: Heritage Annual Leadership Conference April 26-28

Hi Lauren –

My name is Kelly Kundinger and I work in Administrator Pruitt's Office of Scheduling and Advance. First, we would like to thank you for extending an invitation to the Administrator for your upcoming Leadership Conference. We are interested in learning more about this event. As such, would you mind completing the attached form with as much detail as possible at your earliest convenience?

Thank you,

Kelly Kundinger
Deputy Director of Scheduling and Advance
Kundinger.Kelly@epa.gov
Ex. 6

Message

From: Candice Boyer [cboyer@atr.org]
Sent: 3/19/2018 7:06:57 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: RE: Administrator Pruitt at Wed Meeting

Okay thanks!

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, March 19, 2018 3:02 PM
To: Candice Boyer <cboyer@atr.org>
Cc: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: RE: Administrator Pruitt at Wed Meeting

Actually scratch that. Just add me for now and Gordon.Stephen@epa.gov

From: Bennett, Tate
Sent: Monday, March 19, 2018 3:01 PM
To: 'Candice Boyer' <cboyer@atr.org>
Subject: RE: Administrator Pruitt at Wed Meeting

Do you mind adding myself and Liz Bowman?

Bowman.elizabeth@epa.gov

From: Candice Boyer [mailto:cboyer@atr.org]
Sent: Monday, March 19, 2018 2:56 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: Administrator Pruitt at Wed Meeting

Hi Tate,

Here is the speaker form we used when the Administrator spoke in 2017. I hope he can join us again soon. Also, any member of your staff may attend weekly at any time. Just let me know who should be added to the list and I will make sure they get on my email list. I usually send one weekly reminder day before to see if any Hill and Admin people want to give an update.

Let me know what else we can be helpful with.

Kind regards,

Candice N. Boyer
Director of Scheduling and Outreach
Americans for Tax Reform
PH: Ex. 6

From: Candice Boyer
Sent: Monday, September 11, 2017 1:51 PM
To: Ford, Hayley <ford.hayley@epa.gov>
Cc: Justin Sykes <jsykes@atr.org>; McMurray, Forrest <mcmurray.forrest@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Administrator Pruitt at Wed Meeting

Dear Hayley,

I hope this helps. I am happy to discuss the agenda with you tomorrow, but we do not send it out in any way, shape, or form. We look forward to hosting the Administrator. His remarks are best kept to 3-5min tops. Our presentations are quick and our group will value questions more.

In terms of entrance, he is welcome to come through the front or back door. That is up to your office. Front would probably be easier because it is unlocked and either way he would need to use the same elevator. Let me know what else I can help with.

Kind regards,

Candice N. Boyer
Director of Scheduling and Outreach
Americans for Tax Reform
PH: Ex. 6

From: Ford, Hayley [mailto:ford.hayley@epa.gov]
Sent: Monday, September 11, 2017 11:55 AM
To: Candice Boyer <cboyer@atr.org>
Cc: Justin Sykes <jsykes@atr.org>; McMurray, Forrest <mcmurray.forrest@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Administrator Pruitt at Wed Meeting

Hi Candice,

The Administrator looks forward to this event on Wednesday! I've attached our speaker request form with requested information. I apologize if you've maybe already completed this form, but we've had some transition on our scheduling team and just want to make sure we have all of the necessary information. Would you mind completing the applicable fields and sending back to me?

Thank you so much!

Hayley Ford
Deputy White House Liaison

Office of the Administrator
Environmental Protection Agency
Room: 3309C William Jefferson Clinton North
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: Ex. 6

From: Bowman, Liz
Sent: Monday, September 11, 2017 11:00 AM
To: Candice Boyer <cboyer@atr.org>
Cc: Justin Sykes <jsykes@atr.org>; Ford, Hayley <ford.hayley@epa.gov>; McMurray, Forrest <mcmurray.forrest@epa.gov>
Subject: Re: Administrator Pruitt at Wed Meeting

Great, thank you, I am adding Haley Ford, our new scheduler and Forest, our advance team. So they can connect with you all on logistics. Madeline is no longer here, Haley is new contact. Thank you - Liz

Sent from my iPhone

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/9/2018 11:40:22 AM
To: Christopher Butler [cbutler@atr.org]
CC: Patrick Gleason [pgleason@atr.org]; Greenwalt, Sarah [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c13775b8f424e90802669b87b135024-Greenwalt,]
Subject: Re: Forbes article on Administrator Pruitt's decision on Pebble

Myself and our comms director will be staffing the Admin at 1:30 that day. Is later in the afternoon an option (Sarah, would that work for you as well?)

On Mar 9, 2018, at 6:38 AM, Christopher Butler <cbutler@atr.org> wrote:

> How is 2:30 on Monday?
>
> _____
> Christopher Butler
> ATR
>
> ---
>
> **From:** Patrick Gleason
> **Sent:** Friday, March 9, 2018 6:32:29 AM
> **To:** Bennett, Tate
> **Cc:** Christopher Butler; Greenwalt, Sarah
> **Subject:** Re: Forbes article on Administrator Pruitt's decision on Pebble
>
> I will be traveling in the morning on Monday, but could do a call any time after 2 pm on Monday.
>
> Patrick
>
> Patrick M. Gleason
> Director of State Affairs | **Americans for Tax Reform**
> 722 12th Street NW – Fourth Floor | Washington, DC 20005
> W: Ex. 6 | F. 202.785.0261 | www.atr.org
> pgleason@atr.org | www.twitter.com/patrickmgleason
>
> On Mar 9, 2018, at 6:30 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> > Chris, thanks for giving me a shout yesterday.
> >
> > Just wanted to follow up on your offer from yesterday- is there a good time Monday that works for the two of you to jump on the phone with members of our team who worked on this decision for a little more background?
> >
> > Thanks again for the opportunity to talk further on this.
> >
> > Tate

Begin forwarded message:

From: "Bowman, Liz" <Bowman.Liz@epa.gov>
Date: March 8, 2018 at 12:12:03 PM EST
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: Fwd: Forbes article on Administrator Pruitt's decision on Pebble

Begin forwarded message:

From: Patrick Gleason <pgleason@atr.org>
Date: March 8, 2018 at 12:09:52 PM EST
To: "Bowman.liz@epa.gov" <Bowman.liz@epa.gov>
Subject: Forbes article on Administrator Pruitt's decision on Pebble

Greetings Liz,

My colleague Paul Blair passed along your contact information.

I'm getting ready to publish and article for Forbes that is critical of Administrator Pruitt's decision to undo the Obama Administration's preemptive veto of Pebble Mine in Alaska.

I'm reaching out to seek comment re: this decision in advance of this article's publication (it will run tomorrow). If there is someone else in your office I should reach out to on this matter, please let me know.

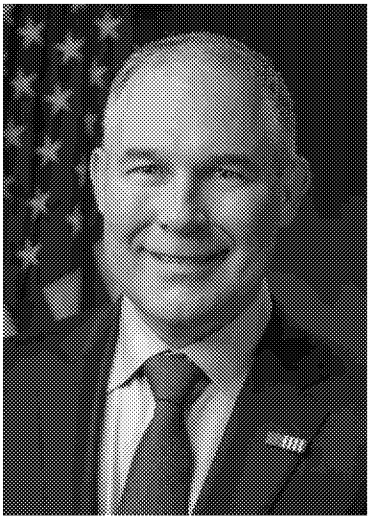
Thanks in advance,

Best wishes,
Patrick

Patrick M. Gleason
Director of State Affairs | **Americans for Tax Reform**
722 12th Street NW – Fourth Floor | Washington, DC 20005
W. Ex. 6 | F. 202.785.0261 | www.atr.org
pgleason@atr.org | www.twitter.com/patrickmgleason

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/9/2018 11:14:48 PM
To: Bluey, Rob [rob.bluey@heritage.org]
Subject: Bio



E. Scott Pruitt
Administrator of the United States Environmental Protection Agency

Scott Pruitt was confirmed as the 14th Administrator of the U.S. Environmental Protection Agency in February of 2017.

In his first year heading the agency, he already spearheaded nearly two dozen significant regulatory reform actions that would save the American people **$1 billion in regulatory costs.**

He also announced internal policy changes at the agency including reforms to EPA's scientific advisory boards to ensure geographic diversity and also ending the agency's 'Sue and Settle' practices.

While keeping a robust schedule in D.C. working on the President's de-regulatory agenda, Administrator Pruitt also managed to find time in his first year to visit 30 U.S. states and territories to hear directly from stakeholders on how EPA's decisions impact their daily lives and operations.

Prior to serving in the Trump Administration, Pruitt served as Attorney General of Oklahoma, where he became a national leader through a career of advocating to keep power in the hands of hard-working Americans.

Pruitt also served eight years in the Oklahoma State Senate in addition to co-owning and managing Oklahoma City's Triple-A minor league baseball affiliate.

Pruitt played baseball at the University of Kentucky, earned his bachelor's degree from Georgetown College and received his law degree from the University of Tulsa. He and his wife Marlyn have been married for 27 years and proudly raised their two children in Tulsa.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/9/2018 9:26:38 PM
To: rob.bluey@heritage.org
Subject: Fwd: RSVP List
Attachments: RSVP List for Heritage Event on March 12 2018.xlsx; ATT00001.htm

Begin forwarded message:

From: "Gordon, Stephen" <gordon.stephen@epa.gov>
Date: March 9, 2018 at 1:09:24 PM EST
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: RSVP List

Stephen L. Gordon Jr.
Deputy Director for Public Engagement
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1301
Gordon.Stephen@epa.gov

RSVP List for Heritage Event on 3/12/18

Name	Organization
Steve Milloy	CEI
Rashid Hallaway	American Coalition for Clean Coal Technology
Brian Kelly	BK Strategies
Maryam Brown (Guest of Brian Kelly)	Sempra
Bill Koetzle (Guest of Brian Kelly)	Chevron
Patrick Hedger	FreedomWorks
Wayne Brough	FreedomWorks
Mike Thompson	CRC Public Relations
Owen McDonough (With two guests will let me know later)	National association of Homebuilders
Christopher Guith	US Chamber
Grover Norquist	Americans for Tax Reform
Patrick Gleason	Americans for Tax Reform
Paul Blair	Americans for Tax Reform
Dan Byers	US Chamber
Jim Matheson	NRECA
Harry Alford	National Black Chamber of Commerce
Charles DeBow	National Black Chamber of Commerce
Kay DeBow	National Black Chamber of Commerce
Melinda Tomaino	Associated General Contractors
Sean O'Neill	Associated General Contractors

Y/N
Y
Y
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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/12/2018 3:24:30 PM
To: Bluey, Rob [rob.bluey@heritage.org]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]; Spencer, Jack [Jack.Spencer@heritage.org]
CC: Beach, Christopher [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6b124299bb6f46a39aa5d84519f25d5d-Beach, Chri]
Subject: RE: Questions for today

Adding one more potential question:

What are some of the internal policy initiatives you have taken at EPA this year?

From: Bluey, Rob [mailto:rob.bluey@heritage.org]
Sent: Monday, March 12, 2018 11:20 AM
To: Gordon, Stephen <gordon.stephen@epa.gov>; Spencer, Jack <Jack.Spencer@heritage.org>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Beach, Christopher <beach.christopher@epa.gov>
Subject: RE: Questions for today

Thanks, Stephen. We'll have a few attendees from the Heritage team as well.

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

From: Gordon, Stephen [mailto:gordon.stephen@epa.gov]
Sent: Monday, March 12, 2018 11:14 AM
To: Spencer, Jack <Jack.Spencer@heritage.org>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bluey, Rob <rob.bluey@heritage.org>; Beach, Christopher <beach.christopher@epa.gov>
Subject: RE: Questions for today

Rob and Jack,

I have attached the list of RSVP's as it stands right now.

I will send over another list if it changes at all. Thanks so much.

-Stephen

Stephen L. Gordon Jr.
Deputy Director for Public Engagement
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1301
Gordon.Stephen@epa.gov

From: Spencer, Jack [mailto:Jack.Spencer@heritage.org]
Sent: Monday, March 12, 2018 10:43 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bluey, Rob <rob.bluey@heritage.org>; Beach, Christopher <beach.christopher@epa.gov>; Gordon, Stephen <gordon.stephen@epa.gov>
Subject: RE: Questions for today

We can do it!

Jack Spencer
Vice President for the Institute for Economic Freedom
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, March 12, 2018 10:38 AM
To: Spencer, Jack <Jack.Spencer@heritage.org>
Cc: Bluey, Rob <rob.bluey@heritage.org>; Beach, Christopher <beach.christopher@epa.gov>; Gordon, Stephen <gordon.stephen@epa.gov>
Subject: Questions for today
Importance: High

Hi Jack- The Administrator looks forward to seeing you later today. Thanks for agreeing to lead the discussion. We'd prefer it to take place at the table, but you sit next to the Admin and interview him on the below questions. Let us know if you need anything and Stephen Gordon (cc'd) is working with Rob to arrive early and brief you on these questions/ address any concerns on your end. Thanks! -Tate

DE-REGULATORY AGENDA- In year one, EPA appears to have finalized 22 deregulatory actions, saving Americans more than $1 B in regulatory costs. The report also says that EPA has initiated work on over 44 deregulatory actions. Can you highlight some of your big-ticket accomplishments in this space?

CLEARING BACKLOGS-

a. **AIR-** With regards to Air, you have acted on 322 State Implementation Plans. Tell me about the situation you inherited before acting on those plans?

b. **CHEMICALS-** As of January 2017, there were 600 new chemicals stuck in EPA's backlog. Obviously this type of thing stifles innovation and job creation nationwide. Has that backlog been addressed and how are you ensuring chemicals receive timely safety determinations?

c. **SUPERFUND-** Unfortunately, the actual story of the work you ARE doing often goes untold by the media. Tell me about the progress you have made on cleaning up contaminated sites in your first year?

COOPERATIVE FEDERALISM-

In your first year, you consulted with 95 bipartisan Members of Congress, 34 Governors and visited over half the states and U.S. territories. You've also met with over 350 stakeholder groups.

How has this shaped your decision making on the de-regulatory agenda we just discussed?

PROSPECTIVE-

Any big announcements coming up in the near future from the agency?

OPEN UP FOR QUESTIONS-

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 2/20/2018 8:23:30 PM
To: Bluey, Rob [rob.bluey@heritage.org]
Subject: Quick call

Hey there! Do you mind giving me a quick shout when you have a moment? **Ex. 6**

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/5/2018 10:31:20 PM
To: Annie Dwyer [Annie.Dwyer@cei.org]
Subject: RE: Cooler Heads Coalition: meeting reminder and items of interest

No worries!

From: Annie Dwyer [mailto:Annie.Dwyer@cei.org]
Sent: Monday, March 5, 2018 5:04 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Cooler Heads Coalition: meeting reminder and items of interest

Gah, sorry! Feel free to copy me on those and I can't make sure he sees those requests.

Annie Dwyer
Vice President of Communications
Competitive Enterprise Institute
Ex. 6

On Mar 5, 2018, at 2:40 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

FYI! Didn't hear back

From: Bennett, Tate
Sent: Sunday, March 4, 2018 6:29 PM
To: Myron Ebell <Myron.Ebell@cei.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: Cooler Heads Coalition: meeting reminder and items of interest

Hey Myron! Any chance we can go at the beginning of the meeting again tomorrow? It will mostly be Richard Yamada from ORD speaking on an upcoming announcement. Thanks! Tate

On Mar 1, 2018, at 11:01 AM, Myron Ebell <Myron.Ebell@cei.org> wrote:

> The Cooler Heads Coalition will hold its March strategy meeting on Monday, 5th March, 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.
>
> Looking ahead, our April meeting will be on Monday, 9th April.
>
> ***The Politically Incorrect Guide to Climate Change*** by Marc Morano of CFACT and Climate Depot was published on Tuesday by Regnery. Copies may be purchased at https://www.amazon.com/Politically-Incorrect-Climate-Change-Guides/dp/1621576760. Climate Depot has the promotional materials at

http://www.climatedepot.com/2018/02/28/the-book-has-arrived-moranos-the-politically-incorrect-guide-to-climate-change-now-available/.

Also of interest:

James Delingpole on Christopher Booker's new study, *Global Warming: a Case Study in Groupthink,* here. The study is here.

Holman Jenkins's 28th February Wall Street Journal column, Good Climate News Isn't Told.

Henry Payne in NRO on Autos, Engine Bans, and the New Socialism.

Marlo Lewis's blog on CEI's comments on the "Clean Power" Plan: Just Repeal, Don't Replace, which has a link to the comments.

Excerpt of the transcript of President Trump's speech at CPAC on deregulation, energy, the Paris climate treaty, etc., with links to the video and full transcript.

Lisa Friedman's story in the NY Times, Former Trump Calls Paris Climate Accord 'a good Republican Agreement'.

House Science Committee Staff Report Reveals Russia's Social Media Meddling in U. S. Energy Markets.

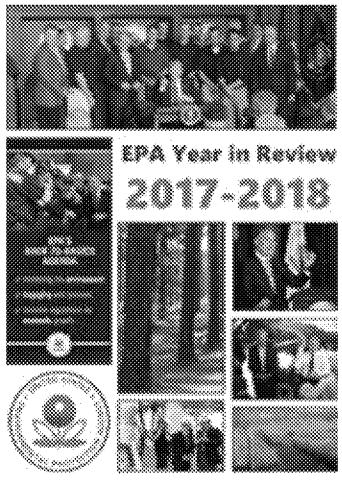
Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct: (
Tel mobile:
E-mail: Myron.Ebell@cei.org
Ex. 6
Stop continental drift!

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/12/2018 2:43:19 PM
To: jack.spencer@heritage.org; Bluey, Rob [rob.bluey@heritage.org]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: EPA Saves Americans $1 Billion in First Year under Trump

Jack/ Rob- Here is the report if you'd like to look through it in advance.

Click here to view the report



Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/12/2018 2:40:20 PM
To: Khristine Brookes [KBrookes@cato.org]
Subject: RE: EPA Event with Administrator Pruitt on Monday, March 12th at 1:30pm

Awesome!

From: Khristine Brookes [mailto:KBrookes@cato.org]
Sent: Monday, March 12, 2018 10:29 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: EPA Event with Administrator Pruitt on Monday, March 12th at 1:30pm

Hi Tate! Joe Verruni will be there.

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, March 09, 2018 1:25 PM
To: Khristine Brookes <KBrookes@cato.org>
Subject: Fwd: EPA Event with Administrator Pruitt on Monday, March 12th at 1:30pm

Hope y'all can make it!

Begin forwarded message:

> **From:** "Gordon, Stephen" <gordon.stephen@epa.gov>
> **Date:** March 9, 2018 at 12:48:13 PM EST
> **To:** "Bennett, Tate" <Bennett.Tate@epa.gov>
> **Subject: EPA Event with Administrator Pruitt on Monday, March 12th at 1:30pm**
>
> Good morning!
>
> You and two additional guests are invited to an off-the-record discussion with EPA Administrator Scott Pruitt on "President Trump's Deregulatory Agenda at EPA - Year 1 Highlights."
>
> Key items to discuss include:
> - Restored Cooperative Federalism;
> - Restoring the Rule of Law;
> - WOTUS Repeal;
> - CPP Repeal;
> - Ending Sue-and-Settle
> - Independence on Science Advisory Boards;
> - CERCLA Hard Rock Mining;
> - And Other Items.
>
> **Date:** Monday, March 12th
>
> **Time:** 1:30 PM-2:30 PM
>
> **Location:** The Heritage Foundation

214 Massachusetts Ave NE
Washington, DC 20002

Please RSVP as soon as possible to Stephen Gordon at Gordon.Stephen@epa.gov

Please note that this invitation is for you specifically and two guests. Please do not distribute externally due to limited space.

Thank you, and see you soon!

Regards,
Stephen

Stephen L. Gordon Jr.
Deputy Director for Public Engagement
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1301
Gordon.Stephen@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/9/2018 6:25:10 PM
To: Khristine Brookes [KBrookes@cato.org]
Subject: Fwd: EPA Event with Administrator Pruitt on Monday, March 12th at 1:30pm

Hope y'all can make it!

Begin forwarded message:

> **From:** "Gordon, Stephen" <gordon.stephen@epa.gov>
> **Date:** March 9, 2018 at 12:48:13 PM EST
> **To:** "Bennett, Tate" <Bennett.Tate@epa.gov>
> **Subject: EPA Event with Administrator Pruitt on Monday, March 12th at 1:30pm**
>
> Good morning!
>
> You and two additional guests are invited to an off-the-record discussion with EPA Administrator Scott Pruitt on "President Trump's Deregulatory Agenda at EPA - Year 1 Highlights."
>
> Key items to discuss include:
> - <!--[if !supportLists]--><!--[endif]-->Restored Cooperative Federalism;
> - <!--[if !supportLists]--><!--[endif]-->Restoring the Rule of Law;
> - <!--[if !supportLists]--><!--[endif]-->WOTUS Repeal;
> - <!--[if !supportLists]--><!--[endif]-->CPP Repeal;
> - <!--[if !supportLists]--><!--[endif]-->Ending Sue-and-Settle
> - <!--[if !supportLists]--><!--[endif]-->Independence on Science Advisory Boards;
> - <!--[if !supportLists]--><!--[endif]-->CERCLA Hard Rock Mining;
> - <!--[if !supportLists]--><!--[endif]-->And Other Items.
>
> **Date:** Monday, March 12th
>
> **Time:** 1:30 PM-2:30 PM
>
> **Location:** The Heritage Foundation
> 214 Massachusetts Ave NE
> Washington, DC 20002
>
> **Please RSVP as soon as possible to Stephen Gordon at** Gordon.Stephen@epa.gov
>
> Please note that this invitation is for you specifically and two guests. Please do not distribute externally due to limited space.
>
> Thank you, and see you soon!
>
> Regards,
> Stephen

Stephen L. Gordon Jr.
Deputy Director for Public Engagement
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1301
Gordon.Stephen@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 2/25/2018 10:26:12 PM
To: Bluey, Rob [rob.bluey@heritage.org]
Subject: Re: Pruitt interview

You all do a great job. Thanks so much

Sent from my iPad

On Feb 25, 2018, at 8:24 AM, Bluey, Rob <rob.bluey@heritage.org> wrote:

> Thanks again for the opportunity! We posted this morning. Here's the link:
> http://dailysignal.com/2018/02/25/weaponization-epa-exclusive-interview-scott-pruitt/
>
> **Rob Bluey**
> *Vice President, Communications, and Editor-in-Chief, The Daily Signal*
> The Heritage Foundation
> 214 Massachusetts Avenue, NE
> Washington, DC 20002
> Ex. 6
> heritage.org
> 

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/9/2018 5:33:56 PM
To: Rayanne Matlock [rmatlock@atr.org]; Christopher Butler [cbutler@atr.org]; Patrick Gleason [pgleason@atr.org]
CC: Greenwalt, Sarah [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c13775b8f424e90802669b87b135024-Greenwalt,]
Subject: RE: Forbes article on Administrator Pruitt's decision on Pebble

Thanks for organizing!

From: Rayanne Matlock [mailto:rmatlock@atr.org]
Sent: Friday, March 9, 2018 12:31 PM
To: Christopher Butler <cbutler@atr.org>; Patrick Gleason <pgleason@atr.org>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Greenwalt, Sarah <greenwalt.sarah@epa.gov>
Subject: RE: Forbes article on Administrator Pruitt's decision on Pebble

Hi all,

The conference phone number: Ex. 6
Participant code: Ex. 6

Rayanne

From: Christopher Butler
Sent: Friday, March 09, 2018 12:29 PM
To: Patrick Gleason <pgleason@atr.org>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Rayanne Matlock <rmatlock@atr.org>
Subject: Re: Forbes article on Administrator Pruitt's decision on Pebble

That's good for me too. Let's book it.

Rayanne will you get us a bridge?

From: Patrick Gleason <pgleason@atr.org>
Date: Friday, March 9, 2018 at 12:27 PM
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Cc: Christopher Butler <cbutler@atr.org>, "Greenwalt, Sarah" <greenwalt.sarah@epa.gov>
Subject: Re: Forbes article on Administrator Pruitt's decision on Pebble

Works for me.

> On Mar 9, 2018, at 12:23 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> Would 4 PM Eastern work for ATR?

From: Patrick Gleason [mailto:pgleason@atr.org]
Sent: Friday, March 9, 2018 6:32 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Christopher Butler <cbutler@atr.org>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>
Subject: Re: Forbes article on Administrator Pruitt's decision on Pebble

I will be traveling in the morning on Monday, but could do a call any time after 2 pm on Monday.

Patrick

Patrick M. Gleason
Director of State Affairs |**Americans for Tax Reform**
722 12th Street NW – Fourth Floor | Washington, DC 20005
W. [Ex. 6] | F. 202.785.0261 | www.atr.org
pgleason@atr.org| www.twitter.com/patrickmgleason

On Mar 9, 2018, at 6:30 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Chris, thanks for giving me a shout yesterday.

Just wanted to follow up on your offer from yesterday- is there a good time Monday that works for the two of you to jump on the phone with members of our team who worked on this decision for a little more background?

Thanks again for the opportunity to talk further on this.

Tate

Begin forwarded message:

From: "Bowman, Liz" <Bowman.Liz@epa.gov>
Date: March 8, 2018 at 12:12:03 PM EST
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: Fwd: Forbes article on Administrator Pruitt's decision on Pebble

Begin forwarded message:

From: Patrick Gleason <pgleason@atr.org>
Date: March 8, 2018 at 12:09:52 PM EST
To: "Bowman.liz@epa.gov"
<Bowman.liz@epa.gov>
Subject: Forbes article on Administrator Pruitt's decision on Pebble

Greetings Liz,

My colleague Paul Blair passed along your contact information.

I'm getting ready to publish and article for Forbes that is critical of Administrator Pruitt's decision to undo the Obama Administration's preemptive veto of Pebble Mine in Alaska.

I'm reaching out to seek comment re: this decision in advance of this article's publication (it will run tomorrow). If there is someone else in your office I should reach out to on this matter, please let me know.

Thanks in advance,

Best wishes,
Patrick

Patrick M. Gleason
Director of State Affairs |**Americans for Tax Reform**
722 12th Street NW – Fourth Floor | Washington, DC 20005
W. Ex. 6 | F. 202.785.0261 | www.atr.org
pgleason@atr.org | www.twitter.com/patrickmgleason

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 2/20/2018 3:55:14 PM
To: annie.dwyer@cei.org
Subject: Stephen Gordon Cell

Stephen Gordon Cell- **Ex. 6**

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/1/2018 10:44:24 PM
To: Bluey, Rob [rob.bluey@heritage.org]
CC: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Hewitt, James [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=41b19dd598d340bb8032923d902d4bd1-Hewitt, Jam]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: Re: Monthly lunch

Richard Yamada will join as well as Stephen Gordon.

On Mar 1, 2018, at 5:21 PM, Bluey, Rob <rob.bluey@heritage.org> wrote:

> Look forward to seeing Tate and James.
>
> Here's the list:
>
> Mike Thompson <mthompson@CRCPublicRelations.com>; 'JP Duffy' <jpd@frc.org>; 'Bennett, Tate' <Bennett.Tate@epa.gov>; 'Annie Dwyer' <Annie.Dwyer@cei.org>; Loris, Nick <Nick.Loris@heritage.org>; 'Greg Mueller' <gmueller@CRCPublicRelations.com>; 'hewitt.james@epa.gov'; 'kappell@CRCPublicRelations.com'; 'Richard Manning' <rmanning@getliberty.org>; Bowman, Liz <Bowman.Liz@epa.gov>; 'Wesley Denton' <wdenton@conservativepartnership.org>; Daniel Holler (Heritage Action) <dan.holler@heritageaction.com>; Grant Kidwell <gkidwell@alec.org>; Christopher Butler <cbutler@atr.org>; 'Taylor Barkley' <Taylor.Barkley@cei.org>
>
> ---
> **Rob Bluey**
> *Vice President, Communications, and Editor-in-Chief, The Daily Signal*
> The Heritage Foundation
> 214 Massachusetts Avenue, NE
> Washington, DC 20002
> Ex. 6
> heritage.org
>
> **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> **Sent:** Thursday, March 1, 2018 5:06 PM
> **To:** Bowman, Liz <Bowman.Liz@epa.gov>; Bluey, Rob <rob.bluey@heritage.org>; Hewitt, James <hewitt.james@epa.gov>
> **Subject:** RE: Monthly lunch
>
> Do you have an RSVP list. We have an upcoming announcement some might be curious to learn more about.
>
> **From:** Bowman, Liz
> **Sent:** Thursday, March 1, 2018 5:06 PM
> **To:** Bluey, Rob <rob.bluey@heritage.org>; Bennett, Tate <Bennett.Tate@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
> **Subject:** RE: Monthly lunch

Rob, I actually can't make next Tuesday, but Tate and James should be able to be there. Sorry to miss you!

From: Bluey, Rob [mailto:rob.bluey@heritage.org]
Sent: Thursday, March 1, 2018 4:59 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: Monthly lunch

Will you be able to join us at Heritage next Tuesday (first one of the month) for our 12:30 lunch?

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org


Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/12/2018 10:40:39 PM
To: Myron Ebell [Myron.Ebell@cei.org]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
Subject: Re: EPA Event with Administrator Pruitt on Monday, March 12th at 1:30pm

Thank you!

On Mar 12, 2018, at 6:34 PM, Myron Ebell <Myron.Ebell@cei.org> wrote:

> Good show today! Thanks.
>
> Myron Ebell
> Director, Center for Energy and Environment
> Competitive Enterprise Institute
> 1310 L Street, N. W., Seventh Floor
> Washington, DC 20005, USA
> Tel direct:
> Tel mobile: **Ex. 6**
> E-mail: Myron.Ebell@cei.org
> *Stop continental drift!*
>
> **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> **Sent:** Monday, March 12, 2018 11:37 AM
> **To:** Myron Ebell <Myron.Ebell@cei.org>
> **Cc:** Gordon, Stephen <gordon.stephen@epa.gov>
> **Subject:** Re: EPA Event with Administrator Pruitt on Monday, March 12th at 1:30pm
>
> No problem!
>
> On Mar 12, 2018, at 10:52 AM, Myron Ebell <Myron.Ebell@cei.org> wrote:
>
> > Dear Tate and Stephen, Annie's e-mail reminded me that I forgot to Rsvp for Marlo Lewis and me. We will be happy to come if there is still room. Angela Logomasini is out of town. Kent should have Rsvp'd for Taylor Barkley, but I don't think Kent can make it. Yours, Myron.
> >
> > Myron Ebell
> > Director, Center for Energy and Environment
> > Competitive Enterprise Institute
> > 1310 L Street, N. W., Seventh Floor
> > Washington, DC 20005, USA
> > Tel direct:
> > Tel mobile: **Ex. 6**

E-mail: Myron.Ebell@cei.org
Stop continental drift!

From: Annie Dwyer
Sent: Monday, March 12, 2018 10:20 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Mike Thompson <mthompson@CRCPublicRelations.com>; Gordon, Stephen <gordon.stephen@epa.gov>; Taylor Barkley <Taylor.Barkley@cei.org>; Myron Ebell <Myron.Ebell@cei.org>
Subject: Re: EPA Event with Administrator Pruitt on Monday, March 12th at 1:30pm

Yes! Thanks for checking Tate. Here is who I have on my list. Not sure if they have RSVP'd yet but they should be doing so soon. Copying Taylor and Myron.

CEI attendees:
Myron Ebell
Marlo Lewis
Angela Logomasini
Taylor Barkley

Thanks for the invite!
Annie

Annie Dwyer
Vice President of Communications
Competitive Enterprise Institute
202.331.2765

On Mar 12, 2018, at 9:49 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Can CEI attend today? Didn't see yall on list.

From: "Gordon, Stephen" <gordon.stephen@epa.gov>
Date: March 9, 2018 at 12:48:13 PM EST
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: EPA Event with Administrator Pruitt on Monday, March 12th at 1:30pm

> Good morning!
>
> You and two additional guests are invited to an off-the-record discussion with EPA Administrator Scott Pruitt on "President Trump's Deregulatory Agenda at EPA - Year 1 Highlights."
>
> Key items to discuss include:
> - <!--[if !supportLists]--><!--[endif]-->Restored Cooperative Federalism;
> - <!--[if !supportLists]--><!--[endif]-->Restoring the Rule of Law;
> - <!--[if !supportLists]--><!--[endif]-->WOTUS Repeal;
> - <!--[if !supportLists]--><!--[endif]-->CPP Repeal;
> - <!--[if !supportLists]--><!--[endif]-->Ending Sue-and-Settle

- <!--[if !supportLists]--><!--[endif]-->Independence on Science Advisory Boards;
- <!--[if !supportLists]--><!--[endif]-->CERCLA Hard Rock Mining;
- <!--[if !supportLists]--><!--[endif]-->And Other Items.

Date: Monday, March 12th

Time: 1:30 PM-2:30 PM

Location: The Heritage Foundation
214 Massachusetts Ave NE
Washington, DC 20002

Please RSVP as soon as possible to Stephen Gordon at Gordon.Stephen@epa.gov

Please note that this invitation is for you specifically and two guests. Please do not distribute externally due to limited space.

Thank you, and see you soon!

Regards,
Stephen

Stephen L. Gordon Jr.
Deputy Director for Public Engagement
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1301
Gordon.Stephen@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/1/2018 7:44:39 PM
To: Pat Michaels [PMichaels@cato.org]
Subject: Re: Pebble Chapter Final

Thank you!

On Mar 1, 2018, at 2:19 PM, Pat Michaels <PMichaels@cato.org> wrote:

> Hi Tate
>
> I just realized that I have not sent you the final version of the book chapter on Pebble. Here you are! Of course we are going to have to revise the end at publication time, so just consider what is in it now as a placeholder.
>
> Cheers
>
> Pat Michaels
>
> <PEBBLE FINAL JANUARY 2018.docx>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/9/2018 3:25:41 PM
To: rob.bluey@heritage.org
Subject: Fwd: EPA Event with Administrator Pruitt on Monday, March 12th

Begin forwarded message:

From: "Gordon, Stephen" <gordon.stephen@epa.gov>
Date: March 9, 2018 at 10:20:05 AM EST
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: EPA Event with Administrator Pruitt on Monday, March 12th

DRAFT – Please let me know if this looks good, and I will send out!

Good morning!

You and one additional guest are invited to an off-the-record discussion with EPA Administrator Scott Pruitt on "President Trump's Deregulatory Agenda at EPA - Year 1 Highlights."

Key items to discuss include:

- <!--[if !supportLists]--><!--[endif]-->Restored Cooperative Federalism;
- <!--[if !supportLists]--><!--[endif]-->Restoring the Rule of Law;
- <!--[if !supportLists]--><!--[endif]-->WOTUS Repeal;
- <!--[if !supportLists]--><!--[endif]-->CPP Repeal;
- <!--[if !supportLists]--><!--[endif]-->Ending Sue-and-Settle;
- <!--[if !supportLists]--><!--[endif]-->Independence on Science Advisory Boards;
- <!--[if !supportLists]--><!--[endif]-->CERCLA Hard Rock Mining;
- <!--[if !supportLists]--><!--[endif]-->And Other Items.

Date: Monday, March 12th

Time: 1:30 PM-2:30 PM

Location: The Heritage Foundation
214 Massachusetts Ave NE
Washington, DC 20002

Please RSVP as soon as possible to Stephen Gordon at Gordon.Stephen@epa.gov

Please note that this invitation is for you specifically and a guest. Please do not forward it to anyone, as the room is small.

Thank you, and see you soon!

Regards,
Stephen

Stephen L. Gordon Jr.
Deputy Director for Public Engagement
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1301
Gordon.Stephen@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 2/1/2018 11:47:26 AM
To: Pat Michaels [PMichaels@cato.org]
Subject: Re: Here's my review

Thank you, Pat! I'm happy to pass this along.

On Jan 31, 2018, at 11:02 PM, Pat Michaels <PMichaels@cato.org> wrote:

> Of the draft fourth Assessment. Their goofy format has endnotes and references at the end.
>
> I also have a bunch of other folks writing. For what it's worth, my efforts with others are a rationale to vacate the Endangerment Finding. I do hope you can get it to Pruitt. Would you like me to send you some of the others?
>
> These are due at midnight (tonight—Wednesday/Thursday). After that we're probably going to go very public, at least with mine.
>
> Cheers
>
> Pat Michaels
>
> <Michaels_complete_review.docx>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/9/2018 2:55:24 PM
To: Bluey, Rob [rob.bluey@heritage.org]
CC: Mike Thompson [mthompson@CRCPublicRelations.com]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: Quick call

Hey Rob! Sorry for blowing you up this AM. Give me a shout when you get this! **Ex. 6**

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/27/2018 12:11:03 AM
To: Myron.Ebell@cei.org
CC: Greenwalt, Sarah [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c13775b8f424e90802669b87b135024-Greenwalt,]; Forsgren, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a055d7329d5b470fbaa9920ce1b68a7d-Forsgren, D]; Gail Griffin [griff4333@gmail.com]; Cory, Preston (Katherine) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bfd80b15f6d04a3ba11fc8ca3c85bc50-Cory, Kathe]
Subject: AZ cross border issue
Attachments: 1801JAN25-NACO.pdf; ATT00001.txt

Thanks for sending me this earlier, Myron. Copying our water folks to take a look. Preston in OCIR will help flag for them too. Tate

GAIL GRIFFIN
STATE SENATOR, DISTRICT 14

CAPITOL COMPLEX, SENATE BUILDING
1700 WEST WASHINGTON
PHOENIX, ARIZONA 85007-2890
(602) 926-5895
TOLL FREE: 1-800-352-8404
FAX: (602) 417-3025

E-MAIL: ggriffin@azleg.gov

Arizona State Senate

COMMITTEES:

NATURAL RESOURCES, ENERGY AND WATER, CHAIR

GOVERNMENT

RULES

January 25, 2018

Edward Drusina, Commissioner
International Boundary and Water Commission, U.S. Section
4171 North Mesa, Suite C-100
El Paso, TX 79902-1441

Alexis Strauss, Acting Regional Administrator
U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street
Mail Code: ORA-1
San Francisco, CA 94105

Alex Hinojosa, Managing Director
North American Development Bank
203 South St. Mary's, Suite 300
San Antonio, Texas 78205

RE: IMMEDIATE ATTENTION NEEDED – Transboundary untreated sewage flows from Naco, Sonora into Naco, Arizona

Dear Mr. Drusina, Ms. Strauss, and Mr. Hinojosa:

This letter is to request your immediate action to mitigating transboundary untreated sewage flows from Naco, Sonora into Naco, Arizona, including tributaries that eventually feed the San Pedro River in Arizona. Although the frequency of these transboundary sewage flows have increased since the summer of 2017, my home is near Naco and within the legislative district I represent and I am well aware that these issues have impacted this area for well over 20 years.

I understand that your agencies have assisted with response actions to stop these sewage flows over the past several months, some of which has included the International Boundary and Water Commission (IBWC) lending Naco, Sonora equipment and the North American Development Bank (NADB) funding rental equipment and services. I also understand that through the U.S. Environmental Protection Agency's (EPA) Border Environment Infrastructure Fund (BEIF), Naco, Sonora received NADB support in the past for improvements to its wastewater treatment system and that the city has submitted an application through the same program to rehabilitate its current wastewater treatment and collection system. With these items in mind, I request that you please take action to expedite the following:

- EPA and IBWC establish a streamlined process with participation from state partners for cities, counties and municipalities to communicate when a binational sanitary sewer overflow is taking place to trigger response actions within 24 hours of when notification first occurs. Immediate notification and mitigation is critical to protect the residents of this area. As institutions of the federal government, EPA and IBWC should work cooperatively to develop processes and capacity to provide leadership in crisis management of this binational issue when responses are necessary.

- IBWC should ensure that an effective mitigation plan, along with equipment and training, is in place for Naco, Sonora to impede cross-border sewage flows (of treated and untreated wastewater, accidental releases or intentional) by March 30, 2018. I understand that establishing a new Minute with the Mexican Section of IBWC may be necessary to accomplish this. I ask that you please engage State of Arizona partners as you are developing this plan.
- EPA and NADB expedite the review, approval and funding of the Naco, Sonora wastewater treatment system rehabilitation application submitted by the city.
- EPA and NADB, once funding is approved for that project, ensure that grant requirements are met and that maintenance accountability measures are in place. Although infrastructure has been established in the past, Naco, Sonora has been unable to obtain the resources that are necessary to adequately maintain the infrastructure.

I am seeking a lasting solution to this decade's long problem that has significantly and negatively impacted my constituents. Given limited resources we all face, I strongly encourage you to collaborate in a spirit of accomplishing results for our mutual customers. Thank you.

Respectfully,

Senator Gail Griffin
Majority Whip
Arizona State Legislature
LD 14

CC: Jose Nuñez, Principal Engineer, IBWC U.S. Section
Tomás Torres, Water Division Director, U.S. EPA Region 9
Salvador López, Chief Environmental Officer, NADB
ADEQ

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/12/2018 7:50:52 PM
To: rmatlock@atr.org; Patrick Gleason [pgleason@atr.org]; pblair@atr.org
CC: Fotouhi, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=febaf0d56aab43f8a9174b18218c1182-Fotouhi, Da]
Subject: Pebble Press Release

https://www.epa.gov/newsreleases/epa-administrator-scott-pruitt-suspends-withdrawal-proposed-determination-bristol-bay

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/7/2018 8:29:32 PM
To: Bluey, Rob [rob.bluey@heritage.org]
CC: Mike Thompson [mthompson@CRCPublicRelations.com]; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
Subject: Re: January meeting

Thanks, as always, for being so flexible!

On Jan 7, 2018, at 3:24 PM, Bluey, Rob <rob.bluey@heritage.org> wrote:

> It should be no problem. I'll update the calendar invite now.
>
> **Rob Bluey**
> *Vice President, Communications, and Editor-in-Chief, The Daily Signal*
> The Heritage Foundation
> 214 Massachusetts Avenue, NE
> Washington, DC 20002
> Ex. 6
> heritage.org
>
> **From:** Elizabeth Bennett <Bennett.Tate@epa.gov>
> **Date:** Sunday, January 7, 2018 at 3:18 PM
> **To:** Rob Bluey <rob.bluey@heritage.org>
> **Cc:** Mike Thompson <mthompson@CRCPublicRelations.com>, Liz Bowman <Bowman.Liz@epa.gov>
> **Subject:** Re: January meeting
>
> TUESDAY. Not Monday. Sorry- Ex. 6
>
> On Jan 7, 2018, at 2:16 PM, Bluey, Rob <rob.bluey@heritage.org> wrote:
>
> > I certainly don't mind. Just so I have this correct, you would like to meet at 12:45 p.m. tomorrow or 12:45 p.m. Tuesday?
> >
> > **Rob Bluey**
> > *Vice President, Communications, and Editor-in-Chief, The Daily Signal*
> > The Heritage Foundation
> > 214 Massachusetts Avenue, NE
> > Washington, DC 20002
> > Ex. 6
> > heritage.org
> >
> > **From:** Elizabeth Bennett <Bennett.Tate@epa.gov>
> > **Date:** Sunday, January 7, 2018 at 2:08 PM
> > **To:** Mike Thompson <mthompson@CRCPublicRelations.com>
> > **Cc:** Rob Bluey <rob.bluey@heritage.org>, Liz Bowman <Bowman.Liz@epa.gov>
> > **Subject:** Re: January meeting
> >
> > Apologies. Blame Pruitt! :)

On Jan 7, 2018, at 1:42 PM, Mike Thompson <mthompson@CRCPublicRelations.com> wrote:

> I van. Not sure about the room.
>
> Rob - as soon as you know, we need to let everyone else know.
>
> On Jan 7, 2018, at 12:54 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> > Hey guys- any chance we can push to 12:45 even on Monday? Liz and I both now have to staff a meeting with the Admin at 11:45 that day which will wrap by 12:30 at the very latest. Sorry to be a pain here.
> >
> > Also, I have to stay at EPA for a subsequent meeting but we will likely have another attendee with Liz attending.
> >
> > Also, do you have a list of topics you'd like to discuss as well?
> >
> > On Dec 21, 2017, at 5:06 PM, Bluey, Rob <rob.bluey@heritage.org> wrote:
> >
> > > Could you meet at Heritage on Tuesday, Jan. 9, at noon or 12:30? It would be nice to lock in a set time for each month—maybe the second Tuesday. Please let me know.

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org



Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/16/2018 9:48:52 PM
To: Oren Cass [ocass@manhattan-institute.org]
CC: Dravis, Samantha [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ece53f0610054e669d9dffe0b3a842df-Dravis, Sam]
Subject: RE: Meeting with Administrator Pruitt on Thursday

We can print the copies- not a problem. Thanks for sending!

From: Oren Cass [mailto:ocass@manhattan-institute.org]
Sent: Tuesday, January 16, 2018 3:57 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Dravis, Samantha <dravis.samantha@epa.gov>
Subject: RE: Meeting with Administrator Pruitt on Thursday

Samantha and Tate,

Attached are two files that might be useful to you or Administrator Pruitt in advance of our discussion on Thursday.

- The first is the presentation that I am hoping we can go through during the meeting, looking at the current state of climate economics and the need for greater scrutiny of the assumptions that go into those studies.

- The second is an essay I wrote last year for Foreign Affairs that outlines my thoughts on how best to think and communicate about climate change – not sure whether that will be relevant to the meeting, but I figured it is worth sending in case.

For the presentation, I definitely do not need a projector, in fact I'd prefer if we can just sit around a table to discuss. But would it be possible for someone there to print copies of the presentation and bring them to the meeting? If not, I can print and bring them along – please just let me know.

Thank you,
Oren

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, January 15, 2018 5:31 PM
To: Oren Cass
Cc: Dravis, Samantha; Ford, Hayley
Subject: Re: Meeting with Administrator Pruitt on Thursday

Hi Oren! We are looking forward to Thursday.

We will have roughly 30-45 minutes for the meeting, but I'm Hayley Ford in case that has changed. We were thinking this meeting could be purely informative in nature, and not necessarily in the context of a specific EPA exercise.

That is correct- the Administrator is interested in emissions baselines and economic analyses of clime change (and the extent to which humans contribute). We would like to focus on 1) your specific findings and research in these areas and

2) what other existing research narratives/ schools are currently being circulated and your take on them. Samantha, is that your take as well?

If you have a presentation or materials already prepared, we can certainly get them to him ahead of time. However, no need to recreate the wheel if it's easier for you to send along the key reports in advance.

Looking forward to seeing you.

Tate

On Jan 15, 2018, at 4:23 PM, Oren Cass <ocass@manhattan-institute.org> wrote:

> Samantha and Tate,
>
> I just wanted to check in with you briefly regarding the plan for our meeting on Thursday morning, which I have on the calendar for 9:30am. A few questions:
>
> - How long will we have for the discussion?
>
> - I expect generally that the objective is to discuss the opportunity to examine emissions baselines and economic analyses of climate change in the context of a red-team/blue-team exercise. Is that right?
>
> - Would it be helpful for me to send anything for the Administrator to read in advance, or to bring a formal (e.g., PowerPoint) presentation, or should I just be prepared with a brief agenda for discussion? (At a minimum, I would bring copies of some of the key reports and studies that we might discuss, as well as some of the figures from my own forthcoming report.)
>
> Thank you,
> Oren

Oren M. Cass
Senior Fellow
Manhattan Institute for Policy Research
52 Vanderbilt Avenue
New York, NY 10017
ocass@manhattan-institute.org
www.manhattan-institute.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/5/2017 3:09:56 PM
To: Joseph Verruni [JVerruni@cato.org]
Subject: Re: Cato Visit

Can he work in some of those points?

On Dec 5, 2017, at 9:55 AM, Joseph Verruni <JVerruni@cato.org> wrote:

> Tate--for the sake of time, I believe Peter Goettler has already prepared remarks; he'll be speaking to an internal Cato audience.
>
> On Dec 5, 2017 9:42 AM, "Bennett, Tate" <Bennett.Tate@epa.gov> wrote:
>
> > Thanks- If he can go with the highlighted parts of that specific intro, it would be greatly appreciated.
> >
> > **From:** Joseph Verruni [mailto:JVerruni@cato.org]
> > **Sent:** Tuesday, December 5, 2017 9:37 AM
> > **To:** Bennett, Tate <Bennett.Tate@epa.gov>
> > **Cc:** Kundinger, Kelly <kundinger.kelly@epa.gov>; Gordon, Stephen <gordon.stephen@epa.gov>
> > **Subject:** RE: Cato Visit
> >
> > Thank you, Tate--we look forward to having you today!
> >
> > On Dec 5, 2017 9:35 AM, "Bennett, Tate" <Bennett.Tate@epa.gov> wrote:
> >
> > > Hi Joe! Also, and sorry for the late notice, but here is a good intro in case you want it for today:

E. Scott Pruitt

Administrator of the United States Environmental Protection Agency

Scott Pruitt was confirmed as the 14th Administrator of the U.S. Environmental Protection Agency on February 17, 2017.

Administrator Pruitt believes that environmental stewardship is among the lifeblood priorities of the government, and the EPA is vital to that mission. He is a firm believer that environmental law, policy and progress should be rooted in the foundation of cooperation between the states and federal government, as well as cooperation between regulators and the public.

The Federalist Society has called him a "national leader in the cause to restore the proper balance between the states and federal government", and he established Oklahoma's first federalism unit to combat unwarranted regulation and overreach by the federal government."

The Washington Post recently reported the Administrator has done as much as anyone else in the executive branch to advance President Trump's goal to deconstruct the administrative state and declared him a rock star "on the right."

Leading the agency for just under a year, Pruitt spearheaded over two dozen significant regulatory reform actions including the review of the Waters of the United States rule and the Clean Power Plan.

He also played a major role in President Trump's decision to withdraw from the Paris Climate Accords that put foreign interests before those of America's.

Prior to serving on President Trump's cabinet, Pruitt served as Oklahoma's Attorney General where he became a national leader through a career of advocating to keep power in the hands of hard-working Americans. He has a proven track record of working with others – including industry, farmers, ranchers, landowners and small business owners - who want to do the right thing by the environment.

Pruitt also served eight years in the Oklahoma State Senate in addition to formerly co-owning and managing Oklahoma City's Triple-A minor league baseball affiliate.

Pruitt played baseball for the University of Kentucky, earned his bachelor's degree from Georgetown College and graduated from the University of Tulsa College of Law. He and Marlyn, his wife of 27 years proudly raised their two children in Tulsa.

From: Bennett, Tate
Sent: Monday, December 4, 2017 3:51 PM
To: 'Joseph Verruni' <JVerruni@cato.org>
Cc: Kundinger, Kelly <kundinger.kelly@epa.gov>
Subject: RE: Cato Visit

Hey Joe! I know you spoke with Kelly earlier. Can I get a list of attendees and topics from you? We would suggest the following topics on our end:

Sue and Settle

Red Team Blue Team

Science Advisory Board Announcement

Recent Hardrock Mining Decision

Agency restructure

From: Joseph Verruni [mailto:JVerruni@cato.org]
Sent: Sunday, December 3, 2017 9:14 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Ford, Hayley <ford.hayley@epa.gov>
Subject: Re: Cato Visit

Absolutely--I'm available any time after 10am.

On Dec 3, 2017 9:12 PM, "Bennett, Tate" <Bennett.Tate@epa.gov> wrote:

> Hey there! Can we check in tomorrow about our upcoming visit? Is there a good time that works for you?

On Nov 15, 2017, at 3:27 PM, Joseph Verruni <JVerruni@cato.org> wrote:

> > Perfect! I will confirm a room and send an updated attendee list ASAP.
> >
> > The best point of contact for security issues is our building manager, Michael Boone. He can be reached at mboone@cato.org or 202-216-1408.

Joseph L. Verruni Jr.
Project Manager
Center for the Study of Science
The Cato Institute
Ex. 6

From: Ford, Hayley
Sent: Wednesday, November 15, 2017 1:38 PM
To: Joseph Verruni
Cc: Bennett, Tate
Subject: RE: Cato Visit

Hi Joe,

Sure, we can work that into his schedule. Please let us know where he should go for the meeting. Our advance team will likely come the day before just to see the space so please let me know if you are the POC to arrange that as well.

Thank you and we look forward to it!

Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator

Environmental Protection Agency

ford.hayley@epa.gov

Phone: 202-564-2022

Cell: Ex. 6

From: Joseph Verruni [mailto:JVerruni@cato.org]
Sent: Tuesday, November 14, 2017 3:06 PM
To: Ford, Hayley <ford.hayley@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Cato Visit

Hi Hayley,

Our CEO can do the timeframe, but would prefer to have the meeting here as he has other obligations thereafter at Cato. Could we possibly convince you to join us here?

Thank you,

Joe

Joseph L. Verruni Jr.
Project Manager
Center for the Study of Science
The Cato Institute

Ex. 6

From: Ford, Hayley
Sent: Tuesday, November 14, 2017 10:35 AM
To: Joseph Verruni
Cc: Bennett, Tate
Subject: RE: Cato Visit

Hi Joe,

Not a problem. I was confused myself for a second! We'd be happy to get another date on the calendar. Let's do Dec 5 morning if that still works. We'd be happy to host you at the EPA headquarters. Would 10:30-11AM work for your group?

Let us know if that works and I can send directions and additional info. Thanks!

Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator

Environmental Protection Agency

ford.hayley@epa.gov

Phone: 202-564-2022

Cell: Ex. 6

From: Joseph Verruni [mailto:JVerruni@cato.org]
Sent: Monday, November 13, 2017 4:18 PM
To: Ford, Hayley <ford.hayley@epa.gov>
Subject: RE: Cato Visit

Hayley—

I'm so sorry—I spoke with Tate and I think we've clarified exactly what I've gotten wrong here and we're going to see if another date may be available. Our CEO is out of DC through December—he'll be available December 1, 4, 5 (before 3), 11, and 14. Would any of these possibly work for your team?

Thank you, and apologies again,

Joe

Joseph L. Verruni Jr.
Project Manager
Center for the Study of Science
The Cato Institute
Ex. 6

From: Joseph Verruni
Sent: Sunday, November 12, 2017 12:48 PM
To: Ford, Hayley
Cc: Bennett, Tate
Subject: RE: Cato Visit

That'd be perfect—our CEO is available until 4:30; I'll get us a room.

Joseph L. Verruni Jr.
Project Manager
Center for the Study of Science
The Cato Institute

Ex. 6

From: Ford, Hayley
Sent: Sunday, November 12, 2017 10:28 AM
To: Joseph Verruni
Cc: Bennett, Tate
Subject: RE: Cato Visit

Joe,

I apologize, but Tate and I just connected and could we actually do Tuesday at 3PM at Cato? Please let me know if that works for you and where we should go.

Tate is going to respond on attendees.

Thank you!!

Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator

Environmental Protection Agency

ford.hayley@epa.gov

Phone: 202-564-2022

Cell: Ex. 6

From: Ford, Hayley
Sent: Sunday, November 12, 2017 10:19 AM
To: 'Joseph Verruni' <JVerruni@cato.org>
Cc: Tate Bennett (Bennett.Tate@epa.gov) <Bennett.Tate@epa.gov>
Subject: RE: Cato Visit

Joe,

Would 4:30PM on Wednesday afternoon work? I will let Tate comment on attendees as I'm not sure what she was thinking. Also, did you two discuss the Administrator coming to Cato?

Thank you and we look forward to it!

Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator

Environmental Protection Agency

ford.hayley@epa.gov

Phone: 202-564-2022

Cell: Ex. 6

From: Joseph Verruni [mailto:JVerruni@cato.org]
Sent: Sunday, November 12, 2017 10:15 AM
Cc: Ford, Hayley <ford.hayley@epa.gov>
Subject: Re: Cato Visit

Hello Hayley,

Wednesday works for our team here at Cato--do you wish to keep it to just Cato folks, or would you like for us to reach out to some of our collaborators and friends at other think tanks?

Hope you've had a lovely weekend,

Joe

Joseph L. Verruni Jr.
Project Manager
Center for the Study of Science
The Cato Institute
Ex. 6

On Nov 10, 2017 1:28 PM, "Bennett, Tate" <Bennett.Tate@epa.gov> wrote:

> Hi there! Just responded to his previous email about your CEO being unavailable Thursday. We can aim for Weds, I think, but I will let Hayley (CC'd) take it for here. On my end, all I will need is a list of topics and an attendee list.
>
> On Nov 10, 2017, at 1:01 PM, Joseph Verruni <JVerruni@cato.org> wrote:
>
> > Hello Ms. Bennett,
> >
> > I manage the Center for the Study of Science here at the Cato Institute; my colleague David Boaz told me there was an interest from the Administrator to visit, but details had not yet been ironed out. I was hoping I could offer my assistance. Are there particular dates and times that work best for your team?
> >
> > Best,

Joe

Joseph L. Verruni Jr.
Project Manager
Center for the Study of Science
The Cato Institute
Ex. 6

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/8/2017 6:02:21 PM
To: David Boaz [dboaz@cato.org]; PMichaels@cato.org
Subject: Fwd: WHITE HOUSE INVITATION FOR DECEMBER 15 : Discussion with EPA Administrator Pruitt

Begin forwarded message:

From: "Teller, Paul S. EOP/WHO" <Paul.S.Teller@who.eop.gov>
Date: December 8, 2017 at 12:05:23 PM EST
To: "Teller, Paul S. EOP/WHO" <Paul.S.Teller@who.eop.gov>
Subject: WHITE HOUSE INVITATION FOR DECEMBER 15 : Discussion with EPA Administrator Pruitt

You are invited to a discussion with EPA Administrator Scott Pruitt on key actions by the EPA in 2017—and a lookahead to 2018.

Key items to discuss include:

- <!--[if !supportLists]--><!--[endif]-->WOTUS Repeal;
- <!--[if !supportLists]--><!--[endif]-->CPP Repeal;
- <!--[if !supportLists]--><!--[endif]-->Ending Sue-and-Settle;
- <!--[if !supportLists]--><!--[endif]-->Independence on Science Advisory Boards;
- <!--[if !supportLists]--><!--[endif]-->CERCLA Hard Rock Mining;
- <!--[if !supportLists]--><!--[endif]-->Superfund Review;
- <!--[if !supportLists]--><!--[endif]-->Restoring the Rule of Law; and
- <!--[if !supportLists]--><!--[endif]-->Some items coming in 2018.

Friday, December 15th
2:00pm - 2:45pm
Room 472 of the Eisenhower Executive Office Building at the White House (EEOB)

RSVP by carefully filling out your security information here:
https://events.whitehouse.gov/?rid=HDMH4DHGJ6

And please do make sure that what you enter at the link above matches what is on the ID you will use at the security gate. We've had people denied entry to the complex because their information was one key stroke off or because they used a shortened version of their name, rather than what's printed on their ID.

At about 1:30/1:45pm on Friday the 15th, enter at 17th and State Place (at the intersection with New York Avenue, Northwest). Once thru the first security checkpoint, the Secret Service will likely send you thru the second security checkpoint that leads right into the EEOB. Take the elevator on the right to the 4th floor, where you'll find room 472.

Please note that this invitation is for you specifically. Please do not forward it to anyone.

Thank you, and see you soon!

Paul Teller
Special Assistant to the President for Legislative Affairs
The White House
Ex. 6

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/9/2018 5:36:35 PM
To: rob.bluey@heritage.org
Subject: Running behind 5-10

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/21/2017 10:08:18 PM
To: Bluey, Rob [rob.bluey@heritage.org]
CC: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Mike Thompson [mthompson@CRCPublicRelations.com]
Subject: Re: January meeting

I need to be back by 2 but noon is good on my end.

On Dec 21, 2017, at 5:06 PM, Bluey, Rob <rob.bluey@heritage.org> wrote:

> Could you meet at Heritage on Tuesday, Jan. 9, at noon or 12:30? It would be nice to lock in a set time for each month—maybe the second Tuesday. Please let me know.

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org


Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/7/2017 12:11:40 PM
To: William Yeatman [William.Yeatman@cei.org]
CC: Marlo Lewis [Marlo.Lewis@cei.org]
Subject: Re: Tate, a pleasure meeting you today. Below are two commentaries by my colleague William Yeatman on how to make EPA's budget more transparent and accountable. Best, Marlo

Thank you both!

On Dec 7, 2017, at 7:07 AM, William Yeatman <William.Yeatman@cei.org> wrote:

> If you've any questions, feel free to reach out. best, will
>
> ---
>
> **From:** Marlo Lewis
> **Sent:** Wednesday, December 6, 2017 7:13 PM
> **To:** bennett.tate@epa.gov
> **Cc:** William Yeatman; 'becky.dunlop@heritage.org'
> **Subject:** Tate, a pleasure meeting you today. Below are two commentaries by my colleague William Yeatman on how to make EPA's budget more transparent and accountable. Best, Marlo
>
> What Congress and the Trump Administration Need to Do to Fix the EPA's Broken Budget, 10 June 2017, https://cei.org/blog/what-congress-and-trump-administration-need-do-fix-epas-broken-budget
>
> Confusing EPA Budget Process Calculated to Resist Meaningful Oversight, 22 May 2017, https://cei.org/blog/confusing-epa-budget-process-calculated-resist-meaningful-oversight

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/6/2017 8:22:04 PM
To: Bluey, Rob [rob.bluey@heritage.org]
Subject: Quick call

Rob- Give me a shout when you have a second? Ex. 6

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/11/2017 6:34:42 PM
To: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
CC: Myron Ebell [Myron.Ebell@cei.org]
Subject: Re: Cooler Heads Coalition next meeting and invitation to Hill briefing

And how many attendees are usually there?

On Dec 11, 2017, at 1:31 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Great, thank you Myron. How much time would put folks speak of the 75?
>
> Sent from my iPhone
>
> On Dec 11, 2017, at 12:49 PM, Myron Ebell <Myron.Ebell@cei.org> wrote:
>
> > Dear Tate, Cooler Heads only meets once a month, so I'm glad you couldn't make it today. Our next meeting is Monday, 8th January, beginning at 12 noon at CEI. I've put you on the list, so you'll get notices. If you can make it on the 8th, I'll put you near the top of the agenda in case you need to leave early. Meetings usually last from 75 to ninety minutes. Yours, Myron.
> >
> > Myron Ebell
> > Director, Center for Energy and Environment
> > Competitive Enterprise Institute
> > 1310 L Street, N. W., Seventh Floor
> > Washington, DC 20005, USA
> > Tel direct:
> > Tel mobile: **Ex. 6**
> > E-mail: Myron.Ebell@cei.org
> > *Stop continental drift!*
> >
> > **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> > **Sent:** Monday, December 11, 2017 12:45 PM
> > **To:** Myron Ebell <Myron.Ebell@cei.org>
> > **Subject:** RE: Cooler Heads Coalition next meeting and invitation to Hill briefing
> >
> > Myron,
> >
> > Are you all having a meeting next week? Liz and I were pulled into a conference call and could not attend today.
> >
> > Best.
> >
> > Tate

From: Myron Ebell [mailto:Myron.Ebell@cei.org]
Sent: Monday, December 4, 2017 10:31 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Cooler Heads Coalition next meeting and invitation to Hill briefing

Dear Tate, Next meeting will be Monday, 8th January, at 12 noon. Yours, Myron.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct: Ex. 6
Tel mobile:
E-mail: Myron.Ebell@cei.org
Stop continental drift!

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, December 4, 2017 10:23 AM
To: Myron Ebell <Myron.Ebell@cei.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Cooler Heads Coalition next meeting and invitation to Hill briefing

Hey Myron! Unfortunately Erik can't make it and Liz and I both have previous conflicts. We were trying to make this week work last minute, but it's looking like this won't be the case this week. Can we get on the agenda for the NEXT meeting? Assuming that is next week/Monday? Hopefully Liz or I can both attend and can bring someone from GC Office. Thank you!

From: Myron Ebell [mailto:Myron.Ebell@cei.org]
Sent: Thursday, November 30, 2017 12:26 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Cooler Heads Coalition next meeting and invitation to Hill briefing

Thanks.

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, November 30, 2017 12:17 PM
To: Myron Ebell <Myron.Ebell@cei.org>
Subject: Re: Cooler Heads Coalition next meeting and invitation to Hill briefing

Sue and settle and other issues

On Nov 30, 2017, at 11:49 AM, Myron Ebell <Myron.Ebell@cei.org> wrote:

> Dear Tate, Yes. What do you want to talk about? And the attendees will have some questions on a variety of

energy issues. No worries if Erik can't answer some of them, though. Thanks, Myron.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct: (
Tel mobile: Ex. 6
E-mail: Myron.Ebell@cei.org
Stop continental drift!

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, November 30, 2017 11:35 AM
To: Myron Ebell <Myron.Ebell@cei.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: Cooler Heads Coalition next meeting and invitation to Hill briefing

Erik Baptist will attend but needs to be back at EPA by 1. Can he have one of the first speaking spots

On Nov 29, 2017, at 3:38 PM, Myron Ebell <Myron.Ebell@cei.org> wrote:

> Dear Liz and Tate, I'll put you on the Cooler Heads list. Our next meeting is Monday the 4th beginning at 12 noon at CEI, 1310 L Street, N. W., Seventh Floor. Let me know if you or anyone is coming and what you'd like to talk about. Our agenda is usually quite long, but many issues are dealt with quickly and most of the ninety minutes is spent on the top one or two items. This month we will definitely be talking about the Kigali amendments as one of the main agenda items. Ryan, Samantha, Mandy, and Brittany are on the distribution list (and Richard Yamada and John Konkus, I think), and Mandy and Brittany have attended many Cooler Heads meetings over the years and one or two since they joined EPA. Yours, Myron.
>
> Myron Ebell
> Director, Center for Energy and Environment
> Competitive Enterprise Institute

1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct: (Ex. 6
Tel mobile: Ex. 6
E-mail: Myron.Ebell@cei.org
Stop continental drift!

From: Myron Ebell
Sent: Monday, November 27, 2017 9:32 AM
To: Myron Ebell (mebell@cei.org) <mebell@cei.org>
Subject: Cooler Heads Coalition next meeting and invitation to Hill briefing

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

Also, don't forget our Hill briefing on Tuesday, 28th December, at 4 PM in 2322 Rayburn. Our speaker is Rupert Darwall, author of the recently published Green Tyranny: Exposing the Totalitarian Roots of the Climate Industrial Complex, and in 2013 of the Age of Global Warming: a History. Copies of Green Tyranny will be provided to attendees compliments of CEI. Here's the invitation pasted below.

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.

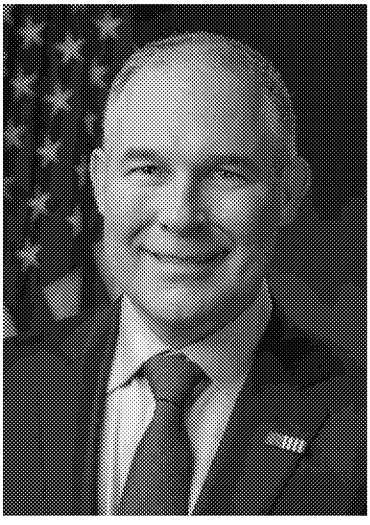
Myron Ebell

Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct: (
Tel mobile: Ex. 6
E-mail: Myron.Ebell@cei.org
Stop continental drift!

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/5/2017 2:35:46 PM
To: Joseph Verruni [JVerruni@cato.org]
CC: Kundinger, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e3c9a5d16e2244079e222f342bf9992f-Kundinger,]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: RE: Cato Visit

Hi Joe! Also, and sorry for the late notice, but here is a good intro in case you want it for today:



E. Scott Pruitt

Administrator of the United States Environmental Protection Agency

Scott Pruitt was confirmed as the 14th Administrator of the U.S. Environmental Protection Agency on February 17, 2017.

Administrator Pruitt believes that environmental stewardship is among the lifeblood priorities of the government, and the EPA is vital to that mission. He is a firm believer that environmental law, policy and progress should be rooted in the foundation of cooperation between the states and federal government, as well as cooperation between regulators and the public.

The Federalist Society has called him a "national leader in the cause to restore the proper balance between the states and federal government", and he established Oklahoma's first federalism unit to combat unwarranted regulation and overreach by the federal government."

The Washington Post recently reported the Administrator has done as much as anyone else in the executive branch to advance President Trump's goal to deconstruct the administrative state and declared him a rock star "on the right."

Leading the agency for just under a year, Pruitt spearheaded over two dozen significant regulatory reform actions including the review of the Waters of the United States rule and the Clean Power Plan.

He also played a major role in President Trump's decision to withdraw from the Paris Climate Accords that put foreign interests before those of America's.

Prior to serving on President Trump's cabinet, Pruitt served as Oklahoma's Attorney General where he became a national leader through a career of advocating to keep power in the hands of hard-working Americans. He has a proven track record of working with others – including industry, farmers, ranchers, landowners and small business owners - who want to do the right thing by the environment.

Pruitt also served eight years in the Oklahoma State Senate in addition to formerly co-owning and managing Oklahoma City's Triple-A minor league baseball affiliate.

Pruitt played baseball for the University of Kentucky, earned his bachelor's degree from Georgetown College and graduated from the University of Tulsa College of Law. He and Marlyn, his wife of 27 years proudly raised their two children in Tulsa.

From: Bennett, Tate
Sent: Monday, December 4, 2017 3:51 PM
To: 'Joseph Verruni' <JVerruni@cato.org>

Cc: Kundinger, Kelly <kundinger.kelly@epa.gov>
Subject: RE: Cato Visit

Hey Joe! I know you spoke with Kelly earlier. Can I get a list of attendees and topics from you? We would suggest the following topics on our end:

Sue and Settle
Red Team Blue Team
Science Advisory Board Announcement
Recent Hardrock Mining Decision
Agency restructure

From: Joseph Verruni [mailto:JVerruni@cato.org]
Sent: Sunday, December 3, 2017 9:14 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Ford, Hayley <ford.hayley@epa.gov>
Subject: Re: Cato Visit

Absolutely--I'm available any time after 10am.

On Dec 3, 2017 9:12 PM, "Bennett, Tate" <Bennett.Tate@epa.gov> wrote:

Hey there! Can we check in tomorrow about our upcoming visit? Is there a good time that works for you?

On Nov 15, 2017, at 3:27 PM, Joseph Verruni <JVerruni@cato.org> wrote:

Perfect! I will confirm a room and send an updated attendee list ASAP.

The best point of contact for security issues is our building manager, Michael Boone. He can be reached at mboone@cato.org or Ex. 6 .

Joseph L. Verruni Jr.
Project Manager
Center for the Study of Science
The Cato Institute
Ex. 6

From: Ford, Hayley
Sent: Wednesday, November 15, 2017 1:38 PM
To: Joseph Verruni
Cc: Bennett, Tate
Subject: RE: Cato Visit

Hi Joe,

Sure, we can work that into his schedule. Please let us know where he should go for the meeting. Our advance team will likely come the day before just to see the space so please let me know if you are the POC to arrange that as well.

Thank you and we look forward to it!

Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator

Environmental Protection Agency

ford.hayley@epa.gov

Phone: 202-564-2022

Cell: **Ex. 6**

From: Joseph Verruni [mailto:JVerruni@cato.org]
Sent: Tuesday, November 14, 2017 3:06 PM
To: Ford, Hayley <ford.hayley@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Cato Visit

Hi Hayley,

Our CEO can do the timeframe, but would prefer to have the meeting here as he has other obligations thereafter at Cato. Could we possibly convince you to join us here?

Thank you,

Joe

Joseph L. Verruni Jr.
Project Manager
Center for the Study of Science
The Cato Institute
Ex. 6

From: Ford, Hayley
Sent: Tuesday, November 14, 2017 10:35 AM
To: Joseph Verruni
Cc: Bennett, Tate
Subject: RE: Cato Visit

Hi Joe,

Not a problem. I was confused myself for a second! We'd be happy to get another date on the calendar. Let's do Dec 5 morning if that still works. We'd be happy to host you at the EPA headquarters. Would 10:30-11AM work for your group?

Let us know if that works and I can send directions and additional info. Thanks!

Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator

Environmental Protection Agency

ford.hayley@epa.gov

Phone: 202-564-2022

Cell: Ex. 6

From: Joseph Verruni [mailto:JVerruni@cato.org]
Sent: Monday, November 13, 2017 4:18 PM
To: Ford, Hayley <ford.hayley@epa.gov>
Subject: RE: Cato Visit

Hayley—

I'm so sorry—I spoke with Tate and I think we've clarified exactly what I've gotten wrong here and we're going to see if another date may be available. Our CEO is out of DC through December—he'll be available December 1, 4, 5 (before 3), 11, and 14. Would any of these possibly work for your team?

Thank you, and apologies again,

Joe

Joseph L. Verruni Jr.
Project Manager
Center for the Study of Science
The Cato Institute
Ex. 6

From: Joseph Verruni
Sent: Sunday, November 12, 2017 12:48 PM
To: Ford, Hayley
Cc: Bennett, Tate
Subject: RE: Cato Visit

That'd be perfect—our CEO is available until 4:30; I'll get us a room.

Joseph L. Verruni Jr.
Project Manager
Center for the Study of Science
The Cato Institute
Ex. 6

From: Ford, Hayley
Sent: Sunday, November 12, 2017 10:28 AM

To: Joseph Verruni
Cc: Bennett, Tate
Subject: RE: Cato Visit

Joe,

I apologize, but Tate and I just connected and could we actually do Tuesday at 3PM at Cato? Please let me know if that works for you and where we should go.

Tate is going to respond on attendees.

Thank you!!

Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator

Environmental Protection Agency

ford.hayley@epa.gov

Phone: 202-564-2022

Cell: Ex. 6

From: Ford, Hayley
Sent: Sunday, November 12, 2017 10:19 AM
To: 'Joseph Verruni' <JVerruni@cato.org>
Cc: Tate Bennett (Bennett.Tate@epa.gov) <Bennett.Tate@epa.gov>
Subject: RE: Cato Visit

Joe,

Would 4:30PM on Wednesday afternoon work? I will let Tate comment on attendees as I'm not sure what she was thinking. Also, did you two discuss the Administrator coming to Cato?

Thank you and we look forward to it!

Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator

Environmental Protection Agency

ford.hayley@epa.gov

Phone: 202-564-2022

Cell: Ex. 6

From: Joseph Verruni [mailto:JVerruni@cato.org]
Sent: Sunday, November 12, 2017 10:15 AM
Cc: Ford, Hayley <ford.hayley@epa.gov>
Subject: Re: Cato Visit

Hello Hayley,

Wednesday works for our team here at Cato--do you wish to keep it to just Cato folks, or would you like for us to reach out to some of our collaborators and friends at other think tanks?

Hope you've had a lovely weekend,

Joe

Joseph L. Verruni Jr.
Project Manager
Center for the Study of Science
The Cato Institute
Ex. 6

On Nov 10, 2017 1:28 PM, "Bennett, Tate" <Bennett.Tate@epa.gov> wrote:

Hi there! Just responded to his previous email about your CEO being unavailable Thursday. We can aim for Weds, I think, but I will let Hayley (CC'd) take it for here. On my end, all I will need is a list of topics and an attendee list.

On Nov 10, 2017, at 1:01 PM, Joseph Verruni <JVerruni@cato.org> wrote:

Hello Ms. Bennett,

I manage the Center for the Study of Science here at the Cato Institute; my colleague David Boaz told me there was an interest from the Administrator to visit, but details had not yet been ironed out. I was hoping I could offer my assistance. Are there particular dates and times that work best for your team?

Best,

Joe

Joseph L. Verruni Jr.
Project Manager
Center for the Study of Science
The Cato Institute

Ex. 6

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/1/2017 11:17:51 PM
To: sdempsey@coloradomining.org
Subject: EPA Determines Risks from Hardrock Mining Industry Minimal and No Need for Additional Federal Requirements

EPA Determines Risks from Hardrock Mining Industry Minimal and No Need for Additional Federal Requirements

WASHINGTON – Today the U.S. Environmental Protection Agency (EPA) announced that the Agency will not issue final regulations for financial responsibility requirements for certain hardrock mining facilities.

"After careful analysis of public comments, the statutory authority, and the record for this rulemaking, EPA is confident that modern industry practices, along with existing state and federal requirements address risks from operating hardrock mining facilities," **said EPA Administrator Scott Pruitt.** "Additional financial assurance requirements are unnecessary and would impose an undue burden on this important sector of the American economy and rural America, where most of these mining jobs are based."

EPA published proposed regulations under section 108(b) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, or Superfund) on January 11, 2017, and the public comment period closed on July 11, 2017. EPA has decided not to issue final regulations because the risks associated with these facilities' operations are addressed by existing federal and state programs and industry practices. EPA was under a court-ordered deadline to take final action on this rulemaking by December 1, 2017. The decision not to issue final rules under CERCLA section 108(b) will be published in Federal Register.

EPA has analyzed the need for financial responsibility requirements under CERCLA section 108(b) based on the degree and duration of risk associated with the production, transportation, treatment, storage, and disposal of hazardous substances from current hardrock mining operations as well the risk of taxpayer funded cleanups at facilities operating under modern management practices and modern environmental regulations. That risk is identified by examining the management of hazardous substances at such facilities, as well as by examining federal and state regulatory controls on that management and federal and state financial responsibility requirements and the payment experience of the Fund in responding to such releases.

EPA concluded the degree and duration of risk associated with the modern production, transportation, treatment, storage or disposal of hazardous substances by the hardrock mining industry does not present a level of risk of taxpayer funded response actions that warrant imposition of financial responsibility requirements under CERCLA for this sector. This determination reflects EPA's interpretation of the statute, EPA's evaluation of the record for the proposed rule, and the approximately 11,000 public comments received by EPA on this rulemaking.

State mining and environmental regulators, as well as other federal agencies and the regulated community and financial sectors, commented that the proposed requirements would potentially interfere with state and local mining regulations, were unnecessary, and would be difficult to implement. This decision does not in any way affect EPA's authority to take appropriate response actions under CERCLA.

"I urged then President-elect Trump to stop the EPA's overreach into state regulation harming Montana businesses," said **U.S. Senate Western Caucus Chairman Steve Daines (R-MT).** "Instead of threatening the very industries that are a backbone of our Western economies, we need to support American families and American businesses to secure our mineral and energy independence. I am pleased the EPA has taken action."

"I am grateful for Administrator Pruitt's leadership in eliminating this costly, duplicative, and job-killing rule," **said Arizona Governor Doug Ducey.** "Arizona already has financial responsibility protections in place for hardrock mines and does not need a duplicative federal program that will unnecessarily burden a key Arizona industry."

"I am thankful that the EPA and Administrator Pruitt have decided to reject the proposed CERCLA rule," **said Idaho Governor Butch Otter.** "This is another victory for returning power to the states."

"The pending CERCLA 108(b) rulemaking has been at the top of my agenda," **said Nevada Governor Brian Sandoval.** "The success of Nevada's robust mine bonding program protects public safety and our environment and ensures our critical mining industry can operate with certainty. I applaud the EPA for their thoughtful approach and thorough review of the proposed rule, for seeking comments from a diverse set of stakeholders and ultimately, for making the right decision. Today's action by the Administrator recognizes the reality that the states have been capably regulating mine bonding without interference from Washington and should be allowed to continue to do so."

"States have developed comprehensive financial responsibility programs for hardrock mining in the 30 years since the passage of CERCLA 108(b)(1)," **said Jim Ogsbury, executive director of the bipartisan Western Governors' Association.** "These programs require operators to comply with state regulations, implement reclamation and post-closure plans, and post financial assurance to minimize risks to public health and the environment. Western Governors appreciate EPA's decision regarding its proposed financial assurance requirements under CERCLA 108(b), which would have duplicated or supplanted existing and proven state financial assurance regulations."

"EPA's actions to rescind the CERCLA 108(b) financial assurance rule is another positive step by EPA in eliminating redundant regulations and recognizing the importance of cooperative federalism," **said Todd Parfitt, director of Wyoming Department of Environmental Quality.**

A pre-publication version of this action may be viewed at:https://www.epa.gov/superfund/proposed-rule-financial-responsibility-requirements-under-cercla-section-108b-classes

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/11/2017 5:50:58 PM
To: Myron Ebell [Myron.Ebell@cei.org]
CC: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
Subject: RE: Cooler Heads Coalition next meeting and invitation to Hill briefing

That would be great. Hopefully Liz can make it as well.

From: Myron Ebell [mailto:Myron.Ebell@cei.org]
Sent: Monday, December 11, 2017 12:49 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Cooler Heads Coalition next meeting and invitation to Hill briefing

Dear Tate, Cooler Heads only meets once a month, so I'm glad you couldn't make it today. Our next meeting is Monday, 8th January, beginning at 12 noon at CEI. I've put you on the list, so you'll get notices. If you can make it on the 8th, I'll put you near the top of the agenda in case you need to leave early. Meetings usually last from 75 to ninety minutes. Yours, Myron.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct: (
Tel mobile: **Ex. 6**
E-mail: Myron.Ebell@cei.org
Stop continental drift!

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, December 11, 2017 12:45 PM
To: Myron Ebell <Myron.Ebell@cei.org>
Subject: RE: Cooler Heads Coalition next meeting and invitation to Hill briefing

Myron,

Are you all having a meeting next week? Liz and I were pulled into a conference call and could not attend today.

Best.

Tate

From: Myron Ebell [mailto:Myron.Ebell@cei.org]
Sent: Monday, December 4, 2017 10:31 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Cooler Heads Coalition next meeting and invitation to Hill briefing

Dear Tate, Next meeting will be Monday, 8th January, at 12 noon. Yours, Myron.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct:
Tel mobile: **Ex. 6**
E-mail: Myron.Ebell@cei.org
Stop continental drift!

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, December 4, 2017 10:23 AM
To: Myron Ebell <Myron.Ebell@cei.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Cooler Heads Coalition next meeting and invitation to Hill briefing

Hey Myron! Unfortunately Erik can't make it and Liz and I both have previous conflicts. We were trying to make this week work last minute, but it's looking like this won't be the case this week. Can we get on the agenda for the NEXT meeting? Assuming that is next week/Monday? Hopefully Liz or I can both attend and can bring someone from GC Office. Thank you!

From: Myron Ebell [mailto:Myron.Ebell@cei.org]
Sent: Thursday, November 30, 2017 12:26 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Cooler Heads Coalition next meeting and invitation to Hill briefing

Thanks.

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, November 30, 2017 12:17 PM
To: Myron Ebell <Myron.Ebell@cei.org>
Subject: Re: Cooler Heads Coalition next meeting and invitation to Hill briefing

Sue and settle and other issues

On Nov 30, 2017, at 11:49 AM, Myron Ebell <Myron.Ebell@cei.org> wrote:

> Dear Tate, Yes. What do you want to talk about? And the attendees will have some questions on a variety of energy issues. No worries if Erik can't answer some of them, though. Thanks, Myron.
>
> Myron Ebell
> Director, Center for Energy and Environment
> Competitive Enterprise Institute
> 1310 L Street, N. W., Seventh Floor
> Washington, DC 20005, USA

Tel direct:
Tel mobile Ex. 6
E-mail: Myron.Ebell@cei.org
Stop continental drift!

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, November 30, 2017 11:35 AM
To: Myron Ebell <Myron.Ebell@cei.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: Cooler Heads Coalition next meeting and invitation to Hill briefing

Erik Baptist will attend but needs to be back at EPA by 1. Can he have one of the first speaking spots

On Nov 29, 2017, at 3:38 PM, Myron Ebell <Myron.Ebell@cei.org> wrote:

> Dear Liz and Tate, I'll put you on the Cooler Heads list. Our next meeting is Monday the 4th beginning at 12 noon at CEI, 1310 L Street, N. W., Seventh Floor. Let me know if you or anyone is coming and what you'd like to talk about. Our agenda is usually quite long, but many issues are dealt with quickly and most of the ninety minutes is spent on the top one or two items. This month we will definitely be talking about the Kigali amendments as one of the main agenda items. Ryan, Samantha, Mandy, and Brittany are on the distribution list (and Richard Yamada and John Konkus, I think), and Mandy and Brittany have attended many Cooler Heads meetings over the years and one or two since they joined EPA. Yours, Myron.
>
> Myron Ebell
> Director, Center for Energy and Environment
> Competitive Enterprise Institute
> 1310 L Street, N. W., Seventh Floor
> Washington, DC 20005, USA
> Tel direct:
> Tel mobile Ex. 6
> E-mail: Myron.Ebell@cei.org
> *Stop continental drift!*

From: Myron Ebell
Sent: Monday, November 27, 2017 9:32 AM
To: Myron Ebell (mebell@cei.org) <mebell@cei.org>
Subject: Cooler Heads Coalition next meeting and invitation to Hill briefing

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

Also, don't forget our Hill briefing on Tuesday, 28th December, at 4 PM in 2322 Rayburn. Our speaker is Rupert Darwall, author of the recently published Green Tyranny: Exposing the Totalitarian Roots of the Climate Industrial Complex, and in 2013 of the Age of Global Warming: a History. Copies of Green Tyranny will be provided to attendees compliments of CEI. Here's the invitation pasted below.

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.

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!

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/1/2017 11:16:06 PM
To: tdeti@wyomingmining.org
Subject: Just went out

EPA Determines Risks from Hardrock Mining Industry Minimal and
No Need for Additional Federal Requirements

WASHINGTON – Today the U.S. Environmental Protection Agency (EPA) announced that the Agency will not issue final regulations for financial responsibility requirements for certain hardrock mining facilities.

"After careful analysis of public comments, the statutory authority, and the record for this rulemaking, EPA is confident that modern industry practices, along with existing state and federal requirements address risks from operating hardrock mining facilities," **said EPA Administrator Scott Pruitt.** "Additional financial assurance requirements are unnecessary and would impose an undue burden on this important sector of the American economy and rural America, where most of these mining jobs are based."

EPA published proposed regulations under section 108(b) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, or Superfund) on January 11, 2017, and the public comment period closed on July 11, 2017. EPA has decided not to issue final regulations because the risks associated with these facilities' operations are addressed by existing federal and state programs and industry practices. EPA was under a court-ordered deadline to take final action on this rulemaking by December 1, 2017. The decision not to issue final rules under CERCLA section 108(b) will be published in Federal Register.

EPA has analyzed the need for financial responsibility requirements under CERCLA section 108(b) based on the degree and duration of risk associated with the production, transportation, treatment, storage, and disposal of hazardous substances from current hardrock mining operations as well the risk of taxpayer funded cleanups at facilities operating under modern management practices and modern environmental regulations. That risk is identified by examining the management of hazardous substances at such facilities, as well as by examining federal and state regulatory controls on that management and federal and state financial responsibility requirements and the payment experience of the Fund in responding to such releases.

EPA concluded the degree and duration of risk associated with the modern production, transportation, treatment, storage or disposal of hazardous substances by the hardrock mining industry does not present a level of risk of taxpayer funded response actions that warrant imposition of financial responsibility requirements under CERCLA for this sector. This determination reflects EPA's interpretation of the statute, EPA's evaluation of the record for the proposed rule, and the approximately 11,000 public comments received by EPA on this rulemaking.

State mining and environmental regulators, as well as other federal agencies and the regulated community and financial sectors, commented that the proposed requirements would potentially interfere with state and local mining regulations, were unnecessary, and would be difficult to implement. This decision does not in any way affect EPA's authority to take appropriate response actions under CERCLA.

"I urged then President-elect Trump to stop the EPA's overreach into state regulation harming Montana businesses," said **U.S. Senate Western Caucus Chairman Steve Daines (R-MT).** "Instead of threatening the very industries that are a backbone of our Western economies, we need to support American families and American businesses to secure our mineral and energy independence. I am pleased the EPA has taken action."

"I am grateful for Administrator Pruitt's leadership in eliminating this costly, duplicative, and job-killing rule," **said Arizona Governor Doug Ducey.** "Arizona already has financial responsibility protections in place for hardrock mines and does not need a duplicative federal program that will unnecessarily burden a key Arizona industry."

"I am thankful that the EPA and Administrator Pruitt have decided to reject the proposed CERCLA rule," **said Idaho Governor Butch Otter.** "This is another victory for returning power to the states."

"The pending CERCLA 108(b) rulemaking has been at the top of my agenda," **said Nevada Governor Brian Sandoval.** "The success of Nevada's robust mine bonding program protects public safety and our environment and ensures our critical mining industry can operate with certainty. I applaud the EPA for their thoughtful approach and thorough review of the proposed rule, for seeking comments from a diverse set of stakeholders and ultimately, for making the right decision. Today's action by the Administrator recognizes the reality that the states have been capably regulating mine bonding without interference from Washington and should be allowed to continue to do so."

"States have developed comprehensive financial responsibility programs for hardrock mining in the 30 years since the passage of CERCLA 108(b)(1)," **said Jim Ogsbury, executive director of the bipartisan Western Governors' Association.** "These programs require operators to comply with state regulations, implement reclamation and post-closure plans, and post financial assurance to minimize risks to public health and the environment. Western Governors appreciate EPA's decision regarding its proposed financial assurance requirements under CERCLA 108(b), which would have duplicated or supplanted existing and proven state financial assurance regulations."

"EPA's actions to rescind the CERCLA 108(b) financial assurance rule is another positive step by EPA in eliminating redundant regulations and recognizing the importance of cooperative federalism," **said Todd Parfitt, director of Wyoming Department of Environmental Quality.**

A pre-publication version of this action may be viewed at:https://www.epa.gov/superfund/proposed-rule-financial-responsibility-requirements-under-cercla-section-108b-classes

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/2/2017 11:59:32 PM
To: Laura Skaer [lskaer@miningamerica.org]
Subject: Re: EPA Determines Risks from Hardrock Mining Industry Minimal and No Need for Additional Federal Requirements

Thanks for sharing!

On Dec 2, 2017, at 5:37 PM, Laura Skaer <lskaer@miningamerica.org> wrote:

> Yes we did. I'll send it to you
>
> Laura Skaer
> Sent from my iPad
>
> On Dec 2, 2017, at 3:15 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> > Did you all put out any press on the decision
> >
> > On Dec 2, 2017, at 3:08 PM, Laura Skaer <lskaer@miningamerica.org> wrote:
> >
> > > Thank you. Great decision!
> > >
> > > Laura Skaer
> > > Executive Director
> > > American Exploration & Mining Association
> > > lskaer@miningamerica.org
> > >
> > > **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> > > **Sent:** Saturday, December 2, 2017 11:59 AM
> > > **To:** Bennett, Tate <Bennett.Tate@epa.gov>
> > > **Cc:** Gordon, Stephen <gordon.stephen@epa.gov>; Tanner, Lee <Tanner.Lee@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
> > > **Subject:** EPA Determines Risks from Hardrock Mining Industry Minimal and No Need for Additional Federal Requirements
> > >
> > > Good afternoon!
> > >
> > > Knowing of your interest in this issue, I thought you might be interested in the below announcement from EPA last night. Let us know if you have any questions.
> > >
> > > Tate
> > >
> > > Elizabeth Tate Bennett
> > > Associate Administrator for Public Engagement & Environmental Education
> > > Office of the Administrator

U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

WASHINGTON – Today the U.S. Environmental Protection Agency (EPA) announced that the Agency will not issue final regulations for financial responsibility requirements for certain hardrock mining facilities.

"After careful analysis of public comments, the statutory authority, and the record for this rulemaking, EPA is confident that modern industry practices, along with existing state and federal requirements address risks from operating hardrock mining facilities," **said EPA Administrator Scott Pruitt.** "Additional financial assurance requirements are unnecessary and would impose an undue burden on this important sector of the American economy and rural America, where most of these mining jobs are based."

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hazardous substances from current hardrock mining operations as well the risk of taxpayer funded cleanups at facilities operating under modern management practices and modern environmental regulations. That risk is identified by examining the management of hazardous substances at such facilities, as well as by examining federal and state regulatory controls on that management and federal and state financial responsibility requirements and the payment experience of the Fund in responding to such releases.

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/17/2018 9:09:27 PM
To: presidentsoffice@hamptonu.edu
CC: Tanner, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=153d1b6b96fa4681a06c2868d5f8d691-Lee Tanner]; James.Imoehl@heritage.org
Subject: Reaching out from EPA

Dr. Harvey,

I'm reaching out from the U.S. Environmental Protection Agency's Office of the Administrator, to discuss ways we can work with the University and potentially set up a meeting in February here at EPA.

Mrs. James President of the Heritage Foundation spoke very highly of Hampton's academic programs to Scott Pruitt EPA's Administrator. She encouraged us to contact you and ask for a special presentation from Hampton students and Sr. EPA Leadership on a current project or assignment that is preparing them for a future in an environmental career.

Are you interested in this opportunity? If, so who can we coordinate a phone call with you or the best POC at the school?

Best.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/20/2017 3:44:09 PM
To: Todd F. Gaziano [TGaziano@pacificlegal.org]
CC: Jonathan Wood [JWood@pacificlegal.org]; Bakst, Daren [Daren.Bakst@heritage.org]; Forsgren, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a055d7329d5b470fbaa9920ce1b68a7d-Forsgren, D]
Subject: RE: Tate: phone Mtg. request re: Sec. 431 on WOTUS rule in Minibus/cromnibus

Hi Todd-

We are not in a position to speak on behalf of the hill, but I can certainly connect you with Lee Forsgren in the Office of Water (cc'd). He's very familiar with the issue and different perspectives surrounding it.

You are always welcome to email me! Sorry for the delay.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Wednesday, December 20, 2017 10:12 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jonathan Wood <JWood@pacificlegal.org>; Bakst, Daren <Daren.Bakst@heritage.org>
Subject: Tate: phone Mtg. request re: Sec. 431 on WOTUS rule in Minibus/cromnibus

Tate,

I don't know if you saw my meeting request below, but at this point, a phone connection is probably best—unless you or someone else at EPA can confirm that subsection (b) it out of the bill.

I don't mean to bug you unreasonably, but this is a fair warning I will continue to try to reach you "reasonably" (and more frequently) until you tell me the provision is out, you connect me to someone who is working the issue, or you affirmatively tell me to go away.

Todd

Todd F. Gaziano | Senior Fellow in Constitutional Law
Executive Director of the DC Center
Pacific Legal Foundation
Ex. 6 (o)
(c)



From: Todd F. Gaziano
Sent: Friday, December 15, 2017 10:55 AM
To: 'Bennett, Tate' <Bennett.Tate@epa.gov>
Cc: Bakst, Daren <Daren.Bakst@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: Mtg. request re: Sec. 431 on WOTUS rule in Minibus

Tate:

Thanks for your action to date (and I've been confused with my brother Tom before, so I'm only amused by that).

We've discussed the provision more amongst ourselves, and with some other CWA experts. I am even more concerned about it the longer I study it, and I'm more convinced that subsection (b) can serve no good purpose anyway. As for its unintended harm, it would not just codify *one* bad guidance from one year. The provision, on its face, would codify all regulations (plural) and guidance (that would be interpreted as plural in that phrase) in existence in 2015. Thus, it would codify or insulate (at least temporarily) scores of bad and otherwise illegal guidance documents from decades of horrible administration, many of which we have been litigating against. EPA would likely need a "reasoned justification" to depart from any and all of them in the new rule. I think Daren agrees with me about the harm, even if he is a little less apocalyptic than I am.

Given our deep concern, we'd like to be introduced to and meet (or at least talk) with the appropriate folks in the Water Office who might be responsible for pushing back on the subsection or who might be saddled with it if it is not killed. Can you connect us and help arrange such a meeting?

Todd

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Executive Director of the DC Center
Pacific Legal Foundation
Ex. 6 (o)
(c)



From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, December 15, 2017 10:21 AM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Cc: Bakst, Daren <Daren.Bakst@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Sec. 431 on WOTUS rule in Minibus

Hi Tom-

Apologies for the delay. We understand your position on this section/1986 guidance and have passed this along to the Office of Water. We will let you know if we have any questions. It's

Don't be a stranger.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
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From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Thursday, December 7, 2017 8:54 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bakst, Daren <Daren.Bakst@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: Sec. 431 on WOTUS rule in Minibus

Tate,

It was great to meet you yesterday at the Heritage roundtable event. My colleagues and I at PLF may have many occasions to work with you and others at EPA.

As the below correspondence with Daren indicates, subsection 431(b) in the House minibus bill may not be quite as "disastrous" as I first thought in locking in 2015 regs and guidance, but it would tie EPA's hands in some clear and harmful ways until a final rule is issued, and it may still complicate the eventual replacement of the WOTUS rule under the APA. It needs to be modified or dropped to have the effect that I think was intended, but I at least see some method to the legislative madness.

Please let us know if we can provide any further help or advice on this matter.

Todd

Todd F. Gaziano | Senior Fellow in Constitutional Law
Executive Director of the DC Center
Pacific Legal Foundation
Ex. 6 (o)
(c)



From: Todd F. Gaziano
Sent: Wednesday, December 06, 2017 6:20 PM
To: 'Bakst, Daren' <Daren.Bakst@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

Two issues:

1. At a minimum, it says that EPA MUST follow Rapanos Guidance (not Scalia) until it issues a final rule, or at least an interim final rule. How long will that take?
2. It still is ambiguous enough that it might complicate replacing the Rapanos Guidance. For example, it might allow EPA to replace the now mandated Rapanos Guicance, but as to that, it would have to give sufficient reasons under the APA, since section (a) do not apply to the new rule, only the withdraw of WOTUS.

Regardless of how bad it is, it should go.

From: Bakst, Daren [mailto:Daren.Bakst@heritage.org]
Sent: Wednesday, December 06, 2017 6:08 PM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: FW: Tomorrow on WOTUS

Todd and Jonathan,

I am trying to process this language. I am trying to figure out the impact of this language: "Except as otherwise provided by any Act or rule that takes effect after the date of enactment of this Act."

This *seems* to be saying that the EPA could still issue a rule that does not implement the old guidance so long as such rule goes into effect after the date of the appropriations bill. The problem is the language in (b) still likely gives a Congressional blessing to the old rules and guidance.

I think Congress is also trying to give legal cover for the interim stuff as well.

Thoughts?

Daren

Daren Bakst
Research Fellow in Agricultural Policy
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Washington, DC 20002
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From: Bakst, Daren
Sent: Wednesday, December 6, 2017 11:22 AM
To: 'Todd F. Gaziano' <TGaziano@pacificlegal.org>
Cc: Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

This was in a "minibus" bill that passed the House. I am not saying that this bill will pass, but I think there is a good chance that the following language would be included in any omnibus bill:

See this recent article: https://www.washingtonpost.com/news/energy-environment/wp/2017/11/30/gop-crafts-spending-bill-provisions-aimed-at-speeding-repeal-of-water-protection-rule/?utm_term=.0ec68799f1a7

H.R. 3354: https://www.congress.gov/bill/115th-congress/house-bill/3354/text

SEC. 431.

(a) AUTHORIZATION.—The Administrator of the Environmental Protection Agency and the Secretary of the Army may withdraw the Waters of the United States rule without regard to any provision of statute or regulation that establishes a requirement for such withdrawal.

(b) EFFECT OF WITHDRAWAL.—Except as otherwise provided by any Act or rule that takes effect after the date of enactment of this Act, if the Administrator of the Environmental Protection Agency and the Secretary of the Army withdraw the Waters of the United States rule under subsection (a), the Administrator and Secretary shall implement the provisions of law under which such rule was issued in accordance with the regulations and guidance in effect under such provisions immediately before the effective date of such rule.

(c) DEFINITIONS.—In this section the term "Waters of the United States rule" means the final rule issued by the Administrator of the Environmental Protection Agency and the Secretary of the Army entitled "Clean Water Rule: Definition of 'Waters of the United States'" on June 29, 2015 (80 Fed. Reg. 37053).

From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Wednesday, December 6, 2017 11:16 AM
To: Bakst, Daren <Daren.Bakst@heritage.org>
Cc: Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

Sorry for my delay in responding to this, but I may try to talk to you for a couple of minutes when I arrive if you can't respond by email to my question, but I was unaware of the legislation that exempts this rulemaking change from APA requirements. I'd like to know more about that.

Todd F. Gaziano | Senior Fellow in Constitutional Law
Executive Director of the DC Center
Pacific Legal Foundation
Ex. 6 (o)
(c)



From: Bakst, Daren [mailto:Daren.Bakst@heritage.org]
Sent: Tuesday, December 5, 2017 2:55 PM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Cc: Gordon, Robert <Robert.Gordon@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

Todd,

I don't have an answer to your question about groups like AFBF, but I highly doubt that such groups will be there. I would also just assume that our audience are folks who have some knowledge of WOTUS, but not at the level of those groups.

What if I provide a 5-6 minute update that would:

- Explain the latest developments
- Lay out the principles and substance of what a definition of WOTUS should look like

I'd like to get buy-in on the need to limit waters to traditional navigable waters (TNRs), tributaries to TNRs, and wetlands of TNRs. Basically, my presentation would cover the attached comment.

Then, as a suggestion, you could discuss:

- Concerns regarding the process (e.g. need for the agencies to look beyond Rapanos for support (I will mention Riverside and SWANCC in my brief discussion regarding defining tributaries; issue regarding getting better support for getting rid of the rule itself; please be aware that Congress has appropriations language that would allow the agencies to withdraw the rule without having to worry about the APA. I can provide more info on this if you need it)
- Enforcement changes (my suggested ideas include the Corps and EPA identifying how they could develop an MOU to allow property owners to secure JDs within 60 days or so, directing that certain enforcement actions cease until after review by HQs, and set new priorities)

I am still thinking through what I think of the EPA and Corps proposing (and seeking comment) on extending the applicability date of the Clean Water Rule (it seems odd to seek to repeal the rule and extend its applicability date; I think it is just another way to make sure that it doesn't go into effect):

The Environmental Protection Agency and the Department of the Army ("the agencies") are proposing to add an applicability date to the "Clean Water Rule: Definition of `Waters of the United States'" (the "2015 Rule") to two years from the date of final action on this proposal. On October 9, 2015, the Sixth Circuit stayed the 2015 Rule nationwide pending further action of the court, but the Supreme Court is currently reviewing the question of whether the court of appeals has original jurisdiction to review challenges to the 2015 Rule. On February 28, 2017, the President signed an Executive Order, "Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the `Waters of the United States' Rule." With this proposed rule, the agencies intend to maintain the *status quo* by proposing to add an applicability date to the 2015 Rule and thus provide continuity and regulatory certainty for regulated entities, the States and Tribes, agency staff, and the public while the agencies continue to work to consider possible revisions to the 2015 Rule. See https://www.regulations.gov/document?D=EPA-HQ-OW-2017-0644-0001

Best,

Daren

Daren Bakst
Research Fellow in Agricultural Policy
Institute for Economic Freedom
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Washington, DC 20002
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From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Tuesday, December 5, 2017 1:56 PM
To: Bakst, Daren <Daren.Bakst@heritage.org>

Cc: Gordon, Robert <Robert.Gordon@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

I was on a series of calls, and may have another …

We can condense our discussion. My main question on who will be there is whether there will be anyone else with extensive WOTUS experience, like AFBF, the mining association, home builders?

As far as the substance of our discussion:

- I especially agree we should discuss, and try to raise with Pruitt, concerns about the rulemaking process. For example, we should suggest that he bolster his position for change if EPA cites legal concerns with the WOTUS rule.
- I don't object to most of the discussion about what should go in the new rule, but some of that may be in the weeds for folks who aren't into it and possibly Pruitt.
- We might also discuss what more can/should be done to reign in bureaucrats who are acting as if nothing has changed. I want to suggest that EPA/Corps might come up with some enforcement policy priorities that state what violations are priorities and what are not, which might help get bureaucrats to change behavior during the rulemaking process.

From: Bakst, Daren [mailto:Daren.Bakst@heritage.org]
Sent: Tuesday, December 05, 2017 11:47 AM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Cc: Gordon, Robert <Robert.Gordon@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

Todd,

Rob and I just chatted; he is out of the office.

Even though we are allotted 30 minutes, we should expect about 15 minutes, with you and I presenting for about 10 minutes.

Our audience is going to be our friends, e.g. CEI, Capital Research Center, Heartland, etc. There will be about 30-40 people.

I thought we could discuss:

- The latest developments and process to develop a new definition (the two-step process and the recent and current comment period)
- Our ideas on what a new definition should look like, highlighting key principles such as CWA expressly envisions a significant state role, having clear and objective definitions, and then going through what waters we think should constitute "waters of the U.S." in any new rule.

It seems our goal should be to get buy-in from the group on the substance of any new definition.

Also, if we have time, we might want to propose some ideas on how the EPA and Corps could improve the enforcement of the CWA during this interim period before a new rule goes into effect. For example, could the EPA and Corps direct that certain actions, even if currently in litigation, being reviewed by the central offices?

Best,

Daren

My plan, based on what you said, is to provide an update on what is happening, the issues that exist regarding defining "waters of the U.S.", and what we have argued the definition should look like. My goal is to get buy-in on our general principles and definition.

There is one issue that I am not sure if we should address but it is important:

Daren Bakst
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From: Todd F. Gaziano [mailto:TGaziano@pacificlegal.org]
Sent: Tuesday, December 5, 2017 11:24 AM
To: Bakst, Daren <Daren.Bakst@heritage.org>
Cc: Gordon, Robert <Robert.Gordon@heritage.org>; Jonathan Wood <JWood@pacificlegal.org>
Subject: RE: Tomorrow on WOTUS

Glad to try to come up with an agenda, but it would be helpful for me to know who else will be attending, in part to know who else is an expert or up to speed on WOTUS issues. Can you or Rob send me a list of attendees?

From: Bakst, Daren [mailto:Daren.Bakst@heritage.org]
Sent: Tuesday, December 05, 2017 10:40 AM
To: Todd F. Gaziano <TGaziano@pacificlegal.org>
Subject: Tomorrow on WOTUS
Importance: High

Todd,

You and I will be discussing WOTUS tomorrow. It seems like it would be good if we could come up with a game plan on how to organize the presentation. I am around today if you can chat. It would be good if we could divide up what we would like to present.

Thanks,

Daren

Daren Bakst
Research Fellow in Agricultural Policy
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Ex. 6

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/15/2017 7:34:47 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
BCC: sallen@capitalresearch.org; SW@Capitalresearch.org; pgoettler@cato.org; pmichaels@cato.org; angela.logomasini@cei.org; Ex. 6 craig@cfact.org; mebell@cei.org; Christopher.Horner@cei.org; skazman@CEI.org; MLewis@cei.org; william.yeatman@cei.org; Ex. 6 Ex. 6 ; richardson@eelegal.org; Ex. 6 Ex. 6 Ex. 6 ; sbourne@georgeallen.com; Ex. 6 julie.gunlock@iwf.org; tpyle@ierdc.org; Ex. 7(F) jjohnson@nrb.org; Ex. 6 tgaziano@pacificlegal.org; jw@pacificlegal.org; brian.seasholes@reason.org; daren.bakst@heritage.org; michael.costigan@heritage.org; robert.gordon@heritage.org; diane.katz@heritage.org; david.kreutzer@heritage.org; nick.loris@heritage.org; terry.miller@heritage.org; bndunlop@heritage.org; jack.spencer@heritage.org; katie.tubb@heritage.org; robert.bluey@heritage.org; Teller, Paul S. EOP/WHO Ex. 6
Subject: In Case You Missed It: Fred Barnes Latest Piece on Admin Pruitt

http://www.weeklystandard.com/the-man-they-love-to-hate/article/2010851

Elizabeth Tate Bennett
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Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/2/2017 10:13:46 PM
To: Laura Skaer [lskaer@miningamerica.org]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]; Tanner, Lee [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=153d1b6b96fa4681a06c2868d5f8d691-Lee Tanner]; Grantham, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=12a3c2ed7158417fb0bb1b1b72a8cfb0-Grantham, Nancy]
Subject: Re: EPA Determines Risks from Hardrock Mining Industry Minimal and No Need for Additional Federal Requirements

Thanks Laura!

On Dec 2, 2017, at 3:08 PM, Laura Skaer <lskaer@miningamerica.org> wrote:

> Thank you. Great decision!
>
> Laura Skaer
> Executive Director
> American Exploration & Mining Association
> lskaer@miningamerica.org
>
> ---
>
> **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> **Sent:** Saturday, December 2, 2017 11:59 AM
> **To:** Bennett, Tate <Bennett.Tate@epa.gov>
> **Cc:** Gordon, Stephen <gordon.stephen@epa.gov>; Tanner, Lee <Tanner.Lee@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
> **Subject:** EPA Determines Risks from Hardrock Mining Industry Minimal and No Need for Additional Federal Requirements
>
> Good afternoon!
>
> Knowing of your interest in this issue, I thought you might be interested in the below announcement from EPA last night. Let us know if you have any questions.
>
> Tate
>
> Elizabeth Tate Bennett
> Associate Administrator for Public Engagement & Environmental Education
> Office of the Administrator
> U.S. Environmental Protection Agency
> (202) 564-1460
> Bennett.Tate@epa.gov

WASHINGTON – Today the U.S. Environmental Protection Agency (EPA) announced that the Agency will not issue final regulations for financial responsibility requirements for certain hardrock mining facilities.

"After careful analysis of public comments, the statutory authority, and the record for this rulemaking, EPA is confident that modern industry practices, along with existing state and federal requirements address risks from operating hardrock mining facilities," **said EPA Administrator Scott Pruitt.** "Additional financial assurance requirements are unnecessary and would impose an undue burden on this important sector of the American economy and rural America, where most of these mining jobs are based."

EPA published proposed regulations under section 108(b) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, or Superfund) on January 11, 2017, and the public comment period closed on July 11, 2017. EPA has decided not to issue final regulations because the risks associated with these facilities' operations are addressed by existing federal and state programs and industry practices. EPA was under a court-ordered deadline to take final action on this rulemaking by December 1, 2017. The decision not to issue final rules under CERCLA section 108(b) will be published in Federal Register.

EPA has analyzed the need for financial responsibility requirements under CERCLA section 108(b) based on the degree and duration of risk associated with the production, transportation, treatment, storage, and disposal of hazardous substances from current hardrock mining operations as well the risk of taxpayer funded cleanups at facilities operating under modern management practices and modern environmental regulations. That risk is identified by examining the management of hazardous substances at such facilities, as well as by examining federal and state regulatory controls on that management and federal and state financial responsibility requirements and the payment experience of the Fund in responding to such releases.

EPA concluded the degree and duration of risk associated with the modern production, transportation, treatment, storage or disposal of hazardous substances by the hardrock mining industry does not present a level of risk of taxpayer funded response actions that warrant imposition of financial responsibility requirements under CERCLA for this sector. This determination reflects EPA's interpretation of the statute, EPA's evaluation of the record for the proposed rule, and the approximately 11,000 public comments received by EPA on this rulemaking.

State mining and environmental regulators, as well as other federal agencies and the regulated community and financial sectors, commented that the proposed requirements would potentially interfere with state and local mining regulations, were unnecessary, and would be difficult to implement. This decision does not in any way affect EPA's authority to take appropriate response actions under CERCLA.

"I urged then President-elect Trump to stop the EPA's overreach into state regulation harming Montana businesses," said **U.S. Senate Western Caucus Chairman Steve Daines (R-MT).** "Instead of threatening the very industries that are a backbone of our Western economies, we need to support American families and American businesses to secure our mineral and energy independence. I am pleased the EPA has taken action."

"I am grateful for Administrator Pruitt's leadership in eliminating this costly, duplicative, and job-killing rule," **said Arizona Governor Doug Ducey.** "Arizona already has financial responsibility protections in place for hardrock mines and does not need a duplicative federal program that will unnecessarily burden a key Arizona industry."

"I am thankful that the EPA and Administrator Pruitt have decided to reject the proposed CERCLA rule," **said Idaho Governor Butch Otter.** "This is another victory for returning power to the states."

"The pending CERCLA 108(b) rulemaking has been at the top of my agenda," **said Nevada Governor Brian Sandoval.** "The success of Nevada's robust mine bonding program protects public safety and our environment and ensures our critical mining industry can operate with certainty. I applaud the EPA for their thoughtful approach and thorough review of the proposed rule, for seeking comments from a diverse set of stakeholders and ultimately, for making the right decision. Today's action by the Administrator recognizes the reality that the states have been capably regulating mine bonding without interference from Washington and should be allowed to continue to do so."

"States have developed comprehensive financial responsibility programs for hardrock mining in the 30 years since the passage of CERCLA 108(b)(1)," **said Jim Ogsbury, executive director of the bipartisan Western Governors' Association.** "These programs require operators to comply with state regulations, implement reclamation and post-closure plans, and post financial assurance to minimize risks to public health and the environment. Western Governors appreciate EPA's decision regarding its proposed financial assurance requirements under CERCLA 108(b), which would have duplicated or supplanted existing and proven state financial assurance regulations."

"EPA's actions to rescind the CERCLA 108(b) financial assurance rule is another positive step by EPA in eliminating redundant regulations and recognizing the importance of cooperative federalism," **said Todd Parfitt, director of Wyoming Department of Environmental Quality.**

A pre-publication version of this action may be viewed at:https://www.epa.gov/superfund/proposed-rule-financial-responsibility-requirements-under-cercla-section-108b-classes

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/5/2017 7:41:36 PM
To: Khristine Brookes [KBrookes@cato.org]
CC: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
Subject: Re: Lost bracelet

Works for me

On Dec 5, 2017, at 2:41 PM, Khristine Brookes <KBrookes@cato.org> wrote:

> Yes, Monday the 18th is great. How about Central? Think that is close to you guys?
>
> **From:** Bowman, Liz [mailto:Bowman.Liz@epa.gov]
> **Sent:** Tuesday, December 05, 2017 2:30 PM
> **To:** Khristine Brookes <KBrookes@cato.org>
> **Cc:** Bennett, Tate <Bennett.Tate@epa.gov>
> **Subject:** Re: Lost bracelet
>
> Monday the 18th would be great; please let us know the location that works for you.
>
> Sent from my iPhone
>
> On Dec 5, 2017, at 2:24 PM, Khristine Brookes <KBrookes@cato.org> wrote:
>
> > Surely –Wednesday or Thursday next week would work for me, or Monday Dec. 18. Any of those good for you guys?
> >
> > **From:** Bowman, Liz [mailto:Bowman.Liz@epa.gov]
> > **Sent:** Tuesday, December 05, 2017 2:12 PM
> > **To:** Khristine Brookes <KBrookes@cato.org>
> > **Cc:** Bennett, Tate <Bennett.Tate@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>
> > **Subject:** Re: Lost bracelet
> >
> > Nice to meet you as well; can we grab coffee or lunch soon? Please let us know if there are any dates that work for you.
> >
> > Sent from my iPhone
> >
> > On Dec 5, 2017, at 1:34 PM, Khristine Brookes <KBrookes@cato.org> wrote:
> >
> > > Absolutely…I'll put in an envelope with your name on it at the front desk!
> > >
> > > **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> > > **Sent:** Tuesday, December 05, 2017 1:24 PM
> > > **To:** Khristine Brookes <KBrookes@cato.org>; Bowman, Liz

<Bowman.Liz@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>
Subject: RE: Lost bracelet

Hi! That would be mine! I can come grab it later this week if that is OK? I forgot I took it off!

From: Khristine Brookes [mailto:KBrookes@cato.org]
Sent: Tuesday, December 5, 2017 1:22 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>
Subject: Lost bracelet

Hi ladies – so nice to meet you all today…I'll make sure that all of the papers we mentioned in the meeting get sent along. Also…we found a lovely gold bracelet on the floor in the conference room after y'all left. Did any of you lose it?

Khristine Brookes
Vice President, Communications
The Cato Institute
Ex. 6

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/5/2017 7:22:41 PM
To: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
CC: Khristine Brookes [KBrookes@cato.org]; Kundinger, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e3c9a5d16e2244079e222f342bf9992f-Kundinger,]
Subject: Re: Lost bracelet

Second that. Great idea.

On Dec 5, 2017, at 2:11 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Nice to meet you as well; can we grab coffee or lunch soon? Please let us know if there are any dates that work for you.
>
> Sent from my iPhone
>
> On Dec 5, 2017, at 1:34 PM, Khristine Brookes <KBrookes@cato.org> wrote:
>
> > Absolutely…I'll put in an envelope with your name on it at the front desk!
> >
> > **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> > **Sent:** Tuesday, December 05, 2017 1:24 PM
> > **To:** Khristine Brookes <KBrookes@cato.org>; Bowman, Liz <Bowman.Liz@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>
> > **Subject:** RE: Lost bracelet
> >
> > Hi! That would be mine! I can come grab it later this week if that is OK? I forgot I took it off!
> >
> > **From:** Khristine Brookes [mailto:KBrookes@cato.org]
> > **Sent:** Tuesday, December 5, 2017 1:22 PM
> > **To:** Bennett, Tate <Bennett.Tate@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>
> > **Subject:** Lost bracelet
> >
> > Hi ladies – so nice to meet you all today…I'll make sure that all of the papers we mentioned in the meeting get sent along. Also…we found a lovely gold bracelet on the floor in the conference room after y'all left. Did any of you lose it?
> >
> > Khristine Brookes
> > Vice President, Communications
> > The Cato Institute
> > **Ex. 6**

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/31/2017 10:31:02 PM
To: Kevin Butt (TMNA) [kevin.butt@toyota.com]
Subject: Re: Quick question

I caught someone. Thank you! Happy New Year, Kevin!

> On Dec 31, 2017, at 3:10 PM, Kevin Butt (TMNA) <kevin.butt@toyota.com> wrote:
>
> Happy new year 🎈. Hope you had a good Christmas!!!!!!
> Yes I do have a POC in legal at Honda unless they have retired. May I forward your email and have them contact you?
> Hope you have a great New Year's Eve.
>
> Kevin M. Butt
>
>> On Dec 31, 2017, at 9:22 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>>
>> Hey Kevin! Sorry to bother on a holiday. Do you have a good poc with Honda leg affairs by chance? Happy New Year! Tate

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/5/2017 6:59:37 PM
To: Khristine Brookes [KBrookes@cato.org]
CC: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Kundinger, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e3c9a5d16e2244079e222f342bf9992f-Kundinger,]
Subject: Re: Lost bracelet

Yay! Thank you!

On Dec 5, 2017, at 1:34 PM, Khristine Brookes <KBrookes@cato.org> wrote:

> Absolutely…I'll put in an envelope with your name on it at the front desk!
>
> **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> **Sent:** Tuesday, December 05, 2017 1:24 PM
> **To:** Khristine Brookes <KBrookes@cato.org>; Bowman, Liz <Bowman.Liz@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>
> **Subject:** RE: Lost bracelet
>
> Hi! That would be mine! I can come grab it later this week if that is OK? I forgot I took it off!
>
> **From:** Khristine Brookes [mailto:KBrookes@cato.org]
> **Sent:** Tuesday, December 5, 2017 1:22 PM
> **To:** Bennett, Tate <Bennett.Tate@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>
> **Subject:** Lost bracelet
>
> Hi ladies – so nice to meet you all today…I'll make sure that all of the papers we mentioned in the meeting get sent along. Also…we found a lovely gold bracelet on the floor in the conference room after y'all left. Did any of you lose it?
>
> Khristine Brookes
> Vice President, Communications
> The Cato Institute
> **Ex. 6**

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/26/2017 11:44:00 PM
To: Diane Wood [DWood@neefusa.org]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]; Brennan, Thomas [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78caa4c8d91743c887c1bb5dc8cdb369-Thomas Brennan]; Carlos Alcazar [calcazar@cultureoneworld.com]; Kevin Butt (TMNA) [kevin.butt@toyota.com]
Subject: Re: Following up our November 27th meeting

Hi there! Hope everyone is enjoying the holiday season. Sorry for the delay here.

Thanks, Diane, for the thoughtful ideas and follow-up here. Will take a look and circle back in the coming days.

At first blush however this looks outstanding and I'm happy to make connections with the trades you've identified once we digest everything.

On Dec 21, 2017, at 1:48 PM, Diane Wood <DWood@neefusa.org> wrote:

> Dear Tate,
>
> My senior team here at NEEF and I have taken some time to reflect on the conversation Carlos, Kevin and I had with you. We have identified some areas where we see potential synergies with the priorities you shared with us. On behalf of Carlos, Kevin and the NEEF senior team I offer ideas here as starting points for what I hope will be future conversations with Tom, you and others you would designate.
>
> **Rx for Outdoor Activity**: NEEF began this program in 2010 to draw attention to the value time outside, especially in nature, can offer to address health problems young children are facing due to sedentary lifestyles and poor nutrition. Science has demonstrated that time in nature reduces stress and can help children who face the added challenges associated with ADD or ADHD. In addition, just spending more time exploring the outdoors and playing in the outdoors can counter childhood obesity and Type 2 diabetes. NEEF has created a training program for health care practitioners to introduce them to the health benefits time outdoors offers. We call the participants who complete the course "nature champions". We have worked primarily with pediatricians. Perhaps we could meet with staff in EPA's Office of Children's Health Protection (OCHP) to discuss ways this training course could be offered via all EPA Regions.
> Currently our **Rx** program has focused on children, but there is more and more evidence that time in nature is good for anyone young or old. Twenty minutes in nature reduces the stress hormone, cortisol, and we believe this could apply to veterans suffering from PTSD. For example, we are in conversations with Harley Davidson regarding how we might introduce more bikers to the benefits of making time to stop and enjoy our public lands as part of a ride. A large percent of Harley riders are veterans. Perhaps we could explore how to expand Rx for Outdoor Activity to include adults and work with EPA to partner with DOI and US Forest Service as an effort to address significant public health issues while spending time enjoying the benefits of nature on our public lands.
>
> **Engaging the public every day:** To achieve NEEF's vision that by 2022 300 million Americans actively use environmental knowledge to ensure the well-being of the earth and its people, NEEF partners with large affinity groups trusted and looked up to by their members.. We shared with you our work with the National Basketball Association (NBA) to encourage millions of basketball fans to implement energy efficiency actions that can help families save money, improve the quality of their lives and help the

environment. NEEF is now identifying new audiences beyond the sports community. When we met I mentioned our interest in engaging homeowners through the National Association of Realtors and National Association of Homebuilders. There are 75.6 million homeowners in the USA. You raised issues of importance to EPA such as food waste and soil erosion as well as water management. We believe that these issues can be addressed through a focus on the homeowner. NEEF has a range of environmental education approaches that could be adapted to this audience in partnership with the Real Estate Agents Association and Association of Homebuilders. Whether buying a home, building a new home or maintaining a home, homeowners need to think about landscaping to prevent soil erosion and stormwater runoff, disposal of waste and energy efficiency. Native species gardens, pollinator gardens and vegetable gardens are all good options as is weatherizing one's home. A reminder on basic recycling, composting etc. is also relevant to homeownership. Location of a home near public green spaces for recreation ranging from picnicking to fishing is part of choosing a home. There are many possibilities for this focus that we think could overlap with your priorities. On food waste in particular, EPA's website is full of useful resources: We could promote this EPA link during NEEF's National Environmental Education Week April 23-29, 2018 : https://www.epa.gov/sites/production/files/2017-12/documents/guide_to_conducting_student_food_waste_audit_-_nov_20_2017.pdf
The work with homeowners would most likely cross over into many EPA Offices, but we could work with Tom in OEE as the point person. We would be very grateful for any introductions you could make for NEEF to the Associations of Realtors and of Homebuilders.

Extreme weather resilience grants: This is a concept in development. NEEF runs a strong competitive grants program and we have some private sector funds available to us now that we want to program as restoration/resilience grants for areas hardest hit by hurricanes, flooding or fires. Our focus is on public lands- federal, state or city. We are currently in the fact finding stage interviewing federal agencies about where their public lands were hit the hardest. We are also consulting with colleagues on which resilience actions could leverage the greatest impact. All of these grants would have a community environmental education focus so people living closest to these public lands could learn about resiliency and even apply similar actions on their own properties and in their neighborhoods. EPA input to this initiative would be most welcome.

Tate, I hope these ideas resonate with you as relevant to your goals. I feel I have barely scratched the surface on potential collaboration. Teens are another audience of special focus for us after completing our teen survey indicating 80% of teens prefer being indoors because that is where their technology is. We are also eager to target anglers convinced that fishing is a sport that appeals to people of all backgrounds and economic means. It may even be a great draw for teens to get back outside again. I will stop here, however, before introducing even more ideas ☺ and wait for your thoughts on the above.

I should add that some of these programs are funded and can be carried out "on budget" while others will require us to fundraise before we can initiate them. We can discuss such details once you have had time to react to the preliminary thinking shared here.

Thank you again for taking time to meet and we look forward to future collaboration. I will be on vacation for the week between Christmas and New Year's Day but checking e-mail from time to time. I wish you and your family the best during this holiday season and hope to talk with you again in January.

Warm wishes, Diane

<image002.jpg>

Diane Wood
President

National Environmental Education Foundation

4301 Connecticut Ave., NW, Suite 160
Washington, DC 20008

Direct Ex. 6
General 202-833-2933
Fax 202-261-6464
NEEFusa.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/16/2018 7:07:22 PM
To: James.Imoehl@heritage.org
CC: Dravis, Samantha [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ece53f0610054e669d9dffe0b3a842df-Dravis, Sam]
Subject: Nice meeting you today

Hey James!

Please relay how much the Administrator enjoyed lunch today.

Also, do you by chance have a good POC with Hampton University you might be able to pass along?

Thanks so much!

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/4/2017 9:07:18 PM
To: Joseph Verruni [JVerruni@cato.org]
CC: Kundinger, Kelly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e3c9a5d16e2244079e222f342bf9992f-Kundinger,]
Subject: RE: Cato Visit

I believe Red Team Blue Team addresses that topic. Thanks for the update.

From: Joseph Verruni [mailto:JVerruni@cato.org]
Sent: Monday, December 4, 2017 4:05 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Kundinger, Kelly <kundinger.kelly@epa.gov>
Subject: RE: Cato Visit

Hello Tate,

I hope you had a good holiday! As far as attendees, we'll have:

Peter Goettler, CEO
David Boaz, Executive VP
Patrick Michaels, Director, Center for the Study of Science
Peter Van Doren, Editor, *Regulation*
Terence Kealey, Senior Visiting Fellow, Center for the Study of Science
Christopher Preble, VP for defense and foreign policy studies
Andrew Grossman, legal Adjunct Scholar
Michael Cannon, director of health policy studies
John Samples, director, Center for Constitutional Studies
Khristine Brookes, VP of Communications

Will it still be the Administrator, Liz Bowman, Lincoln Ferguson, Stephen Gordon and yourself representing EPA?

We're prepared to speak to the topics below—I believe the only topic our team raised interest in that's not on the list was the endangerment finding, which I understand mightn't be a fruitful topic.

Best,

Joe

Joseph L. Verruni Jr.
Project Manager
Center for the Study of Science
The Cato Institute
Ex. 6

From: Bennett, Tate
Sent: Monday, December 4, 2017 3:50 PM
To: Joseph Verruni

Cc: Kundinger, Kelly
Subject: RE: Cato Visit

Hey Joe! I know you spoke with Kelly earlier. Can I get a list of attendees and topics from you? We would suggest the following topics on our end:

Sue and Settle
Red Team Blue Team
Science Advisory Board Announcement
Recent Hardrock Mining Decision
Agency restructure

From: Joseph Verruni [mailto:JVerruni@cato.org]
Sent: Sunday, December 3, 2017 9:14 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Ford, Hayley <ford.hayley@epa.gov>
Subject: Re: Cato Visit

Absolutely--I'm available any time after 10am.

On Dec 3, 2017 9:12 PM, "Bennett, Tate" <Bennett.Tate@epa.gov> wrote:

> Hey there! Can we check in tomorrow about our upcoming visit? Is there a good time that works for you?
>
> On Nov 15, 2017, at 3:27 PM, Joseph Verruni <JVerruni@cato.org> wrote:
>
> > Perfect! I will confirm a room and send an updated attendee list ASAP.
> >
> > The best point of contact for security issues is our building manager, Michael Boone. He can be reached at mboone@cato.org or Ex. 6
> >
> > Joseph L. Verruni Jr.
> > Project Manager
> > Center for the Study of Science
> > The Cato Institute
> > Ex. 6
> >
> > ---
> >
> > **From:** Ford, Hayley
> > **Sent:** Wednesday, November 15, 2017 1:38 PM
> > **To:** Joseph Verruni
> > **Cc:** Bennett, Tate
> > **Subject:** RE: Cato Visit
> >
> > Hi Joe,

Sure, we can work that into his schedule. Please let us know where he should go for the meeting. Our advance team will likely come the day before just to see the space so please let me know if you are the POC to arrange that as well.

Thank you and we look forward to it!

Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator

Environmental Protection Agency

ford.hayley@epa.gov

Phone: 202-564-2022

Cell: Ex. 6

From: Joseph Verruni [mailto:JVerruni@cato.org]
Sent: Tuesday, November 14, 2017 3:06 PM
To: Ford, Hayley <ford.hayley@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Cato Visit

Hi Hayley,

Our CEO can do the timeframe, but would prefer to have the meeting here as he has other obligations thereafter at Cato. Could we possibly convince you to join us here?

Thank you,

Joe

Joseph L. Verruni Jr.
Project Manager
Center for the Study of Science
The Cato Institute
Ex. 6

From: Ford, Hayley
Sent: Tuesday, November 14, 2017 10:35 AM
To: Joseph Verruni
Cc: Bennett, Tate
Subject: RE: Cato Visit

Hi Joe,

Not a problem. I was confused myself for a second! We'd be happy to get another date on the calendar. Let's do Dec 5 morning if that still works. We'd be happy to host you at the EPA headquarters. Would 10:30-11AM work for your group?

Let us know if that works and I can send directions and additional info. Thanks!

Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator

Environmental Protection Agency

ford.hayley@epa.gov

Phone: 202-564-2022

Cell Ex. 6

From: Joseph Verruni [mailto:JVerruni@cato.org]
Sent: Monday, November 13, 2017 4:18 PM
To: Ford, Hayley <ford.hayley@epa.gov>
Subject: RE: Cato Visit

Hayley—

I'm so sorry—I spoke with Tate and I think we've clarified exactly what I've gotten wrong here and we're going to see if another date may be available. Our CEO is out of DC through December—he'll be available December 1, 4, 5 (before 3), 11, and 14. Would any of these possibly work for your team?

Thank you, and apologies again,

Joe

Joseph L. Verruni Jr.
Project Manager
Center for the Study of Science
The Cato Institute
Ex. 6

From: Joseph Verruni
Sent: Sunday, November 12, 2017 12:48 PM
To: Ford, Hayley
Cc: Bennett, Tate
Subject: RE: Cato Visit

That'd be perfect—our CEO is available until 4:30; I'll get us a room.

Joseph L. Verruni Jr.
Project Manager
Center for the Study of Science
The Cato Institute
Ex. 6

From: Ford, Hayley
Sent: Sunday, November 12, 2017 10:28 AM

To: Joseph Verruni
Cc: Bennett, Tate
Subject: RE: Cato Visit

Joe,

I apologize, but Tate and I just connected and could we actually do Tuesday at 3PM at Cato? Please let me know if that works for you and where we should go.

Tate is going to respond on attendees.

Thank you!!

Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator

Environmental Protection Agency

ford.hayley@epa.gov

Phone: 202-564-2022

Cell: **Ex. 6**

From: Ford, Hayley
Sent: Sunday, November 12, 2017 10:19 AM
To: 'Joseph Verruni' <JVerruni@cato.org>
Cc: Tate Bennett (Bennett.Tate@epa.gov) <Bennett.Tate@epa.gov>
Subject: RE: Cato Visit

Joe,

Would 4:30PM on Wednesday afternoon work? I will let Tate comment on attendees as I'm not sure what she was thinking. Also, did you two discuss the Administrator coming to Cato?

Thank you and we look forward to it!

Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator

Environmental Protection Agency

ford.hayley@epa.gov

Phone: 202-564-2022

Cell Ex. 6

From: Joseph Verruni [mailto:JVerruni@cato.org]
Sent: Sunday, November 12, 2017 10:15 AM
Cc: Ford, Hayley <ford.hayley@epa.gov>
Subject: Re: Cato Visit

Hello Hayley,

Wednesday works for our team here at Cato--do you wish to keep it to just Cato folks, or would you like for us to reach out to some of our collaborators and friends at other think tanks?

Hope you've had a lovely weekend,

Joe

Joseph L. Verruni Jr.
Project Manager
Center for the Study of Science
The Cato Institute
Ex. 6

On Nov 10, 2017 1:28 PM, "Bennett, Tate" <Bennett.Tate@epa.gov> wrote:

Hi there! Just responded to his previous email about your CEO being unavailable Thursday. We can aim for Weds, I think, but I will let Hayley (CC'd) take it for here. On my end, all I will need is a list of topics and an attendee list.

On Nov 10, 2017, at 1:01 PM, Joseph Verruni <JVerruni@cato.org> wrote:

Hello Ms. Bennett,

I manage the Center for the Study of Science here at the Cato Institute; my colleague David Boaz told me there was an interest from the Administrator to visit, but details had not yet been ironed out. I was hoping I could offer my assistance. Are there particular dates and times that work best for your team?

Best,

Joe

Joseph L. Verruni Jr.
Project Manager
Center for the Study of Science
The Cato Institute
Ex. 6

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 11/29/2017 9:38:40 PM
To: Myron Ebell [Myron.Ebell@cei.org]; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
Subject: RE: Cooler Heads Coalition next meeting and invitation to Hill briefing

Awesome- thanks for including us. I'll circle back about getting someone there.

From: Myron Ebell [mailto:Myron.Ebell@cei.org]
Sent: Wednesday, November 29, 2017 3:38 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: Cooler Heads Coalition next meeting and invitation to Hill briefing

Dear Liz and Tate, I'll put you on the Cooler Heads list. Our next meeting is Monday the 4th beginning at 12 noon at CEI, 1310 L Street, N. W., Seventh Floor. Let me know if you or anyone is coming and what you'd like to talk about. Our agenda is usually quite long, but many issues are dealt with quickly and most of the ninety minutes is spent on the top one or two items. This month we will definitely be talking about the Kigali amendments as one of the main agenda items. Ryan, Samantha, Mandy, and Brittany are on the distribution list (and Richard Yamada and John Konkus, I think), and Mandy and Brittany have attended many Cooler Heads meetings over the years and one or two since they joined EPA. Yours, Myron.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct: (
Tel mobile: **Ex. 6**
E-mail: Myron.Ebell@cei.org
Stop continental drift!

From: Myron Ebell
Sent: Monday, November 27, 2017 9:32 AM
To: Myron Ebell (mebell@cei.org) <mebell@cei.org>
Subject: Cooler Heads Coalition next meeting and invitation to Hill briefing

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

Also, don't forget our Hill briefing on Tuesday, 28th December, at 4 PM in 2322 Rayburn. Our speaker is Rupert Darwall, author of the recently published Green Tyranny: Exposing the Totalitarian Roots of the Climate Industrial Complex, and in 2013 of the Age of Global

Warming: a History. Copies of Green Tyranny will be provided to attendees compliments of CEI. Here's the invitation pasted below.

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.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct: (
Tel mobile: Ex. 6
E-mail: Myron.Ebell@cei.org
Stop continental drift!

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/7/2017 7:52:14 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: RE: Cooler Heads Coalition next meeting and invitation to Hill briefing

Liz and I will attend.

From: Myron Ebell [mailto:Myron.Ebell@cei.org]
Sent: Monday, December 4, 2017 10:31 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Cooler Heads Coalition next meeting and invitation to Hill briefing

Dear Tate, Next meeting will be Monday, 8th January, at 12 noon. Yours, Myron.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct:
Tel mobile Ex. 6
E-mail: Myron.Ebell@cei.org
Stop continental drift!

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, December 4, 2017 10:23 AM
To: Myron Ebell <Myron.Ebell@cei.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Cooler Heads Coalition next meeting and invitation to Hill briefing

Hey Myron! Unfortunately Erik can't make it and Liz and I both have previous conflicts. We were trying to make this week work last minute, but it's looking like this won't be the case this week. Can we get on the agenda for the NEXT meeting? Assuming that is next week/Monday? Hopefully Liz or I can both attend and can bring someone from GC Office. Thank you!

From: Myron Ebell [mailto:Myron.Ebell@cei.org]
Sent: Thursday, November 30, 2017 12:26 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Cooler Heads Coalition next meeting and invitation to Hill briefing

Thanks.

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, November 30, 2017 12:17 PM
To: Myron Ebell <Myron.Ebell@cei.org>
Subject: Re: Cooler Heads Coalition next meeting and invitation to Hill briefing

Sue and settle and other issues

On Nov 30, 2017, at 11:49 AM, Myron Ebell <Myron.Ebell@cei.org> wrote:

> Dear Tate, Yes. What do you want to talk about? And the attendees will have some questions on a variety of energy issues. No worries if Erik can't answer some of them, though. Thanks, Myron.
>
> Myron Ebell
> Director, Center for Energy and Environment
> Competitive Enterprise Institute
> 1310 L Street, N. W., Seventh Floor
> Washington, DC 20005, USA
> Tel direct:
> Tel mobile: **Ex. 6**
> E-mail: Myron.Ebell@cei.org
> *Stop continental drift!*

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, November 30, 2017 11:35 AM
To: Myron Ebell <Myron.Ebell@cei.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: Cooler Heads Coalition next meeting and invitation to Hill briefing

Erik Baptist will attend but needs to be back at EPA by 1. Can he have one of the first speaking spots

On Nov 29, 2017, at 3:38 PM, Myron Ebell <Myron.Ebell@cei.org> wrote:

> Dear Liz and Tate, I'll put you on the Cooler Heads list. Our next meeting is Monday the 4th beginning at 12 noon at CEI, 1310 L Street, N. W., Seventh Floor. Let me know if you or anyone is coming and what you'd like to talk about. Our agenda is usually quite long, but many issues are dealt with quickly and most of the ninety minutes is spent on the top one or two items. This month we will definitely be talking about the Kigali amendments as one of the main agenda items. Ryan, Samantha, Mandy, and Brittany are on the distribution list (and Richard Yamada and John Konkus, I think), and Mandy and Brittany have attended many Cooler Heads meetings over the years and one or two since they joined EPA. Yours, Myron.
>
> Myron Ebell
> Director, Center for Energy and Environment
> Competitive Enterprise Institute
> 1310 L Street, N. W., Seventh Floor
> Washington, DC 20005, USA
> Tel direct:
> Tel mobile: **Ex. 6**
> E-mail: Myron.Ebell@cei.org
> *Stop continental drift!*

From: Myron Ebell
Sent: Monday, November 27, 2017 9:32 AM
To: Myron Ebell (mebell@cei.org) <mebell@cei.org>
Subject: Cooler Heads Coalition next meeting and invitation to Hill briefing

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

Also, don't forget our Hill briefing on Tuesday, 28th December, at 4 PM in 2322 Rayburn. Our speaker is Rupert Darwall, author of the recently published Green Tyranny: Exposing the Totalitarian Roots of the Climate Industrial Complex, and in 2013 of the Age of Global Warming: a History. Copies of Green Tyranny will be provided to attendees compliments of CEI. Here's the invitation pasted below.

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.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct: (
Tel mobile: Ex. 6
E-mail: Myron.Ebell@cei.org
Stop continental drift!

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/4/2017 9:00:59 PM
To: JVerruni@cato.org
Subject: Quick call

I have to step out to a work thing, but my cell is Ex. 6

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 11/13/2017 7:46:35 PM
To: Joseph Verruni [JVerruni@cato.org]
CC: Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]
Subject: RE: Cato Visit

Thank you! Do you mind giving me a call? Ex. 6 EPA Staff List:

Tate Bennett
Liz Bowman
Lincoln Ferguson
Stephen Gordon

From: Joseph Verruni [mailto:JVerruni@cato.org]
Sent: Monday, November 13, 2017 1:47 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Ford, Hayley <ford.hayley@epa.gov>
Subject: RE: Cato Visit

Apologies for the delay—I've just firmed it all up. On our end, we'll have:

Peter Goettler, CEO
David Boaz, Executive Vice President
Patrick Michaels, Director of the Center for the Study of Science
Khristine Brookes, Vice President of Communications
Terence Kealey, Visiting Senior Fellow, author of the Economic Laws of Scientific Research
Michael Cannon, director of health policy studies
John Samples, vice president and director of the Center for Representative Government
Chris Preble, vice president for defense and foreign policy studies

And I apologize, as I was not privy to the initial conversations as to who would be joining on EPA's end—do you have an attendee list? Will the Administrator himself be joining?

Thank you,

Joe

Joseph L. Verruni Jr.
Project Manager
Center for the Study of Science
The Cato Institute
Ex. 6

From: Bennett, Tate
Sent: Monday, November 13, 2017 1:14 PM
To: Joseph Verruni

Cc: Ford, Hayley
Subject: Re: Cato Visit

Hey Joe! Do you have a final list of names for tomorrow?

On Nov 12, 2017, at 12:57 PM, Joseph Verruni <JVerruni@cato.org> wrote:

> Tate—
>
> A few names that were suggested to me were Kevin Dayaratna and Becky Norton Dunlop of Heritage, Myron Ebell and Kent Lassman of CEI, and Ben Zycher of AEI. If we chose to keep it exclusively Catoites, it appears as though it'd be about 5-10 of us (I'm still prodding for availabilities on my end).
>
> Should we plan for anyone accompanying the Administrator?
>
> Thank you!
>
> Joseph L. Verruni Jr.
> Project Manager
> Center for the Study of Science
> The Cato Institute
> Ex. 6
>
> **From:** Bennett, Tate
> **Sent:** Sunday, November 12, 2017 10:28 AM
> **To:** Ford, Hayley
> **Cc:** Joseph Verruni
> **Subject:** Re: Cato Visit
>
> Hey Joe- who else did you have in mind? How many people would it be if we just did CATO?
>
> On Nov 12, 2017, at 10:19 AM, Ford, Hayley <ford.hayley@epa.gov> wrote:
>
> > Joe,
> >
> > Would 4:30PM on Wednesday afternoon work? I will let Tate comment on attendees as I'm not sure what she was thinking. Also, did you two discuss the Administrator coming to Cato?
> >
> > Thank you and we look forward to it!
> >
> > *Hayley Ford*
> > Deputy White House Liaison and Personal Aide to the Administrator
> > Environmental Protection Agency
> > ford.hayley@epa.gov
> > Phone: 202-564-2022
> > Cell: Ex. 6
> >
> > **From:** Joseph Verruni [mailto:JVerruni@cato.org]
> > **Sent:** Sunday, November 12, 2017 10:15 AM

Cc: Ford, Hayley <ford.hayley@epa.gov>
Subject: Re: Cato Visit

Hello Hayley,

Wednesday works for our team here at Cato--do you wish to keep it to just Cato folks, or would you like for us to reach out to some of our collaborators and friends at other think tanks?

Hope you've had a lovely weekend,

Joe

Joseph L. Verruni Jr.
Project Manager
Center for the Study of Science
The Cato Institute
Ex. 6

On Nov 10, 2017 1:28 PM, "Bennett, Tate" <Bennett.Tate@epa.gov> wrote:

> Hi there! Just responded to his previous email about your CEO being unavailable Thursday. We can aim for Weds, I think, but I will let Hayley (CC'd) take it for here. On my end, all I will need is a list of topics and an attendee list.
>
> On Nov 10, 2017, at 1:01 PM, Joseph Verruni <JVerruni@cato.org> wrote:
>
> > Hello Ms. Bennett,
> >
> > I manage the Center for the Study of Science here at the Cato Institute; my colleague David Boaz told me there was an interest from the Administrator to visit, but details had not yet been ironed out. I was hoping I could offer my assistance. Are there particular dates and times that work best for your team?
> >
> > Best,
> >
> > Joe
> >
> > Joseph L. Verruni Jr.
> > Project Manager
> > Center for the Study of Science
> > The Cato Institute
> > **Ex. 6**

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 11/28/2017 2:59:48 PM
To: Bluey, Rob [rob.bluey@heritage.org]
CC: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Mike Thompson [mthompson@CRCPublicRelations.com]; Keith Appell [kappell@CRCPublicRelations.com]; Hewitt, James [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=41b19dd598d340bb8032923d902d4bd1-Hewitt, Jam]
Subject: RE: Comms Lunch

I'll be there.

From: Bluey, Rob [mailto:rob.bluey@heritage.org]
Sent: Tuesday, November 28, 2017 9:52 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Mike Thompson <mthompson@CRCPublicRelations.com>; Keith Appell <kappell@CRCPublicRelations.com>; Hewitt, James <hewitt.james@epa.gov>
Subject: RE: Comms Lunch

Liz, Tate and James --

We're looking forward to having you over for lunch tomorrow at 12:30. Just wanted to confirm everyone is still able to make it.

Thanks,
Rob

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

From: Bluey, Rob
Sent: Monday, November 6, 2017 4:56 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Mike Thompson <mthompson@CRCPublicRelations.com>; Keith Appell <kappell@CRCPublicRelations.com>; Hewitt, James <hewitt.james@epa.gov>
Subject: Re: Comms Lunch

Great! We've booked a room for 10 at Heritage on Wednesday, 11/29, at 12:30. I'll work with Mike and Keith on the invite list, but welcome your suggestions, too.

On Nov 6, 2017, at 1:03 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> Weds is the only date that works for me but don't let me hold y'all back.

On Nov 6, 2017, at 12:29 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Any of those dates work for me; thank you for offering to those. If we can aim for a November date I think that would be great – Tate, do these work for you? I am also adding James Hewitt to this email chain, one of my colleagues who is assisting Tate and I with outreach in this regard.

From: Bluey, Rob [mailto:rob.bluey@heritage.org]
Sent: Monday, November 6, 2017 12:26 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Mike Thompson <mthompson@CRCPublicRelations.com>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Keith Appell <kappell@CRCPublicRelations.com>
Subject: RE: Comms Lunch

Liz --

Would you like us to host at Heritage?

Here are some dates we have available:

Tuesday, November 28
Wednesday, November 29
Friday, December 1

Please let us know what works best.

Thanks,
Rob

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Thursday, November 2, 2017 6:37 PM
To: Mike Thompson <mthompson@CRCPublicRelations.com>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bluey, Rob <rob.bluey@heritage.org>; Keith Appell <kappell@CRCPublicRelations.com>
Subject: RE: Comms Lunch

Yes, please. Let's schedule something for the week after Thanksgiving?

From: Mike Thompson [mailto:mthompson@CRCPublicRelations.com]
Sent: Thursday, November 2, 2017 6:33 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bluey, Rob <rob.bluey@heritage.org>; Keith Appell

<kappell@CRCPublicRelations.com>
Subject: Comms Lunch

Liz/Tate

Sorry I couldn't be at the event. Greg and Keith said it was great. I was Ex. 6
Ex. 6

I wanted to follow up on the comms lunch. Do we want to try and start this month?

Mike

==========
Mike Thompson
CRC Public Relations
703.683.5004 Ex. 6
==========

We've Grown and Moved!
Our new address is
2850 Eisenhower Avenue
First Floor
Alexandria, VA 22314

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/1/2017 2:19:58 PM
To: tdeti@wyomingmining.org
Subject: Quick call this AM

Hey there! Can you give me a shout this AM?

Ex. 6

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 11/12/2017 6:12:54 PM
To: Joseph Verruni [JVerruni@cato.org]
CC: Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]
Subject: Re: Cato Visit

We have visited with many of those folks recently, but thanks for the offer. I think it would be good for him to get to know you all specifically.

On Nov 12, 2017, at 12:57 PM, Joseph Verruni <JVerruni@cato.org> wrote:

> Tate—
>
> A few names that were suggested to me were Kevin Dayaratna and Becky Norton Dunlop of Heritage, Myron Ebell and Kent Lassman of CEI, and Ben Zycher of AEI. If we chose to keep it exclusively Catoites, it appears as though it'd be about 5-10 of us (I'm still prodding for availabilities on my end).
>
> Should we plan for anyone accompanying the Administrator?
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> Thank you!
>
> Joseph L. Verruni Jr.
> Project Manager
> Center for the Study of Science
> The Cato Institute
> **Ex. 6**
>
> **From:** Bennett, Tate
> **Sent:** Sunday, November 12, 2017 10:28 AM
> **To:** Ford, Hayley
> **Cc:** Joseph Verruni
> **Subject:** Re: Cato Visit
>
> Hey Joe- who else did you have in mind? How many people would it be if we just did CATO?
>
> On Nov 12, 2017, at 10:19 AM, Ford, Hayley <ford.hayley@epa.gov> wrote:
>
> > Joe,
> >
> > Would 4:30PM on Wednesday afternoon work? I will let Tate comment on attendees as I'm not sure what she was thinking. Also, did you two discuss the Administrator coming to Cato?
> >
> > Thank you and we look forward to it!
> >
> > *Hayley Ford*
> > Deputy White House Liaison and Personal Aide to the Administrator

Environmental Protection Agency
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: Ex. 6

From: Joseph Verruni [mailto:JVerruni@cato.org]
Sent: Sunday, November 12, 2017 10:15 AM
Cc: Ford, Hayley <ford.hayley@epa.gov>
Subject: Re: Cato Visit

Hello Hayley,

Wednesday works for our team here at Cato--do you wish to keep it to just Cato folks, or would you like for us to reach out to some of our collaborators and friends at other think tanks?

Hope you've had a lovely weekend,

Joe

Joseph L. Verruni Jr.
Project Manager
Center for the Study of Science
The Cato Institute
Ex. 6

On Nov 10, 2017 1:28 PM, "Bennett, Tate" <Bennett.Tate@epa.gov> wrote:

> Hi there! Just responded to his previous email about your CEO being unavailable Thursday. We can aim for Weds, I think, but I will let Hayley (CC'd) take it for here. On my end, all I will need is a list of topics and an attendee list.
>
> On Nov 10, 2017, at 1:01 PM, Joseph Verruni <JVerruni@cato.org> wrote:
>
> > Hello Ms. Bennett,
> >
> > I manage the Center for the Study of Science here at the Cato Institute; my colleague David Boaz told me there was an interest from the Administrator to visit, but details had not yet been ironed out. I was hoping I could offer my assistance. Are there particular dates and times that work best for your team?
> >
> > Best,
> >
> > Joe

Joseph L. Verruni Jr.
Project Manager
Center for the Study of Science
The Cato Institute

Ex. 6

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 11/27/2017 11:10:44 PM
To: Dana Bennett [dana@nevadamining.org]
Subject: Re: quick call?

Thank you!

On Nov 27, 2017, at 6:08 PM, Dana Bennett <dana@nevadamining.org> wrote:

> Hi, Tate!
>
> As promised, here's Steve Trussell's info:
>
> **Steve Trussell**
>
> **Executive Director**
>
> **Arizona Mining Association**
>
> 916 West Adams Street, Ste. 2
>
> Phoenix, AZ 85007
>
> **Main:** Ex. 6
>
> **Cell:** Ex. 6
>
> Steve@azrockproducts.org
>
> **Cheers!**
>
> **Dana**
>
> Sent from my iPhone
>
> On Nov 27, 2017, at 2:50 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> > Hi Dana-
> >
> > Tate with the EPA here. Do you mind giving me a call when you have a chance? Ex. 6
> > Ex. 6

Thanks!

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

This email has been scanned for spam and viruses by Proofpoint Essentials. Click here to report this email as spam.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 11/27/2017 10:50:21 PM
To: sdempsey@coloradomining.org
Subject: quick call

Hey Stan!

Tate with the EPA here. Do you mind giving me a call when you have a chance? **Ex. 6**

Thanks!

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 11/27/2017 10:50:01 PM
To: dana@nevadamining.org
Subject: quick call?

Hi Dana-

Tate with the EPA here. Do you mind giving me a call when you have a chance? **Ex. 6**

Thanks!

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/15/2018 1:36:28 PM
To: Myron.Ebell@cei.org
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: Tomorrow

Myron- I am on travel with AAW tomorrow now. Stephen and Matt will be in attendance still. Thanks! Tate

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/26/2017 6:04:16 PM
To: annie.dwyer@cei.org

Eliminating Conflicts of Interest.

- **Administrator Pruitt is establishing a policy that if you currently receive dollars from the agency in grant money, you are not eligible to serve on all EPA advisory boards. The Administrator made a commitment to ensure independence from EPA on these boards when they make advisory decisions.**
- Example- Past SAB and CASAC members have received upwards of tens of millions of dollars in grant money over the last 10 years.

The previous Administration excluded state and local interests from their boards, ignoring principals of cooperative federalism.

- For the Science Advisory Connectivity Panel, which was reviewing a highly influential scientific assessment designed to inform EPA's authority under the Clean Water Act and EPA's drafting 2015 WOTUS, EPA did not include state and local experts.
- For EPA's Fracturing Research Advisory Panel Subcommittee, there were zero individuals representing state/local matters on the actual panel, despite there being state/local nominees to serve on the panel

The previous Administration didn't follow the law.

S(109)(D)(2)(A) requires CASAC to have 7 members including a physician, a NAS member and a state representative. The previous Administration allowed the same board member to wear multiple roles when serving on the CASAC board – Administrator Pruitt believes this is in contrary to what the law states and will uphold the law by having 3 unique individuals represent these 3 required roles. This confusion of wearing "multiple hats" only deepens the lack of transparency – i.e. which one do you represent if you wear multiple hats?

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 11/10/2017 5:50:16 PM
To: David Boaz [DBoaz@cato.org]
CC: Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]
Subject: Re: Next week

Copying Hayley to see what she thinks.

> On Nov 10, 2017, at 10:48 AM, David Boaz <DBoaz@cato.org> wrote:
>
> We could do that, but our CEO will be out of town. Could you make Wednesday around 2 or 3, or the Monday after Thanksgiving? If not, we can proceed without the CEO.
>
> -----Original Message-----
> From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> Sent: Thursday, November 09, 2017 6:52 PM
> To: David Boaz <DBoaz@cato.org>
> Subject: Next week
>
> Ideally we'd be looking at Thursday afternoon.
>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 11/27/2017 6:39:41 PM
To: Diane Wood [DWood@neefusa.org]
CC: Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]; Brennan, Thomas [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=78caa4c8d91743c887c1bb5dc8cdb369-Thomas Brennan]; Carlos Alcazar (calcazar@me.com) [calcazar@cultureoneworld.com]; Kevin Butt (TMNA) [kevin.butt@toyota.com]
Subject: Re: Great meeting you!

Thanks for the invite! We'd love to come visit and look forward to hearing your feedback

On Nov 27, 2017, at 1:07 PM, Diane Wood <DWood@neefusa.org> wrote:

> Dear Tate and Stephen
>
> It was a pleasure to meet with both of you. I am glad you got to meet two fabulous NEEF board members. There are 8 more from the private sector, and including you, Tate, 10 federal agency representatives. I am very lucky to work with a super board. Stephen you will have a chance to meet the full team in the Spring meeting May 15th and 16th. Tate we will miss you but make sure to mark September 22nd, 2018 on your calendar to come out with Ex. 6 for National Public Lands Day. All ages are welcome and close to 200,000 people in this country come out to give back to the land, thanks to Toyota.
>
> I meet with the NEEF senior team tomorrow and will share what we discussed today and follow up with you on our various ideas regarding how best to work together on "true environmentalism". I am glad you already saw potential areas of overlap in our current program overview. It is also quite exciting you are reaching out to home builders and realtors, an audience we also want to connect with.
>
> Tom thanks for setting this meeting up and I will look forward to hearing from you regarding a meeting with OPA.
>
> Enjoy the rest of the day!
>
> My best, Diane
>
> PS You are welcome to visit our offices anytime. We are located right above the Van Ness exit of the Red Line metro.
>
> <image003.jpg>
>
> **Diane Wood**
> *President*
>
> **National Environmental Education Foundation**
> 4301 Connecticut Ave., NW, Suite 160
> Washington, DC 20008
>
> Direct Ex. 6
> General 202-833-2933
> Fax 202-261-6464
> NEEFusa.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/11/2017 5:57:40 PM
To: bndunlop@heritage.org
CC: Ford, Hayley [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4748a9029cf74453a20ee8ac9527830c-Ford, Hayle]; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
Subject: List for Pruitt event

Hi Becky! I am working on a list for you and will get it to you tomorrow r.e. the December event with Pruitt. Does that work? We are looking forward to it!

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/5/2017 2:19:38 AM
To: Adam Hawkins [ahawkins@globalexternal.com]
CC: Matt Ellsworth [ellsworth@miningamerica.org]; Brown, Byron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9242d85c7df343d287659f840d730e65-Brown, Byro]; Laura Skaer [lskaer@miningamerica.org]
Subject: Re: Oct 6 AZ Event

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> > **Sent:** Friday, September 29, 2017 11:46 AM
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> > **Cc:** Laura Skaer <lskaer@miningamerica.org>; Adam Hawkins (ahawkins@globalexternal.com) <ahawkins@globalexternal.com>; Bennett, Tate <Bennett.Tate@epa.gov>
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> >
> > Thank you Byron, we really appreciate the quick response and opportunity to participate. Have a nice weekend.
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> > **To:** Matt Ellsworth <ellsworth@miningamerica.org>
> > **Cc:** Laura Skaer <lskaer@miningamerica.org>; Adam Hawkins (ahawkins@globalexternal.com) <ahawkins@globalexternal.com>; Bennett, Tate <Bennett.Tate@epa.gov>
> > **Subject:** RE: Oct 6 AZ Event

Matt – I am copying Tate Bennet, Assistant Administrator for Public Engagement, who has been helping with this event.

From: Matt Ellsworth [mailto:ellsworth@miningamerica.org]
Sent: Thursday, September 28, 2017 5:41 PM
To: Brown, Byron <brown.byron@epa.gov>
Cc: Laura Skaer <lskaer@miningamerica.org>; Adam Hawkins (ahawkins@globalexternal.com) <ahawkins@globalexternal.com>
Subject: Oct 6 AZ Event

Byron, thanks for taking the time to have Laura over on Monday, sorry to have missed you last time. As time is of the essence, I wanted to extend this request ASAP and you and Laura can follow up.

On Oct 6 Administrator Pruitt will be in Arizona holding a business roundtable. As you are aware, AEMA has a large presence of members in Arizona and would appreciate the opportunity to bring the AEMA membership voice to the table. Would it be possible to include the AEMA Board Vice President Adam Hawkins in that event? Adam is local to Phoenix and represents many local business along with AEMA. I believe he would provide high value.

Your consideration is very much appreciated! Adam is cc's on this email or his phone is **Ex. 6**

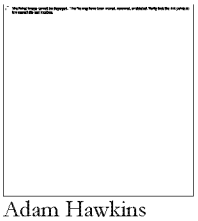
<image003.jpg>**Matthew Ellsworth**

Government Affairs Manager

American Exploration & Mining Association

Office: 509-624-1158, **Ex. 6**

www.MiningAmerica.org



Adam Hawkins
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+1 (202) 568-6500 DC
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globalexternal.com
@globalexternal

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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 11/6/2017 9:57:39 PM
To: Bluey, Rob [rob.bluey@heritage.org]
CC: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Mike Thompson [mthompson@CRCPublicRelations.com]; Keith Appell [kappell@CRCPublicRelations.com]; Hewitt, James [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=41b19dd598d340bb8032923d902d4bd1-Hewitt, Jam]
Subject: Re: Comms Lunch

Great! Can you send an outlook invite?

On Nov 6, 2017, at 4:57 PM, Bluey, Rob <rob.bluey@heritage.org> wrote:

> Great! We've booked a room for 10 at Heritage on Wednesday, 11/29, at 12:30. I'll work with Mike and Keith on the invite list, but welcome your suggestions, too.
>
> **Rob Bluey**
> *Vice President, Communications, and Editor-in-Chief, The Daily Signal*
> The Heritage Foundation
> 214 Massachusetts Avenue, NE
> Washington, DC 20002
> Ex. 6
> heritage.org
>
> On Nov 6, 2017, at 1:03 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> > Weds is the only date that works for me but don't let me hold y'all back.
> >
> > On Nov 6, 2017, at 12:29 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:
> >
> > > Any of those dates work for me; thank you for offering to those. If we can aim for a November date I think that would be great – Tate, do these work for you? I am also adding James Hewitt to this email chain, one of my colleagues who is assisting Tate and I with outreach in this regard.
> > >
> > > **From:** Bluey, Rob [mailto:rob.bluey@heritage.org]
> > > **Sent:** Monday, November 6, 2017 12:26 PM
> > > **To:** Bowman, Liz <Bowman.Liz@epa.gov>; Mike Thompson <mthompson@CRCPublicRelations.com>; Bennett, Tate <Bennett.Tate@epa.gov>
> > > **Cc:** Keith Appell <kappell@CRCPublicRelations.com>
> > > **Subject:** RE: Comms Lunch
> > >
> > > Liz --

Would you like us to host at Heritage?

Here are some dates we have available:

Tuesday, November 28
Wednesday, November 29
Friday, December 1

Please let us know what works best.

Thanks,
Rob

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Thursday, November 2, 2017 6:37 PM
To: Mike Thompson <mthompson@CRCPublicRelations.com>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bluey, Rob <rob.bluey@heritage.org>; Keith Appell <kappell@CRCPublicRelations.com>
Subject: RE: Comms Lunch

Yes, please. Let's schedule something for the week after Thanksgiving?

From: Mike Thompson [mailto:mthompson@CRCPublicRelations.com]
Sent: Thursday, November 2, 2017 6:33 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Bluey, Rob <rob.bluey@heritage.org>; Keith Appell <kappell@CRCPublicRelations.com>
Subject: Comms Lunch

Liz/Tate

Sorry I couldn't be at the event. Greg and Keith said it was great. I was

Ex. 6

I wanted to follow up on the comms lunch. Do we want to try and start this month?

Mike

==========
Mike Thompson
CRC Public Relations

703.683.5004 Ex. 6

We've Grown and Moved!
Our new address is
2850 Eisenhower Avenue
First Floor
Alexandria, VA 22314

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/5/2017 11:14:52 PM
To: Adam Hawkins [ahawkins@globalexternal.com]
CC: Matt Ellsworth [ellsworth@miningamerica.org]; Brown, Byron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9242d85c7df343d287659f840d730e65-Brown, Byro]; Laura Skaer [lskaer@miningamerica.org]; McMurray, Forrest [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=344246fb2cb643bfab4f92fe016566e2-McMurray, F]
Subject: Re: Oct 6 AZ Event

Unfortunately no, I am in a wedding elsewhere tomorrow but Forrest (CC'd) will be there if you need anything.

On Oct 5, 2017, at 6:07 PM, Adam Hawkins <ahawkins@globalexternal.com> wrote:

> Can't thank you enough, Tate! Will you be there? -Adam
>
> On Thu, Oct 5, 2017 at 2:52 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
> Hey! All set. 10:30 AM at the Biltmore.
>
> On Oct 4, 2017, at 11:27 PM, Adam Hawkins <ahawkins@globalexternal.com> wrote:
>
> > Thanks, Tate!
> >
> > On Oct 4, 2017, at 19:19, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
> >
> > > Should be fine but I'll confirm tomorrow. Thanks!
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> > > > > **Sent:** Friday, September 29, 2017 11:46 AM
> > > > > **To:** Brown, Byron <brown.byron@epa.gov>

Cc: Laura Skaer <lskaer@miningamerica.org>; Adam Hawkins (ahawkins@globalexternal.com) <ahawkins@globalexternal.com>; Bennett, Tate <Bennett.Tate@epa.gov>
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Your consideration is very much appreciated! Adam is cc's on this email or his phone is Ex. 6

<image003.jpg>**Matthew Ellsworth**

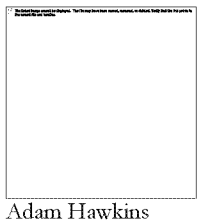
Government Affairs Manager

American Exploration & Mining Association

Office: 509-624-1158, Ex. 6

www.MiningAmerica.org

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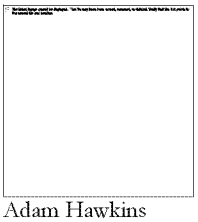


Adam Hawkins
Global External Relations

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@globalexternal

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Message

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Sent: 10/5/2017 9:52:54 PM
To: Adam Hawkins [ahawkins@globalexternal.com]
CC: Matt Ellsworth [ellsworth@miningamerica.org]; Brown, Byron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9242d85c7df343d287659f840d730e65-Brown, Byro]; Laura Skaer [lskaer@miningamerica.org]
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Hey! All set. 10:30 AM at the Biltmore.

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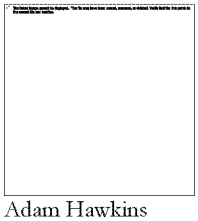
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Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/16/2017 3:01:46 PM
To: Annie.Dwyer@cei.org
Subject: Fwd: WHITE HOUSE INVITATION FOR OCTOBER 17 : Policy Briefing with EPA Administrator Pruitt

See link in below email

Begin forwarded message:

From: "Teller, Paul S. EOP/WHO" <Ex. 6
Date: October 13, 2017 at 5:36:42 PM EDT
To: "Teller, Paul S. EOP/WHO" <Ex. 6
Subject: WHITE HOUSE INVITATION FOR OCTOBER 17 : Policy Briefing with EPA Administrator Pruitt

You are invited to a briefing on a forthcoming policy announcement from the EPA, featuring special guest Scott Pruitt, Administrator of the EPA.

Tuesday, October 17th
2:15pm - 3:00pm
Room 472 of the Eisenhower Executive Office Building at the White House

RSVP by carefully filling out your security information here:
https://events.whitehouse.gov/form?rid=V6YGT34RFF

And please do make sure that what you enter at the link above matches what is on the ID you will use at the security gate. We've had people denied entry to the complex because their information was one key stroke off or because they used a shortened version of their name, rather than what's printed on their ID.

At about 1:45/2:00pm on Tuesday the 17th, enter at 17th and State Place (at the intersection with New York Avenue, Northwest). Once you go thru both security checkpoints, head straight ahead, and on your left is the EEOB. Turn left into the first ground-level driveway-like entrance up to the EEOB. Then turn right and enter the EEOB. Take the elevator on the right to the 4th floor, where you'll find room 472.

Please note that this invitation is for you specifically. Please do not forward it to anyone.

Thank you, and see you soon!

Paul Teller
Special Assistant to the President for Legislative Affairs
The White House

Ex. 6

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/2/2017 4:48:07 PM
To: Bluey, Rob [rob.bluey@heritage.org]
CC: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Mike Thompson [mthompson@CRCPublicRelations.com]; Keith Appell [kappell@CRCPublicRelations.com]
Subject: Re: Lunch Tomorrow

Sounds like I'll be putting his memo together for that. Lets huddle!

On Oct 2, 2017, at 12:29 PM, Bluey, Rob <rob.bluey@heritage.org> wrote:

> Sounds good. We have it on the calendar for 11/7 at 12:30. We'll touch base as it approached.
>
> On a related note, I will be interviewing Administrator Pruitt at Heritage's Presidents Club meeting in about two weeks. I'd love to touch base in advance of that to hear about EPA's priorities.
>
> **Rob Bluey**
> *Senior Vice President, Communications*
> The Heritage Foundation
> 214 Massachusetts Avenue, NE
> Washington, DC 20002
> Ex. 6
> heritage.org
>
> **From:** Bowman, Liz [mailto:Bowman.Liz@epa.gov]
> **Sent:** Monday, October 2, 2017 12:00 PM
> **To:** Bennett, Tate <Bennett.Tate@epa.gov>; Mike Thompson <mthompson@CRCPublicRelations.com>; Bluey, Rob <rob.bluey@heritage.org>
> **Cc:** Keith Appell <kappell@CRCPublicRelations.com>
> **Subject:** RE: Lunch Tomorrow
>
> Sounds good, thank you. Ignore my earlier email.
>
> **From:** Bennett, Tate
> **Sent:** Monday, October 2, 2017 11:54 AM
> **To:** Mike Thompson <mthompson@CRCPublicRelations.com>; Bluey, Rob <rob.bluey@heritage.org>
> **Cc:** Bowman, Liz <Bowman.Liz@epa.gov>; Keith Appell <kappell@CRCPublicRelations.com>
> **Subject:** RE: Lunch Tomorrow
>
> Concur. Let's just plan on us doing Weyrich Weds for now and then start the other in November. We agree- we are a mess over here too at the moment.
>
> **From:** Mike Thompson [mailto:mthompson@CRCPublicRelations.com]
> **Sent:** Monday, October 2, 2017 11:34 AM
> **To:** Bluey, Rob <rob.bluey@heritage.org>
> **Cc:** Bennett, Tate <Bennett.Tate@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Keith Appell <kappell@CRCPublicRelations.com>
> **Subject:** Re: Lunch Tomorrow

Liz and Tate

Schedules are a mess. Looks like Heritage, us and CPI could be there tomorrow. Everyone wants to be there but we need more notice.

Should we give everyone a month notice and start in November?

On Oct 2, 2017, at 11:08, Bluey, Rob <rob.bluey@heritage.org> wrote:

> Thanks, Mike.
>
> Liz and Tate, we're looking forward to hosting the meeting. We've scheduled it for 12:30 p.m. tomorrow in our Generations Room at Heritage.
>
> You're welcome to call/text me at 202-340-6382 if you want to chat.
>
> ---
> **Rob Bluey**
> *Senior Vice President, Communications*
> The Heritage Foundation
> 214 Massachusetts Avenue, NE
> Washington, DC 20002
> Ex. 6
> heritage.org
>
> **From:** Mike Thompson [mailto:mthompson@CRCPublicRelations.com]
> **Sent:** Monday, October 2, 2017 10:46 AM
> **To:** Bennett.Tate@epa.gov; Bowman.Liz@epa.gov
> **Cc:** Bluey, Rob <rob.bluey@heritage.org>; Keith Appell <kappell@CRCPublicRelations.com>
> **Subject:** Lunch Tomorrow
>
> Liz/Tate
>
> Wanted to touch base about tomorrow's lunch. Rob Bluey (copied) has set us up at Heritage. He can send the specifics.
>
> Per our conversation, we are limiting the attendees at the first meeting so we can continue to work out logistics and best people to attend. In addition to Heritage, we've invited Congressional Partnership Institute, Family Research Council and Diana Bannister who is part of CAP and works with a number of different organizations.
>
> I've looped in Rob and Keith so we can try to answer any questions and you have their contact info.
>
> Mike
>
> ==========

Mike Thompson
CRC Public Relations
703.683.5004 Ex. 6
Ex. 6 (mobile)
==========

We've Grown and Moved!
Our new address is
2850 Eisenhower Avenue
First Floor
Alexandria, VA 22314

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 9/19/2017 2:57:28 PM
To: David Boaz [DBoaz@cato.org]
Subject: RE: Help?

Look forward to meeting you soon and I'll circle back after I huddle with some colleagues either tomorrow or at some point this week.

From: David Boaz [mailto:DBoaz@cato.org]
Sent: Tuesday, September 19, 2017 10:42 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Help?

Yes, thanks, **Ex. 6**

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, September 19, 2017 10:38 AM
To: David Boaz <DBoaz@cato.org>
Subject: RE: Help?

Just gave you a buzz. Is there a good extension?

From: David Boaz [mailto:DBoaz@cato.org]
Sent: Tuesday, September 19, 2017 10:26 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: Help?

Any chance we might have a brief conversation?

From: Lovell, Will (William) [mailto:lovell.william@epa.gov]
Sent: Friday, September 15, 2017 1:34 PM
To: David Boaz <DBoaz@cato.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Help?

David,

Your best point of contact would be Tate Bennett (cc'd) who is EPA's Associate Administrator for the Office of Public Engagement. She is traveling with the Administrator today, but she will get back to you soon.

Best,
Will

From: David Boaz [mailto:DBoaz@cato.org]
Sent: Thursday, September 14, 2017 5:41 PM
To: Lovell, Will (William) <lovell.william@epa.gov>
Subject: Help?

Will –

My friend James Schindler suggested you might help get me some info on the Red Team project. Can you? Or direct me somewhere else? Happy to send you a couple of questions, or talk on the phone if that's easier.

Thanks,
David Boaz

David Boaz
Executive Vice President
Cato Institute
1000 Massachusetts Ave. NW
Washington, DC 20001
(202)842-0200
http://www.cato.org/people/boaz.html

@David_Boaz

Check out my blog: http://www.cato.org/people/6/blog

and my books: The Libertarian Mind and The Libertarian Reader (both Simon & Schuster, 2015).

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 9/19/2017 2:54:31 PM
To: David Boaz [DBoaz@cato.org]
Subject: article

Washington Times
http://www.washingtontimes.com/news/2017/sep/19/scott-pruitt-acknowledges-humans-contribute-to-cli

Scott Pruitt acknowledges humans contribute to climate change, questions the amount
By: Sally Persons, 9/19/17

EPA Administrator Scott Pruitt said Tuesday that he acknowledges humans contribute to climate change, but is uncertain how much change humans cause.

"No one questions that the climate changes. No one questions that we contribute to it in some way. That's not the question overall. The question is as we look as this issue, how much do we contribute to it, and what can we do about it," Mr. Pruitt said on Fox News.

The Environmental Protection Agency administrator said that he is arranging a set of "red team, blue team" exercises to debate the issue of climate change from both sides and then determine the best path forward for his agency. But Mr. Pruitt said he can only act within the powers of his agency and those given to him by Congress.

"I think what folks forget about is we only have the power that Congress gives us through, what, statutes — the Clean Air Act," he said.

He also said that President Trump remains committed to the U.S. withdrawal from the Paris Climate Accord, and that monies to the Green Climate Fund have already stopped. The fund is a result of the Paris agreement, which all developed countries are expected to contribute to as a way to finance green energy investments.

There are 15 spots on the EPA's Influential Science Advisory Board open this month as those terms end. The board's nominating process is open, and anyone can be nominated, but some at the EPA are worried that climate skeptics are being considered for nominations.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/23/2017 10:13:51 PM
To: Annie Dwyer [Annie.Dwyer@cei.org]
CC: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Taylor Barkley [Taylor.Barkley@cei.org]
Subject: Re: New CEI Chlorpyrifos report and other resources

Thanks!! We should all get together soon.

On Aug 23, 2017, at 6:06 PM, Annie Dwyer <Annie.Dwyer@cei.org> wrote:

> Hi Tate and Liz,
> I wanted to make sure you received a copy of CEI's recent report by our chemical and consumer risk expert Angela Logomasini. The report came out a couple weeks ago, but given recent news, she recently wrote an oped and blog post on the issue that I thought you'd be interested in. The two pieces are linked below. I've also included links to the report and the press release so you have them. Feel free to pass these along to others who might be interested.
>
> Tate – I can't remember if I introduced you earlier, but I'm copying Taylor Barkley who handles government affairs for CEI.
>
> Hope all is well over there. Take care –
> Annie
>
> **Huffington Post: Bugged by Junk Science (8/21/2017)**
> *Excerpt: In March 2017, EPA Administrator Scott Pruitt rightly rejected the petition, allowing the EPA to continue its more thorough safety review. His decision was judicious, but news headlines and environmental activists have dubbed it an assault on science. Few media stories focused on what's at stake and why Pruitt's decision was, in fact, wise.*
>
> **CEI.org: NYT Pesticide Exposé Only Exposes Foolish Reporting (8/23/2017)**
>
> *Excerpt: It may be true that some EPA staff were at odds with the Trump political appointees on this decision, but those employees did not have a good scientific justification for their position, nor were they elected to make such policy decisions. Agency staff based their proposal to ban the chemical on a single study, despite decades of research that supported registration of the chemical as safe. The agency's own Science Advisory Panel—which is composed of scientists who review agency pesticide risk assessments—told EPA staff in March 2016 that the study contained many flaws, and reliance on it for regulation was "premature and possibly inappropriate." But the Obama EPA released a risk assessment last November based on that study, attempting to justify the ban with junk science.*
>
> *Accordingly, Administrator Pruitt was right to go against what some staff may have wanted, and as a representative of an elected official, he has that right. Ultimately, these are policy decision that only elected officials and their appointees have the right to make.*
>
> *Surely, it's crucial to be certain that products are safe to use, and in this case, the long-standing science supported chlorpyrifos safety when used according to legal guidelines. In addition, EPA should also consider the impacts of the regulations to ensure they don't do more harm than good. In this case, that*

requires consideration of how a pesticide ban would impact agricultural productivity and food prices and availability. Who would know more about that than farmers? As Lipton's article details, farmers need chlorpyrifos because there are few alternative products left to fight crop-destroying insects.

August Report: EPA Denial of Chlorpyrifos Ban Sets Pro-Science Precedent
Activist Petition to Ban Safe and Valuable Pesticide Would Undermine Food Affordability

Press Release: CEI Fellow Praises Trump EPA Refusal to Ban Chlorpyrifos
August 10, 2017

As members of Congress develop proposals to ban the pesticide chlorpyrifos, CEI's Angela Logomasini, praises EPA Administrator Scott Pruitt for his refusal to ban it earlier this year.

"Pruitt's decision is a repudiation of junk science used to push unwarranted and counterproductive regulations," says Logomasini, a Senior Fellow at the Competitive Enterprise Institute, in "EPA Denial of Chlorpyrifos Ban Sets Pro-Science Precedent", a new policy brief on the topic released today. "Denying a ban on chlorpyrifos not only sets an important pro-science approach to regulation that the agency should continue to follow, it recognizes the essential value that this pesticide has in helping produce affordable food supply."

Last March, Pruitt denied an activist petition to ban the chemical, which farmers have safely used for decades. Dr. Logomasini's report details how activists attempted to force EPA to abandon long-standing scientific principles demonstrating its safety to push an unwarranted ban based on a single, poorly designed study.

Recently, Senator Ben Cardin (D-MD) and six other Democratic Senators have proposed the "Protect Children, Farmers and Farmworkers from Nerve Agent Pesticides Act of 2017," which would ban the chemical without any scientific justification. This legislation is not only unnecessary, it would adversely impact consumers.

Because of excessive regulations on pesticides, few crop protection products are available to farmers to fight a wide array of crop destroying insects—both native pests as well as an increasing number of accidentally imported ones.

"The Trump administration decision to deny the petition is a welcome, pro-science shift in policy—and a victory for public health, consumers' budgets, and struggling farmers," says Logomasini.

Read more about "EPA Denial of Chlorpyrifos Ban Sets Pro-Science Precedent" here.

Annie Dwyer
Vice President of Communications
Competitive Enterprise Institute
Ex. 6 | @ceidotorg
annie.dwyer@cei.org

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/28/2018 7:43:34 PM
To: Patrick Gleason [pgleason@atr.org]
Subject: RE: Checking in

Just tried you. Call at your convenience. **Ex. 6**

From: Patrick Gleason [mailto:pgleason@atr.org]
Sent: Tuesday, June 26, 2018 5:51 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Checking in

Sure thing. I'm in South Carolina on business this week, but will be reachable on my cell: **Ex. 6**

I'm currently free before 11 am tomorrow, and after 3 pm.

PG

Patrick M. Gleason
Vice President of State Affairs | Americans for Tax Reform
Senior Fellow | Beacon Center of Tennessee
Contributor | Forbes
722 12th Street NW – Fourth Floor | Washington, DC 20005
W. **Ex. 6** | F. 202.785.0261 | www.atr.org
pgleason@atr.org | www.twitter.com/patrickmgleason

> On Jun 26, 2018, at 5:47 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> Hey Patrick-
>
> Do you have time for a quick shout tomorrow? I'm on travel today, but there's something I wanted to give you a heads up on. Is there a good number/time when I can give you a shout then?
>
> Tate

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/8/2017 4:29:23 PM
To: Melisa Fuller [mfuller@NTMWD.COM]
Subject: Re: [SPAM] RE: [SPAM] RE: [SPAM] RE: NTMWD Visit

Administrator Pruitt will be in a suit.

Sent from my iPhone

On Aug 8, 2017, at 11:17 AM, Melisa Fuller <mfuller@NTMWD.COM> wrote:

> Ms. Bennett,
>
> Could you please let us know if your guests will dress in business casual or suit/tie for Thursday? We wanted to plan accordingly.
>
> Thanks!
>
> **Melisa Fuller, Executive Assistant**
> North Texas Municipal Water District
> P.O. Box 2408 | 501 E. Brown Street | Wylie, TX 75098
> Office: Ex. 6 | Fax: 972.295.6440 | Cell: Ex. 6
> mfuller@ntmwd.com | www.ntmwd.com
>
> ***ATTENTION NTMWD BOARD MEMBERS: Please "Reply" only to the sender. A "Reply to All" to this e-mail could lead to violations of the Texas Open Meetings Act.***
>
> **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> **Sent:** Monday, August 07, 2017 12:22 PM
> **To:** Melisa Fuller <mfuller@NTMWD.COM>
> **Cc:** Tom Kula <tkula@NTMWD.COM>; Mike Rickman <mrickman@NTMWD.COM>; Leann Bumpus <lbumpus@NTMWD.COM>; Shawnna Helmberger <shelmberger@NTMWD.COM>; Janet Rummel <jrummel@NTMWD.COM>; Graham, Amy <graham.amy@epa.gov>
> **Subject:** Re: [SPAM] RE: [SPAM] RE: NTMWD Visit
>
> Adding Amy with communications who will be there. Myself with Industry and Public Engagement,Sam Dravis who heads policy, and Lincoln Ferguson who is our Director of Operations
>
> Sent from my iPhone
>
> On Aug 7, 2017, at 11:50 AM, Melisa Fuller <mfuller@NTMWD.COM> wrote:
>
> > Ms. Bennett,
> >
> > Yes, we will be happy to provide a quote for your use in a press release. Janet Rummel, NTMWD Public Relations & Communications Officer, will be in attendance and will provide the quote for your use.

Can you also please send us the list of names/titles of the five individuals attending with EPA?

Thanks,

Melisa Fuller, Executive Assistant
North Texas Municipal Water District
P.O. Box 2408 | 501 E. Brown Street | Wylie, TX 75098
Office: Ex. 6 | Fax: 972.295.6440 | Cell: Ex. 6
mfuller@ntmwd.com | www.ntmwd.com

ATTENTION NTMWD BOARD MEMBERS: Please "Reply" only to the sender. A "Reply to All" to this e-mail could lead to violations of the Texas Open Meetings Act.

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Monday, August 07, 2017 11:46 AM
To: Melisa Fuller <mfuller@NTMWD.COM>
Cc: Tom Kula <tkula@NTMWD.COM>; Mike Rickman <mrickman@NTMWD.COM>; Leann Bumpus <lbumpus@NTMWD.COM>; Shawnna Helmberger <shelmberger@NTMWD.COM>; Janet Rummel <jrummel@NTMWD.COM>
Subject: Re: [SPAM] RE: NTMWD Visit

Do you all mind providing us with a quote we can use for our press release after the meeting?

Sent from my iPhone

On Aug 7, 2017, at 11:40 AM, Melisa Fuller <mfuller@NTMWD.COM> wrote:

> Ms. Bennett,
>
> The following individuals will be in attendance at the meeting scheduled this Thursday, August 10, 2017, at 9:00 a.m.:
>
> - <!--[if !supportLists]--><!--[endif]-->Tom Kula, Executive Director
> - <!--[if !supportLists]--><!--[endif]-->Joe Stankiewicz, Deputy Director
> - <!--[if !supportLists]--><!--[endif]-->Judd Sanderson, Deputy Director
> - <!--[if !supportLists]--><!--[endif]-->Mike Rickman, Deputy Director
> - <!--[if !supportLists]--><!--[endif]-->Billy George, Assistant Deputy Director
> - <!--[if !supportLists]--><!--[endif]-->Janet Rummel, Public Relations and Communications Officer
> - <!--[if !supportLists]--><!--[endif]-->Robert Thurmond, President, NTMWD Board of Directors
> - <!--[if !supportLists]--><!--[endif]-->Terry Sam Anderson, Past President, NTMWD Board of Directors
> - <!--[if !supportLists]--><!--[endif]-->Bill Lofland, Water Committee Chairman, NTMWD Board of Directors

We will have an off-duty Wylie police officer on site also.

Thanks,

Melisa Fuller, Executive Assistant
North Texas Municipal Water District
P.O. Box 2408 | 501 E. Brown Street | Wylie, TX 75098
Office: Ex. 6 Fax: 972.295.6440 | Cell: Ex. 6
mfuller@ntmwd.com | www.ntmwd.com

***ATTENTION NTMWD BOARD MEMBERS:** Please "Reply" only to the sender. A "Reply to All" to this e-mail could lead to violations of the Texas Open Meetings Act.*

From: Leann Bumpus
Sent: Friday, August 04, 2017 10:57 AM
To: bennett.tate@epa.gov
Cc: Tom Kula <tkula@NTMWD.COM>; Mike Rickman <mrickman@NTMWD.COM>
Subject: NTMWD Visit

Ms. Bennett,

Executive Director, Tom Kula and Deputy Director, Mike Rickman look forward to hosting the EPA on August 10th at 9:00 a.m. Mr. Kula would like to speak with you once you have phone reception. His cell number is **Ex. 6**

Thank you,

Leann Bumpus
Executive Administrative Assistant
North Texas Municipal Water District
PO Box 2408 | 501 E Brown St | Wylie, TX 75098
Office: Ex. 6 Cell: Ex. 6
lbumpus@ntmwd.com | www.ntmwd.com

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/31/2017 6:58:41 PM
To: Stephen Ciccone (TMNA) [stephen.ciccone@toyota.com]
Subject: RE: Toyota visit -- need to finalize

Understood. He likes to get started early so if we come it would need to be in the afternoon/ mid-afternoon. I'll know more in a bit.

-----Original Message-----
From: Stephen Ciccone (TMNA) [mailto:stephen.ciccone@toyota.com]
Sent: Monday, July 31, 2017 2:39 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Toyota visit -- need to finalize

One of our top execs is hanging fire on whether to fly back for the meeting, so I'm eager to nail this down. Are you able to confirm that August 10 is 90% likely? And can we aim no earlier than 10:30am?

Sent from my iPhone

> On Jul 31, 2017, at 2:35 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> Hey there- Waiting to close the loop on something else for that day before we pull the trigger. I will give you a shout later today or in the AM if that works? Thanks!
>
> -----Original Message-----
> From: Stephen Ciccone (TMNA) [mailto:stephen.ciccone@toyota.com]
> Sent: Monday, July 31, 2017 1:15 PM
> To: Bennett, Tate <Bennett.Tate@epa.gov>
> Cc: Morris, Madeline <morris.madeline@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>; Kim Rubin (TMNA) <kim.rubin@toyota.com>
> Subject: Re: Toyota visit -- need to finalize
>
> I am in a meeting, but available at 1:45pm, if that works for you. Number is Ex. 6
>
> Sent from my iPhone
>
>> On Jul 31, 2017, at 1:09 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>>
>> Hi Stephen! Is there a good number where I can give you a buzz?
>>
>> -----Original Message-----
>> From: Morris, Madeline
>> Sent: Monday, July 31, 2017 9:52 AM
>> To: Stephen Ciccone (TMNA) <stephen.ciccone@toyota.com>
>> Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>
>> Subject: RE: Toyota visit -- need to finalize
>>
>> Hi Stephen,
>>
>> Thanks for being patient with us as we figure out the schedule. I believe we are set for the 10th, and we are planning on sometime in the morning. I wanted to loop in Tate Bennett she heads up our External Affairs and Millan Hupp who heads up our Advance and Scheduling. They will circle back with you for more details.
>>
>> I appreciate your help, and happy that we found something that worked!
>>
>> Best,
>> Maddy
>>
>>
>> Madeline Morris Executive Scheduler I Office of the Administrator I direct: 202-564-0844 I cell: Ex. 6
Ex. 6
>>
>>
>>
>> -----Original Message-----
>> From: Stephen Ciccone (TMNA) [mailto:stephen.ciccone@toyota.com]
>> Sent: Saturday, July 29, 2017 8:32 AM
>> To: Morris, Madeline <morris.madeline@epa.gov>
>> Subject: Toyota visit -- need to finalize

>>
>> Maddy,
>> I have some Toyota executives holding their calendars open for August 10 to host Administrator Pruitt. I'm not going to be able to keep the calendars held much longer. Can we finalize the date and time? We would very much like to host him. It's less than two weeks from now, so I'll need a time to be sure we can be proper hosts! Thanks.
>> Stephen

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/12/2018 10:28:03 PM
To: robert.bluey@heritage.org; Mike Thompson [mthompson@CRCPublicRelations.com]
Subject: Fwd: Meeting with Andrew Wheeler

Boom- Aug 27 10 am board room? Let's go.

Begin forwarded message:

> **From:** "Dickerson, Aaron" <dickerson.aaron@epa.gov>
> **Date:** August 12, 2018 at 6:24:18 PM EDT
> **To:** "Bennett, Tate" <Bennett.Tate@epa.gov>
> **Cc:** "Molina, Michael" <molina.michael@epa.gov>
> **Subject: RE: Meeting with Andrew Wheeler**
>
> Ok got it. Thanks.
>
> ---
>
> **From:** Bennett, Tate
> **Sent:** Sunday, August 12, 2018 6:23 PM
> **To:** Dickerson, Aaron <dickerson.aaron@epa.gov>
> **Cc:** Molina, Michael <molina.michael@epa.gov>
> **Subject:** Re: Meeting with Andrew Wheeler
>
> Hey so I've been meaning to circle back with you. James doesn't know this yet, but his colleagues I work with do and instead of just meeting with her at that time she's available, we are going to try and get her to host a roundtable with several conservative groups in her board room at that time. Not just a coffee. I spoke with Michael Molina about it last week and he's good with it. Just lock in that time period on her schedule with James and tell him I'll be in touch with him and Rob Bluey (their director of comms who knows the plan).
>
> On Aug 12, 2018, at 6:09 PM, Dickerson, Aaron <dickerson.aaron@epa.gov> wrote:
>
> > Is this something where he would actually go to her office? He doesn't drink coffee, well I don't think. And who should attend this meeting with him?
> >
> > ---
> >
> > **From:** Imoehl, James [mailto:James.Imoehl@heritage.org]
> > **Sent:** Sunday, August 12, 2018 5:41 PM
> > **To:** Dickerson, Aaron <dickerson.aaron@epa.gov>
> > **Subject:** Re: Meeting with Andrew Wheeler
> >
> > Let's lock in 10:00 a.m. Mrs. James would be happy to host him for coffee and a meeting in her office.
> >
> > ---

James Imoehl
Deputy Chief of Staff to the President
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org
On Sun, Aug 12, 2018 at 3:29 PM -0600, "Dickerson, Aaron" <dickerson.aaron@epa.gov> wrote:

> Right now, anytime between 9am – 12:00pm I could make work.
>
> **From:** Imoehl, James [mailto:James.Imoehl@heritage.org]
> **Sent:** Sunday, August 12, 2018 5:14 PM
> **To:** Dickerson, Aaron <dickerson.aaron@epa.gov>
> **Subject:** Re: Meeting with Andrew Wheeler
>
> Aaron,
>
> Thanks for reaching out. We have been traveling across the Midwest meeting with our members this week and next so I appreciate you bringing this to the top of my inbox.
>
> We could do the 27th, do you have times that work best?
>
> Thank you,
> James

James Imoehl
Deputy Chief of Staff to the President
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org
On Sun, Aug 12, 2018 at 3:04 PM -0600, "Dickerson, Aaron" <dickerson.aaron@epa.gov> wrote:

> Hi James
>
> Just following up on some possible dates for a meeting between Acting Administrator Wheeler and Mrs. James. We may be able to make some time work on Aug 22-27.
>
> **From:** Bennett, Tate
> **Sent:** Tuesday, August 7, 2018 2:08 PM
> **To:** Bluey, Rob <rob.bluey@heritage.org>
> **Cc:** Imoehl, James <James.Imoehl@heritage.org>; Dickerson, Aaron

<dickerson.aaron@epa.gov>
Subject: RE: Meeting with Andrew Wheeler

Thanks! Let us know any days that might work on your all's end. Copying Aaron as well.

From: Bluey, Rob [mailto:rob.bluey@heritage.org]
Sent: Tuesday, August 7, 2018 1:58 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Imoehl, James <James.Imoehl@heritage.org>
Subject: Meeting with Andrew Wheeler

Tate, good to see you today. I'm copying my colleague James Imoehl on this message. He can provide some dates for a meeting between Mr. Wheeler and Mrs. James. Please let us know if there's any weeks that would work well.

Rob Bluey
Vice President, Communications, and Editor-in-Chief, The Daily Signal
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
Ex. 6
heritage.org


Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/26/2018 10:43:36 PM
To: Patrick Gleason [pgleason@atr.org]
Subject: Memo CWA section 404(c) regs 06-26-2018.pdf
Attachments: Memo CWA section 404(c) regs 06-26-2018.pdf; ATT00001.txt

E. SCOTT PRUITT
ADMINISTRATOR

June 26, 2018

MEMORANDUM

SUBJECT: Updating the EPA's Regulations Implementing Clean Water Act Section 404(c)

FROM: E. Scott Pruitt

TO: General Counsel
Assistant Administrator, Office of Water
Regional Administrators

It is essential that the U.S. Environmental Protection Agency adhere to its core mission of protecting human health and the environment in a manner that is fully considered as well as consistent with the agency's authority. When the EPA uses its authority preemptively and without the benefit of the fully developed factual record or attempts to reimagine its authority in ways that diverge from statutory text or congressional intent, it diverts its attention from this core mission and engages in decision making without a full understanding of the impacts of those decisions. To address this concern, at every opportunity I have directed the agency to ensure predictability and regulatory certainty and take actions based upon a comprehensive understanding of the facts. These are the hallmarks of the proper exercise of administrative authority and due process under the law.

Today, I am directing the Office of Water to take another step toward returning the agency to its core mission and providing regulatory certainty by developing a proposal to change the regulations governing the EPA's exercise of its authority under *Clean Water Act* section 404(c), which allows the EPA to veto the issuance of permits by the U.S. Army Corps of Engineers or an approved state to discharge dredged or fill material at specified disposal sites. These regulations were last revised nearly 40 years ago – at a time in our history when environmental safeguards and analytical methods were far less developed than today. The EPA's regulations should reflect today's permitting process and modern-day methods and protections, including the robust existing processes under the *National Environmental Policy Act* that already require federal agencies to consider the environmental and related social and economic effects of their proposed actions while providing opportunities for public review and comment on those evaluations. Any new regulations should seek to address significant concerns surrounding the EPA's prior use of its veto authority before a permit application has been filed or after a permit has been issued. This long-overdue update to the regulations has the promise of increasing certainty for landowners, investors,

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businesses and entrepreneurs to make investment decisions while preserving the EPA's authority to restrict discharges of dredge or fill material that will have an unacceptable adverse effect on water supplies, recreation, fisheries and wildlife.

Section 404 of the *Clean Water Act* regulates the discharge of dredged or fill material into waters of the United States by assigning differing roles to the Administrator and the Secretary of the Army. Section 404(a) empowers the Secretary of the Army, acting through the Army Corps of Engineers, to issue permits allowing for discharge of dredged or fill material at "specified disposal sites." States may assume administration of this program, as Michigan and New Jersey have done. Section 404(b) provides that the Corps or state shall specify each disposal site for each permit "subject to subsection (c)." The EPA has developed guidelines for this process. Section 404(c) provides the EPA with so-called veto authority. Specifically, section 404(c) authorizes the Administrator "to prohibit the specification (including withdrawal of the specification) of any defined area as a disposal site" as well as to "deny or restrict the use of any defined area for specification (including the withdrawal of specification) as a disposal site ... whenever he determines, after notice and opportunity for public hearings, that the discharge of such materials into such area will have an unacceptable adverse effect on municipal water supplies, shellfish beds and fishery areas (including spawning and breeding areas), wildlife or recreational areas."

In 1979 – seven years after Congress enacted section 404 – the EPA promulgated regulations that established procedures for exercising authority under section 404(c). *See* 44 FR 58076 (Oct. 9, 1979). The regulations establish defined steps with specific associated criteria: The EPA's regional administrators are given responsibility for initiating the 404(c) process, issuing a proposed determination and preparing and transmitting to EPA Headquarters a recommended determination to prohibit, withdraw, deny or restrict the specification of a site as a disposal site. The Administrator, upon receipt of a recommended determination and after consultation with the Corps or the state, has the authority to issue a final determination to affirm, modify or rescind the recommendation determination. The EPA has issued 13 final determinations since 1972 at various stages in the permitting process, including two instances where the action extended to areas for which a permit application was not pending and other instances after a permit had been issued.[1]

The EPA has asserted since 1979 that its "section 404(c) authority may be exercised before a permit is applied for, while an application is pending or after a permit has been issued." 44 FR at 58076; *see also* 40 C.F.R. § 231.1(c). Commenters at the time the regulations were proposed opposed the use of the EPA's authority before a permit application had been received or after a permit had been issued by the Corps or state. 44 FR at 58077. The EPA responded to concerns about the practical application of pre-permit use of 404(c) by noting that this approach will facilitate planning by developers and industry and "eliminate frustrating situations in which someone spends time and money developing a project for an inappropriate site and learns at an advanced stage that he must start over." *Id.* The EPA also stated that while "the statute on its face clearly allows EPA to act after the Corps issued a permit," the EPA "recognize[d] that where possible it is much preferable to exercise this authority before the Corps or state has issued a permit, and before the permit holder has begun operations." *Id.*

[1] *See* U.S. EPA, Chronology of 404(c) Actions, *available at* https://www.epa.gov/cwa-404/chronology-404c-actions.

Sierra Club v. EPA 18cv3472 NDCA Tier 5 ED_002061_00076937-00002

During the prior administration, the EPA proposed to restrict discharges of dredge and fill material associated with mining activity near Bristol Bay, Alaska, which drew significant public scrutiny. Before advocates of mining of the Pebble Deposit submitted a permit application to the Corps, EPA Region 10 undertook an ecological risk assessment of three mining scenarios of different sizes based on information submitted to the Securities and Exchange Commission. Region 10 then issued a Proposed Determination to restrict the discharge of dredged or fill material from mining of the Pebble Deposit for "the potential disposal site [defined as] the waters within the mine claims held by [Northern Dynasty Minerals] subsidiaries, including PLP [Pebble Limited Partnership], that fall within the [South Fork Koktuli River, North Fork Koktuli River and Upper Talarik Creek] watersheds." PLP subsequently obtained a preliminary injunction that halted the section 404(c) process before Region 10 could determine whether to prepare a recommended determination to transmit to EPA Headquarters. In December 2017, PLP submitted a permit application to the Corps. Earlier this year, the EPA suspended its proposed withdrawal of the proposed determination; the EPA also has committed not to send a recommended determination from Region 10 to EPA Headquarters until after a final Environmental Impact Statement has been completed by the Corps, so long as that EIS is completed by May 2021. I believe that it is critical for the agency to participate in the EIS process and review the final EIS in detail before determining whether to proceed with the section 404(c) process in this case.

* * *

The EPA's historical interpretation of its statutory authority and its current regulatory framework applies the same procedures notwithstanding whether a permit application has been filed or a permit issued. I am concerned that the mere potential of the EPA's use of its section 404(c) authority before or after the permitting process could influence investment decisions and chill economic growth by short-circuiting the permitting process. Although the Corps can process a permit application and conduct a NEPA analysis while a section 404(c) action is ongoing, it cannot issue a permit. Moreover, the short timeframes in EPA's existing regulations allow the Administrator to issue a final determination restricting the specification of a site as a disposal site within just a few months' time from the start of the process. I am also concerned that under current regulations, the EPA could issue a final determination without the benefit of full information about the project for which a permit is sought, the proposed disposal areas and the environmental impacts of those activities.

Accordingly, I direct the Office of Water to prepare a proposal for submission to the Office of Management and Budget within six months from the date of this directive that proposes to consider, at a minimum, the following changes to EPA's regulations that would govern the future use of EPA's section 404(c) authority and seek public comment thereon:

- Eliminating the authority to initiate the section 404(c) process before a section 404 permit application has been filed with the Corps or a state, otherwise known as the "preemptive veto."

- Eliminating the authority to initiate the section 404(c) process after a permit has been issued by the Corps or a state, otherwise known as the "retroactive veto."

Sierra Club v. EPA 18cv3472 NDCA Tier 5 ED_002061_00076937-00003

- Requiring a regional administrator to obtain approval from EPA Headquarters before initiating the section 404(c) process.

- Requiring a regional administrator to review and consider the findings of a final Environmental Assessment or Environmental Impact Statement prepared by the Corps or a state before preparing and publishing notice of a proposed determination.

- Requiring the agency to publish and seek public comment on a final determination before such a determination takes effect.

Changing the current regulations would help to ensure that the EPA exercises its extraordinary authority under section 404(c) in a careful, predictable and prudent manner. The guiding principle should be to provide landowners, developers and entrepreneurs with certainty that the EPA will not short-circuit the permitting process and will consider all available information, including the results of an EIS, before taking any steps to veto a permit application. Adopting these changes would further the EPA's core mission of protecting human health and the environment while improving predictability and regulatory certainty. The Office of Water shall begin preparing a regulatory proposal forthwith that includes these proposed changes for review and public comment.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/26/2018 10:43:13 PM
To: Patrick Gleason [pgleason@atr.org]
Subject: Re: Checking in

Got it. I'll call you tomorrow on the early side.

On Jun 26, 2018, at 4:51 PM, Patrick Gleason <pgleason@atr.org> wrote:

> Sure thing. I'm in South Carolina on business this week, but will be reachable on my cell: Ex. 6
> Ex. 6
>
> I'm currently free before 11 am tomorrow, and after 3 pm.
>
> PG
>
> Patrick M. Gleason
> Vice President of State Affairs | Americans for Tax Reform
> Senior Fellow | Beacon Center of Tennessee
> Contributor | Forbes
> 722 12th Street NW – Fourth Floor | Washington, DC 20005
> W: Ex. 6 | F. 202.785.0261 | www.atr.org
> pgleason@atr.org | www.twitter.com/patrickmgleason
>
> On Jun 26, 2018, at 5:47 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
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Sent: 6/26/2018 10:40:50 PM
To: myron.ebell@cei.org
CC: Annie Dwyer [Annie.Dwyer@cei.org]
Subject: Memo CWA section 404(c) regs 06-26-2018.pdf
Attachments: Memo CWA section 404(c) regs 06-26-2018.pdf; ATT00001.txt

E. SCOTT PRUITT
ADMINISTRATOR

June 26, 2018

MEMORANDUM

SUBJECT: Updating the EPA's Regulations Implementing Clean Water Act Section 404(c)

FROM: E. Scott Pruitt

TO: General Counsel
Assistant Administrator, Office of Water
Regional Administrators

It is essential that the U.S. Environmental Protection Agency adhere to its core mission of protecting human health and the environment in a manner that is fully considered as well as consistent with the agency's authority. When the EPA uses its authority preemptively and without the benefit of the fully developed factual record or attempts to reimagine its authority in ways that diverge from statutory text or congressional intent, it diverts its attention from this core mission and engages in decision making without a full understanding of the impacts of those decisions. To address this concern, at every opportunity I have directed the agency to ensure predictability and regulatory certainty and take actions based upon a comprehensive understanding of the facts. These are the hallmarks of the proper exercise of administrative authority and due process under the law.

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Sierra Club v. EPA 18cv3472 NDCA Tier 5 ED_002061_00077033-00002

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Sierra Club v. EPA 18cv3472 NDCA Tier 5 ED_002061_00077033-00003

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Sent: 6/27/2018 2:54:06 PM
To: Patrick Gleason [pgleason@atr.org]
Subject: Re: Checking in

Apologies - I'll try it after 3

On Jun 26, 2018, at 4:51 PM, Patrick Gleason <pgleason@atr.org> wrote:

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> Patrick M. Gleason
> Vice President of State Affairs | Americans for Tax Reform
> Senior Fellow | Beacon Center of Tennessee
> Contributor | Forbes
> 722 12th Street NW – Fourth Floor | Washington, DC 20005
> W Ex. 6 F. 202.785.0261 | www.atr.org
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Sent: 6/27/2017 7:23:15 PM
To: Kenneth Stein [kstein@alec.org]
Subject: Re: EMBARGOED

Thank you!

On Jun 27, 2017, at 3:21 PM, Kenneth Stein <kstein@alec.org> wrote:

FYI: https://www.alec.org/article/epa-strikes-blow-against-federal-overreach/

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Tuesday, June 27, 2017 12:31 PM
To: Kenneth Stein
Subject: EMBARGOED

EPA, U.S. Army Move to Rescind 2015 "Waters of the U.S."

WASHINGTON – (June 27, 2017) The Environmental Protection Agency, Department of Army, and Army Corps of Engineers (the agencies) are proposing a rule to rescind the Clean Water Rule and re-codify the regulatory text that existed prior to 2015 defining "waters of the United States" or WOTUS. This action would, when finalized, provide certainty in the interim, pending a second rulemaking in which the agencies will engage in a substantive re-evaluation of the definition of "waters of the United States." The proposed rule would be implemented in accordance with Supreme Court decisions, agency guidance, and longstanding practice.

"We are taking significant action to return power to the states and provide regulatory certainty to our nation's farmers and businesses," said Administrator Scott Pruitt. "This is the first step in the two-step process to redefine 'waters of the U.S.' and we are committed to moving through this re-evaluation to quickly provide regulatory certainty, in a way that is thoughtful, transparent and collaborative with other agencies and the public."

This proposed rule follows the February 28, 2017, Presidential Executive Order on "Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the 'Waters of the United States' Rule." The February Order states that it is in the national interest to ensure that the Nation's navigable waters are kept free from pollution, while at the same time promoting economic growth, minimizing regulatory uncertainty, and showing due regard for the roles of Congress and the States under the Constitution. To meet these objectives, the agencies intend to follow an expeditious, two-step process that will provide certainty across the country.

The proposed rule would recodify the identical regulatory text that was in place prior to the 2015 Clean Water Rule and that is currently in place as a result of the U.S. Court of Appeals for the Sixth Circuit's stay of the 2015 rule. Therefore, this action, when final, will not change current practice with respect to how the definition applies.

The agencies have also begun deliberations and outreach on the second step rulemaking involving a re-evaluation and revision of the definition of "waters of the United States" in accordance with the Executive Order.

"The Army, together with the Corps of Engineers, is committed to working closely with and supporting the EPA on these rulemakings. As we go through the rulemaking process, we will continue to make the implementation of the Clean Water Act Section 404 regulatory program as transparent as possible for the regulated public, " said Mr. Douglas Lamont, senior official performing the duties of the Assistant Secretary of the Army for Civil Works.

For the pre-publication Federal Register Notice and additional information:
http://www.epa.gov/wotus-rule

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/6/2017 4:19:51 PM
To: Andi Johnson [ajohnson@commercelexington.com]
CC: Rusty.Ashcraft@arlp.com; Morris, Madeline [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f42c86b4a2044779972ac94e098f0304-Morris, Mad]
Subject: RE: Commerce Lex EPA Meeting - List of Attendees & Questions about Agenda

Hey Andi!

Thanks for sending this. Sydney moved home to OK, so email Maddy (cc'd) from now on for scheduling requests.

We would like to do a roundtable and he can kick off with an overview of what we are working on, and maybe leave time for one or two follow up questions. I'd love to speak with you or Rusty about that in advance pre-meeting Ex. 6 Ex. 6 when you have the time.

Also, what is the award Bob Babbage is talking about? Cabinet officials legally cannot accept most "awards" per EPA's counsel so I wanted to get some information on that. I know he'd be very appreciative, but I wanted to flesh that out with you first so as to avoid an embarrassing situation on our end where he may be offered an award he cannot legally accept! Thanks for your understanding there.

Thanks!

Tate

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

From: Andi Johnson [mailto:ajohnson@commercelexington.com]
Sent: Wednesday, July 5, 2017 5:37 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Rusty.Ashcraft@arlp.com
Subject: Commerce Lex EPA Meeting - List of Attendees & Questions about Agenda

Hi Tate,

Sorry for the delay. Attached is the list of Commerce Lexington's confirmed attendees (35) for the meeting with Administrator Pruitt on Wed, July 12 at 2:30 pm at the EPA. I'm waiting to hear back from Dave Moss and two mining companies. So, we might get as high as 38. As you can see, we will have a diverse delegation with representatives from coal, utilities, natural gas and other businesses concerned about regulatory impacts on low cost energy in Kentucky. I will send the final list to Sydney Hupp and Cheryl Woodward tomorrow. Cheryl has sent us detailed directions for entering the building and going through security. She said she would be onsite to help guide us to the room location. I will include you on my correspondence with them tomorrow.

We are finalizing our policy priorities tomorrow morning so I will provide you with the detailed sections related to energy and environment issues. Some topics the group would like to discuss include:

- Overview of the EPA's overall regulatory approach and strategies
    - Support efforts to eliminate overly burdensome or duplicative environmental or energy regulatory primacy across agencies/states
    - Support review process of all MOU's, MOA's related to environmental issues
    - Support eliminating the use of guidance documents as requirements
    - Support providing states with maximum flexibility in managing programs
- Update on implementation of 111 (b) and 111 (d) of the Clean Air Act
- Update on Waters of the US
- Update on Mercury Air Toxins Rule
- Timetable for regional administrator appointments

In terms of the meeting agenda, does Administrator Pruitt have a preference on how the meeting flows? Rusty and I were thinking it may be beneficial for this be an informal roundtable discussion. I thought Rusty could introduce Administrator Pruitt to the group and kick-off the discussion with a couple of questions to him. Then, Rusty and I can be prepared with questions to help guide the discussion – or open it up to Q&A with attendees. Would you like for us to prepare a meeting agenda? We're happy to do whatever works best and defer to your guidance.

Thanks for all your help. We are looking forward to the visit.

Andi

Andi Johnson
Chief Policy Officer & Director of Regional Engagement
Commerce Lexington, Inc.
Office: (
Mobile: **Ex. 6**
Email: ajohnson@commercelexington.com



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Message

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Sent: 7/6/2017 4:12:11 PM
To: Rusty Ashcraft [Rusty.Ashcraft@arlp.com]
Subject: FW: Lexington group with Administrator, July 12

What is this?

From: Bob Babbage [mailto:bob@babbagecofounder.com]
Sent: Thursday, July 6, 2017 12:10 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Lexington group with Administrator, July 12

Tate,

We have a special recognition for the Administrator when he speaks to the Commerce Lexington group at EPA on July 12.

Hoping you will be with him?

Thank you!

Bob

Cofounder
BOB BABBAGE

Bob Babbage
Leading Lobbyist

Mobile:
Direct: **Ex. 6**
Web: BabbageCofounder.com

Lexington • Frankfort • Louisville
NKY/Cincinnati • Washington, D.C.



Message

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Sent: 7/7/2017 1:36:28 AM
To: Andi Johnson [ajohnson@commercelexington.com]
CC: Rusty.Ashcraft@arlp.com; Morris, Madeline [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f42c86b4a2044779972ac94e098f0304-Morris, Mad]
Subject: RE: Commerce Lex EPA Meeting - List of Attendees & Questions about Agenda

Thank you! I think we nixed the Babbage gift (sorry about that!).

From: Andi Johnson [mailto:ajohnson@commercelexington.com]
Sent: Thursday, July 6, 2017 7:31 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Rusty.Ashcraft@arlp.com; Morris, Madeline <morris.madeline@epa.gov>
Subject: RE: Commerce Lex EPA Meeting - List of Attendees & Questions about Agenda

Hi Tate and Maddy,

Attached is the updated attendee list (37) as of today. The agenda you laid out is fine with us. I'm at my desk all day tomorrow so I'll give you a call. You and Rusty may have spoken this afternoon too. But, I'd like to reach out as well just to make sure we're all set. We can discuss the agenda, the questions, the Babbage gift and any other details. Thanks for all your help!

Andi

Andi Johnson
Chief Policy Officer & Director of Regional Engagement
Commerce Lexington, Inc.
Office: Ex. 6
Mobile:
Email: ajohnson@commercelexington.com

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, July 06, 2017 12:20 PM
To: Andi Johnson <ajohnson@commercelexington.com>
Cc: Rusty.Ashcraft@arlp.com; Morris, Madeline <morris.madeline@epa.gov>
Subject: RE: Commerce Lex EPA Meeting - List of Attendees & Questions about Agenda

Hey Andi!

Thanks for sending this. Sydney moved home to OK, so email Maddy (cc'd) from now on for scheduling requests.

We would like to do a roundtable and he can kick off with an overview of what we are working on, and maybe leave time for one or two follow up questions. I'd love to speak with you or Rusty about that in advance pre-meeting Ex. 6 Ex. 6 when you have the time.

Also, what is the award Bob Babbage is talking about? Cabinet officials legally cannot accept most "awards" per EPA's counsel so I wanted to get some information on that. I know he'd be very appreciative, but I wanted to flesh that out with you first so as to avoid an embarrassing situation on our end where he may be offered an award he cannot legally accept! Thanks for your understanding there.

Thanks!

Tate

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

From: Andi Johnson [mailto:ajohnson@commercelexington.com]
Sent: Wednesday, July 5, 2017 5:37 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Rusty.Ashcraft@arlp.com
Subject: Commerce Lex EPA Meeting - List of Attendees & Questions about Agenda

Hi Tate,

Sorry for the delay. Attached is the list of Commerce Lexington's confirmed attendees (35) for the meeting with Administrator Pruitt on Wed, July 12 at 2:30 pm at the EPA. I'm waiting to hear back from Dave Moss and two mining companies. So, we might get as high as 38. As you can see, we will have a diverse delegation with representatives from coal, utilities, natural gas and other businesses concerned about regulatory impacts on low cost energy in Kentucky. I will send the final list to Sydney Hupp and Cheryl Woodward tomorrow. Cheryl has sent us detailed directions for entering the building and going through security. She said she would be onsite to help guide us to the room location. I will include you on my correspondence with them tomorrow.

We are finalizing our policy priorities tomorrow morning so I will provide you with the detailed sections related to energy and environment issues. Some topics the group would like to discuss include:

- Overview of the EPA's overall regulatory approach and strategies
    - Support efforts to eliminate overly burdensome or duplicative environmental or energy regulatory primacy across agencies/states
    - Support review process of all MOU's, MOA's related to environmental issues
    - Support eliminating the use of guidance documents as requirements
    - Support providing states with maximum flexibility in managing programs
- Update on implementation of 111 (b) and 111 (d) of the Clean Air Act
- Update on Waters of the US
- Update on Mercury Air Toxins Rule
- Timetable for regional administrator appointments

In terms of the meeting agenda, does Administrator Pruitt have a preference on how the meeting flows? Rusty and I were thinking it may be beneficial for this be an informal roundtable discussion. I thought Rusty could introduce Administrator Pruitt to the group and kick-off the discussion with a couple of questions to him. Then, Rusty and I can be

prepared with questions to help guide the discussion – or open it up to Q&A with attendees. Would you like for us to prepare a meeting agenda? We're happy to do whatever works best and defer to your guidance.

Thanks for all your help. We are looking forward to the visit.

Andi

Andi Johnson
Chief Policy Officer & Director of Regional Engagement
Commerce Lexington, Inc.
Office: (
Mobile: Ex. 6
Email: ajohnson@commercelexington.com



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This email has been scanned for viruses and malware by **Mimecast Ltd.**

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 6/27/2017 3:35:16 PM
To: Kenneth Stein [kstein@alec.org]
Subject: RE: Thanks!

Hey there! Just gave you a buzz. Give me a shout when you can? Ex. 6

From: Kenneth Stein [mailto:kstein@alec.org]
Sent: Thursday, June 15, 2017 3:52 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Thanks!

Hello Tate,

I wanted to reach out to ya'll to make sure that you were aware of ALEC's Annual Meeting coming up next month July 19-21 in Denver (some more details at this link). I recall Ken discussing all the travelling he has been doing meeting with stakeholders across the country and thought that our meeting would be a good opportunity for him with a large number of right-leaning legislators from across the country all in one place. Indeed, if you are interested, I would be happy to provide 10-20 minutes in our schedule if Ken would be interested in speaking to the Energy, Environment, and Agriculture Task Force meeting on that Friday. (The co-chair of my task force is actually Jennifer Jura, who you may know from NRECA). Even if you are not interested in a speaking role, would be great if ya'll could attend. I know that our legislators and private sector members who focus on environment issues in the states would be eager to meet and speak with EPA representatives. Please let me know if your office has any interest in participating.

Thank you,
Kenny Stein

Kenny Stein
Director, Energy, Environment and Agriculture Task Force
Office: Ex. 6
Cell: Ex. 6
kstein@alec.org

2900 Crystal Drive, Suite 600
Arlington, VA 22202

ALEC American Legislative Exchange Council
LIMITED GOVERNMENT • FREE MARKETS • FEDERALISM

Upcoming Meetings:
2017 Annual Meeting – July 19-21, 2017 – Denver, Colorado
2017 States and Nation Policy Summit – December 6-8, 2017 – Nashville, Tennessee
2018 Spring Task Force Summit – April 27, 2018 – Grand Rapids, Michigan

The American Legislative Exchange Council is a 501(c)3 nonprofit organization and is the largest nonpartisan, voluntary membership organization of state legislators in the United States dedicated to the principles of limited government, free markets and federalism. The

Council is governed by state legislators who comprise the National Board of Legislators and is advised by the Private Enterprise Advisory Council, a group of private, foundation and think tank members.

Website ¦ Facebook ¦ Twitter ¦ Blog

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, April 26, 2017 4:40 PM
To: Bennett, Tate
Cc: Lyons, Troy; Wagner, Kenneth; Rees, Sarah; Richardson, RobinH; Bowles, Jack; Barbery, Andrea
Subject: Thanks!

Friends-

We appreciate your taking the time to drive across town meet with us at EPA today. Apparently we were supposed to have brought baked goods per past practice (?!).

In all seriousness, we look forward to working with each of you going forward and please don't hesitate to reach out whenever we can be of assistance.

Best.

Tate

Elizabeth Tate Bennett
Senior Advisor to the Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/15/2017 3:03:44 PM
To: annie.dwyer@cei.org
CC: Deeley, Blake [Blake.Deeley@mail.house.gov]; Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; aubrey_vaughan@paul.senate.gov
Subject: RE: Letters of Support/Social Media outreach

Sorry, Aubrey! As you can imagine, I make the Senate email mistake quite frequently.

From: Bennett, Tate
Sent: Monday, May 15, 2017 10:54 AM
To: 'annie.dwyer@cei.org' <annie.dwyer@cei.org>
Cc: 'Deeley, Blake' <Blake.Deeley@mail.house.gov>; 'aubrey_vaughan@mcconnell.senate.gov' <aubrey_vaughan@mcconnell.senate.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Letters of Support/Social Media outreach

Wanted to connect you all via email—

Elizabeth Tate Bennett
Senior Deputy Associate Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/27/2017 12:31:59 PM
To: Michael Bowman [mbowman@alec.org]
Subject: Re: Thanks!

Let us know when you want to bring folks in.

On Apr 27, 2017, at 8:13 AM, Michael Bowman <mbowman@alec.org> wrote:

> Tate:
> We look forward to working with you at EPA staff. It has been eight years since we have been at EPA offices. ALEC is an individual membership organization that represents our members. Our core beliefs that unite our membership is our support for Free Markets, Limited Government and Federalism. Just last weekend we at Earth Day Texas and enjoyed listening to Secretary Perry and Administrator Pruitt, both who are favorite speakers at our conferences over the years.
>
> We hope to be a trusted resource for you. We welcome this opportunity to work with you.
>
> Michael D. Bowman
> Vice President of Policy
> 2900 Crystal Drive, Suite 600
> Arlington, VA 22202
> D
> M Ex. 6

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, April 26, 2017 4:40 PM
To: Bennett, Tate
Cc: Lyons, Troy; Wagner, Kenneth; Rees, Sarah; Richardson, RobinH; Bowles, Jack; Barbery, Andrea
Subject: Thanks!

Friends-

We appreciate your taking the time to drive across town meet with us at EPA today. Apparently we were supposed to have brought baked goods per past practice (?!).

In all seriousness, we look forward to working with each of you going forward and please don't hesitate to reach out whenever we can be of assistance.

Best.

Tate

Elizabeth Tate Bennett
Senior Advisor to the Administrator
Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/9/2017 8:16:54 PM
To: Rusty Ashcraft [Rusty.Ashcraft@arlp.com]
Subject: can I give you a buzz

What number?

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/14/2017 5:20:24 PM
To: Rusty Ashcraft [Rusty.Ashcraft@arlp.com]
Subject: RE: email introduction re: July scheduling request with EPA Administrator Pruitt

Thanks Rusty!

From: Rusty Ashcraft [mailto:Rusty.Ashcraft@arlp.com]
Sent: Thursday, April 13, 2017 10:48 AM
To: Hupp, Sydney <hupp.sydney@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Witt, Ethan (McConnell) <Ethan_Witt@mcconnell.senate.gov>; Conner, Katelyn (McConnell) <Katelyn_Conner@mcconnell.senate.gov>; ajohnson@commercelexington.com
Subject: RE: email introduction re: July scheduling request with EPA Administrator Pruitt

Sydney

Thank you. I have attached the completed form. Please let me know if there are questions? Also, feel to invite the Administrator, Tate, et al to the Kentuckians in Washington Event at Union Station on July 12 from 6-7:30.

Thanks

Rusty Ashcraft
Manager, Government Affairs & Environmental Policy
Alliance Coal, LLC
1146 Monarch Street
Lexington, KY 40513
Office: Ex. 6
Cell: Ex. 6

From: Hupp, Sydney [mailto:hupp.sydney@epa.gov]
Sent: Wednesday, April 12, 2017 3:34 PM
To: Rusty Ashcraft
Cc: Bennett, Tate; Witt, Ethan (McConnell); Conner, Katelyn (McConnell)
Subject: RE: email introduction re: July scheduling request with EPA Administrator Pruitt

CAUTION: This is an email from an external sender. Use caution when clicking on links, opening attachments or responding.

Thank you! Rusty, I have attached a meeting request form. Would you please fill it out at your convenience and send back? Please let me know if you have any questions on it!

Thank you!

Sydney Hupp
Office of the Administrator- Scheduling
Ex. 6

From: Rusty Ashcraft [mailto:Rusty.Ashcraft@arlp.com]
Sent: Wednesday, April 12, 2017 11:13 AM
To: Conner, Katelyn (McConnell) <Katelyn_Conner@mcconnell.senate.gov>
Cc: Hupp, Sydney <hupp.sydney@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Witt, Ethan (McConnell) <Ethan_Witt@mcconnell.senate.gov>
Subject: Re: email introduction re: July scheduling request with EPA Administrator Pruitt

Thank you for your assistance...

Rusty

Sent from my iPhone

On Apr 12, 2017, at 9:09 AM, Conner, Katelyn (McConnell) <Katelyn_Conner@mcconnell.senate.gov> wrote:

CAUTION: This is an email from an external sender. Use caution when clicking on links, opening attachments or responding.

Rusty,
Ethan Witt mentioned that you are interested in requesting a meeting with Administrator Pruitt when the Bluegrass Region Policy Group visits DC in July. I wanted to connect you with Sydney Hupp, who handles scheduling requests for the Administrator. She's your best contact for facilitating this request.

Please let our office know if you need anything else while you're in town. Hope all is well!

Best,
Katelyn

Katelyn Conner
Legislative Assistant
Senator Mitch McConnell
317 Russell Senate Office Building
P: Ex. 6
katelyn_conner@mcconnell.senate.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 5/31/2018 3:35:08 PM
To: Myron Ebell [Myron.Ebell@cei.org]
CC: Hewitt, James [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=41b19dd598d340bb8032923d902d4bd1-Hewitt, Jam]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]
Subject: Re: Cooler Heads Coalition next meeting 11th June and please celebrate tomorrow's Paris anniversary

EPA can attend this day.

> On May 31, 2018, at 11:10 AM, Myron Ebell <Myron.Ebell@cei.org> wrote:
>
>

STANDPOINT.

10TH ANNIVERSARY ISSUE

Marching orders for France

Emmanuel Macron models his presidency on General de Gaulle's

Patrick Marnham asks: Does he have the stature?



Arts and Letters

Myron Dorf: Why Trump won't rejoin Paris

Daniel Johnson: Marx and the Brothers

Leo Hilton: A Quaker Statement Needs Both Brevity

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/3/2018 7:16:29 PM
To: Bluey, Rob [rob.bluey@heritage.org]
Subject: year in review accomplishments page
Attachments: Reg Reform Accomplishments 03.16.2018.docx

Importance: High

For full review click here.

Internal/Deliberative Process

EPA REGULATORY REFORM UNDER ADMINISTRATOR PRUITT'S LEADERSHIP

Updated March 16, 2018

OVERVIEW:

- Administrator Pruitt is working to fulfill EPA's core mission of protecting our environment while implementing President Trump's executive orders to reduce unnecessary regulatory burdens, save manufacturing jobs, streamline our permitting processes, and promote American energy independence and rural prosperity.

REGULATORY STATISTICS UNDER THE PREVIOUS ADMINISTRATION:

- According to the White House Office of Management and Budget's (OMB) most recent report to Congress on the Benefits and Costs of Federal Regulations, over the last decade, EPA regulations imposed annual costs of **$43.2 to 50.9 billion** – more than the cost of all other federal agencies *combined*.
- That same report showed that, over the last decade, EPA issued more major rules[1] than *any* other federal agency.
- According to EPA's internal database, the Agency issued 20 deregulatory actions from 2009 to 2017.

REDUCING UNNECESSARY REGULATORY BURDEN UNDER ADMINISTRATOR PRUITT:

- In accordance with E.O. 13771, for Fiscal Year 2017, EPA finalized at least 2 deregulatory actions for each new regulatory action. Additionally, EPA rules imposed no new net costs. EPA expects to impose no additional net costs in Fiscal Year 2018 as well.
- Under Administrator Pruitt's leadership, EPA has finalized **24 deregulatory actions** that saved the American people more than **$1 billion** in regulatory costs.
- EPA has also initiated work on an additional 42 deregulatory actions.

OTHER REGULATORY REFORM MEASURES:

- Issued an Agency-wide directive in October 2017 to end "sue and settle" practices within the Agency, putting an end to regulation by litigation.
- Issued a directive in October 2017 to ensure the independence of EPA's Federal Advisory Committees (FACs) by prohibiting members from serving on a FAC while simultaneously receiving grants from the Agency. In addition, the directive called for more geographic diversity on FACs, more frequent rotation in membership, and greater involvement by state, local, and tribal officials.
- Develop a directive to strengthen transparency and reproducibility for EPA's regulatory science.
- Develop an ANPRM on Increasing Consistency, Reliability, and Transparency in the Rulemaking Process to help inform implementing regulations for how EPA evaluates costs and benefits of rules. The Agency plans to issue this ANPRM in April 2018.
- Improve EPA's internal rulemaking process by updating the *Guidelines for Producing Economic Analysis*, which govern how the Agency conducts benefit-cost analysis and other regulatory impact analyses.
- EPA was the first federal agency to provide updated estimates of the social cost of carbon and methane consistent with E.O. 13783 (e.g, 2016 SCC=$36/metric ton CO2 @3% in 2015; 2017 SCC=$5/metric ton CO2 @3% in 2015).
- Issue permitting decisions in 6 months by 2020.
- Reduce the regulated community reporting and recordkeeping burden by 10 million hours by 2022.

---

[1] For which both benefits and costs have been estimated

KEY DEREGULATORY ACTIONS:

- ✓ **WOTUS**: EPA estimated the 2015 WOTUS rule had an annualized cost of up to $462.9 million. Per E.O. 13778, EPA and the Army Corps issued a proposed repeal of the rule in June 2017, which could produce $313.9 million in annualized cost-savings. In January 2018, the agencies issued a final rule to change the applicability date of the rule to February 2020 to allow time to reconsider the rule. As a second step, the agencies are developing a revised definition of WOTUS.
- ✓ **Clean Power Plan and Related Actions**: In 2015, EPA estimated that the CPP could cost $5 to 8 billion in 2030 and result in a loss of roughly 34,000 jobs in 2030. The Energy Information Administration (EIA) estimated a loss of about 376,000 jobs under the CPP in 2030. Per E.O. 13783, EPA announced its withdrawal of the Federal Plan/Trading Rule/Framework Amendments under the CPP and its review of the New Source Performance Standards for coal-fired power plants on March 28, 2017. In October 2017, EPA issued a proposed repeal of the CPP saving $33 billion in 2030. In December 2017, the Agency issued an ANPRM to solicit information from the public about a potential future rulemaking to limit greenhouse gas emissions from existing power plants.
- ✓ **Coal Combustion Residuals:** The 2015 CCR rule had an annualized cost of up to $735 million. In March 2018, Administrator Pruitt signed the first of 2 rules that amend the 2015 rule and could produce $100 million in annualized cost-savings.
- ✓ **Risk Management Plan:** The RMP Amendments rule had an annualized cost of $131.8 million. In June 2017, EPA issued a final rule extending the effective date of the rule by 2 years while the Agency reconsiders the rule. In March 2018, EPA sent a draft reconsideration rule to OMB for interagency review.
- ✓ **Vehicle GHG Standards:** In March 2017, EPA and DOT announced their reconsideration of the prior administration's determination and plans to issue a Final Determination by April 1, 2018. In August 2017, EPA also announced its intent to reconsider provisions of the greenhouse gas standards for medium- and heavy-duty vehicles. In November 2017, the Agency issued a proposed rule to repeal emission requirements for glider kits, and provisions for trailers have been stayed by courts.
- ✓ **New Source Review**: In order to improve the NSR program, EPA planned to issue a series of memos on NSR reform. In December 2017, EPA issued guidance about the process of determining whether or not a project at an existing facility triggers NSR requirements (known as the "applicability determination"). In January 2018, EPA issued guidance withdrawing the 1995 "once-in-always-in" policy. In March 2018, EPA issued a memo that provides guidance for accounting changes in emissions from a project under the NSR program when determining whether a project will result in a significant emissions increase.
- ✓ **Methane Oil and Gas Rule**: The 2016 Oil and Gas Methane New Source Performance Standards for new and modified sources would have had an annualized cost of up to $640 million in 2025. Additionally, many of its benefits relied on an overestimated social cost of methane. Per E.O. 13783, EPA announced its intent to reconsider the rule in April 2017. In June 2017, EPA issued a proposed short- and long-term delay of the rule. In March 2018, EPA amended 2 provisions of the rule to address immediate concerns with requirements pertaining to fugitive emissions. On the same day, EPA withdrew the Oil & Gas Control Technique Guidelines (CTG) saving $14 to $16 million in regulatory costs.
- ✓ **Methane Information Collection Request:** The methane ICR for the oil and gas sector had a compliance cost of more than $40 million. In March 2017, EPA rescinded the ICR.
- ✓ **Steam Electric Effluent Limitation Guidelines**: EPA estimated the 2015 Steam ELG rule could have cost $1.2 billion per year in the first 5 years with an annualized cost of $480 million. Additionally, EPA estimated the rule could have reduced total operations and maintenance labor at coal-fired electric plants by the equivalent of 835 full-time employees in 2030. In September 2017, EPA issued a final rule to postpone compliance deadlines by 2 years, providing relief during the Agency's reconsideration, which could produce $36.8 million in annualized cost-savings.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/27/2018 11:42:10 AM
To: Patrick Gleason [pgleason@atr.org]
CC: Greenwalt, Sarah [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c13775b8f424e90802669b87b135024-Greenwalt,]
Subject: Re: Forbes article on Administrator Pruitt's decision on Pebble

Hey Patrick- sorry for the delay. Here is a link to the report for your future reference: https://www.epa.gov/sites/production/files/2018-03/documents/year_in_review_3.5.18.pdf

On Mar 15, 2018, at 11:08 AM, Patrick Gleason <pgleason@atr.org> wrote:

> Thanks again for taking the time to chat earlier this week.
>
> Quick question - is the report on 2017 regulatory reform achievements (the one passed out at Heritage on Monday) available online? If so, can you send me a link?
>
> At Heritage, Administrator Pruitt mentioned that the EPA has achieved $3 billion in regulatory reform savings over the past year. Do you have a citation for that? I'd like to include in my Forbes article, which will be published this afternoon.
>
> Thanks!
>
> PG

Patrick M. Gleason
Director of State Affairs | **Americans for Tax Reform**
722 12th Street NW – Fourth Floor | Washington, DC 20005
W. Ex. 6 | F. 202.785.0261 | www.atr.org
pgleason@atr.org | www.twitter.com/patrickmgleason

> On Mar 10, 2018, at 9:08 AM, Rayanne Matlock <rmatlock@atr.org> wrote:
>
> Yes, same line.
>
> ---
>
> **From:** Bennett, Tate <Bennett.Tate@epa.gov>
> **Sent:** Friday, March 9, 2018 6:16:02 PM
> **To:** Christopher Butler; Patrick Gleason
> **Cc:** Greenwalt, Sarah; Rayanne Matlock
> **Subject:** RE: Forbes article on Administrator Pruitt's decision on Pebble
>
> Great! Same line?
>
> ---
>
> **From:** Christopher Butler [mailto:cbutler@atr.org]
> **Sent:** Friday, March 9, 2018 12:43 PM

To: Bennett, Tate <Bennett.Tate@epa.gov>; Patrick Gleason <pgleason@atr.org>
Cc: Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Rayanne Matlock <rmatlock@atr.org>
Subject: Re: Forbes article on Administrator Pruitt's decision on Pebble

I can do 3:30 as well.

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: Friday, March 9, 2018 at 12:42 PM
To: Christopher Butler <cbutler@atr.org>, Patrick Gleason <pgleason@atr.org>
Cc: "Greenwalt, Sarah" <greenwalt.sarah@epa.gov>, Rayanne Matlock <rmatlock@atr.org>
Subject: RE: Forbes article on Administrator Pruitt's decision on Pebble

Don't kill me but is 3:30 an option?

From: Christopher Butler [mailto:cbutler@atr.org]
Sent: Friday, March 9, 2018 12:29 PM
To: Patrick Gleason <pgleason@atr.org>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Rayanne Matlock <rmatlock@atr.org>
Subject: Re: Forbes article on Administrator Pruitt's decision on Pebble

That's good for me too. Let's book it.

Rayanne will you get us a bridge?

From: Patrick Gleason <pgleason@atr.org>
Date: Friday, March 9, 2018 at 12:27 PM
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Cc: Christopher Butler <cbutler@atr.org>, "Greenwalt, Sarah" <greenwalt.sarah@epa.gov>
Subject: Re: Forbes article on Administrator Pruitt's decision on Pebble

Works for me.

> On Mar 9, 2018, at 12:23 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> Would 4 PM Eastern work for ATR?
>
> ---
>
> **From:** Patrick Gleason [mailto:pgleason@atr.org]
> **Sent:** Friday, March 9, 2018 6:32 AM
> **To:** Bennett, Tate <Bennett.Tate@epa.gov>
> **Cc:** Christopher Butler <cbutler@atr.org>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>
> **Subject:** Re: Forbes article on Administrator Pruitt's decision on Pebble

I will be traveling in the morning on Monday, but could do a call any time after 2 pm on Monday.

Patrick

Patrick M. Gleason
Director of State Affairs |**Americans for Tax Reform**
722 12th Street NW – Fourth Floor | Washington, DC 20005
W [Ex. 6] F. 202.785.0261 | www.atr.org
pgleason@atr.org| www.twitter.com/patrickmgleason

On Mar 9, 2018, at 6:30 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Chris, thanks for giving me a shout yesterday.

Just wanted to follow up on your offer from yesterday- is there a good time Monday that works for the two of you to jump on the phone with members of our team who worked on this decision for a little more background?

Thanks again for the opportunity to talk further on this.

Tate

Begin forwarded message:

From: "Bowman, Liz" <Bowman.Liz@epa.gov>
Date: March 8, 2018 at 12:12:03 PM EST
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: Fwd: Forbes article on Administrator Pruitt's decision on Pebble

Begin forwarded message:

From: Patrick Gleason <pgleason@atr.org>
Date: March 8, 2018 at 12:09:52 PM EST

To: "Bowman.liz@epa.gov" <Bowman.liz@epa.gov>
Subject: Forbes article on Administrator Pruitt's decision on Pebble

Greetings Liz,

My colleague Paul Blair passed along your contact information.

I'm getting ready to publish and article for Forbes that is critical of Administrator Pruitt's decision to undo the Obama Administration's preemptive veto of Pebble Mine in Alaska.

I'm reaching out to seek comment re: this decision in advance of this article's publication (it will run tomorrow). If there is someone else in your office I should reach out to on this matter, please let me know.

Thanks in advance,

Best wishes,
Patrick

Patrick M. Gleason
Director of State Affairs
|**Americans for Tax Reform**
722 12th Street NW – Fourth Floor |
Washington, DC 20005

W [Ex. 6] F.
202.785.0261
| www.atr.org
pgleason@atr.org| www.t
witter.com/patrickmgleaso
n

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/3/2018 7:01:34 PM
To: Annie Dwyer [Annie.Dwyer@cei.org]
Subject: year in review accomplishments page
Attachments: Reg Reform Accomplishments 03.16.2018.docx

Importance: High

For full review click here.

Internal/Deliberative Process

EPA REGULATORY REFORM UNDER ADMINISTRATOR PRUITT'S LEADERSHIP

Updated March 16, 2018

OVERVIEW:

- Administrator Pruitt is working to fulfill EPA's core mission of protecting our environment while implementing President Trump's executive orders to reduce unnecessary regulatory burdens, save manufacturing jobs, streamline our permitting processes, and promote American energy independence and rural prosperity.

REGULATORY STATISTICS UNDER THE PREVIOUS ADMINISTRATION:

- According to the White House Office of Management and Budget's (OMB) most recent report to Congress on the Benefits and Costs of Federal Regulations, over the last decade, EPA regulations imposed annual costs of **$43.2 to 50.9 billion** – more than the cost of all other federal agencies *combined*.
- That same report showed that, over the last decade, EPA issued more major rules[1] than *any* other federal agency.
- According to EPA's internal database, the Agency issued 20 deregulatory actions from 2009 to 2017.

REDUCING UNNECESSARY REGULATORY BURDEN UNDER ADMINISTRATOR PRUITT:

- In accordance with E.O. 13771, for Fiscal Year 2017, EPA finalized at least 2 deregulatory actions for each new regulatory action. Additionally, EPA rules imposed no new net costs. EPA expects to impose no additional net costs in Fiscal Year 2018 as well.
- Under Administrator Pruitt's leadership, EPA has finalized **24 deregulatory actions** that saved the American people more than **$1 billion** in regulatory costs.
- EPA has also initiated work on an additional 42 deregulatory actions.

OTHER REGULATORY REFORM MEASURES:

- Issued an Agency-wide directive in October 2017 to end "sue and settle" practices within the Agency, putting an end to regulation by litigation.
- Issued a directive in October 2017 to ensure the independence of EPA's Federal Advisory Committees (FACs) by prohibiting members from serving on a FAC while simultaneously receiving grants from the Agency. In addition, the directive called for more geographic diversity on FACs, more frequent rotation in membership, and greater involvement by state, local, and tribal officials.
- Develop a directive to strengthen transparency and reproducibility for EPA's regulatory science.
- Develop an ANPRM on Increasing Consistency, Reliability, and Transparency in the Rulemaking Process to help inform implementing regulations for how EPA evaluates costs and benefits of rules. The Agency plans to issue this ANPRM in April 2018.
- Improve EPA's internal rulemaking process by updating the *Guidelines for Producing Economic Analysis*, which govern how the Agency conducts benefit-cost analysis and other regulatory impact analyses.
- EPA was the first federal agency to provide updated estimates of the social cost of carbon and methane consistent with E.O. 13783 (e.g, 2016 SCC=$36/metric ton CO2 @3% in 2015; 2017 SCC=$5/metric ton CO2 @3% in 2015).
- Issue permitting decisions in 6 months by 2020.
- Reduce the regulated community reporting and recordkeeping burden by 10 million hours by 2022.

---

[1] For which both benefits and costs have been estimated

KEY DEREGULATORY ACTIONS:

- ✓ **WOTUS**: EPA estimated the 2015 WOTUS rule had an annualized cost of up to $462.9 million. Per E.O. 13778, EPA and the Army Corps issued a proposed repeal of the rule in June 2017, which could produce $313.9 million in annualized cost-savings. In January 2018, the agencies issued a final rule to change the applicability date of the rule to February 2020 to allow time to reconsider the rule. As a second step, the agencies are developing a revised definition of WOTUS.
- ✓ **Clean Power Plan and Related Actions**: In 2015, EPA estimated that the CPP could cost $5 to 8 billion in 2030 and result in a loss of roughly 34,000 jobs in 2030. The Energy Information Administration (EIA) estimated a loss of about 376,000 jobs under the CPP in 2030. Per E.O. 13783, EPA announced its withdrawal of the Federal Plan/Trading Rule/Framework Amendments under the CPP and its review of the New Source Performance Standards for coal-fired power plants on March 28, 2017. In October 2017, EPA issued a proposed repeal of the CPP saving $33 billion in 2030. In December 2017, the Agency issued an ANPRM to solicit information from the public about a potential future rulemaking to limit greenhouse gas emissions from existing power plants.
- ✓ **Coal Combustion Residuals:** The 2015 CCR rule had an annualized cost of up to $735 million. In March 2018, Administrator Pruitt signed the first of 2 rules that amend the 2015 rule and could produce $100 million in annualized cost-savings.
- ✓ **Risk Management Plan:** The RMP Amendments rule had an annualized cost of $131.8 million. In June 2017, EPA issued a final rule extending the effective date of the rule by 2 years while the Agency reconsiders the rule. In March 2018, EPA sent a draft reconsideration rule to OMB for interagency review.
- ✓ **Vehicle GHG Standards:** In March 2017, EPA and DOT announced their reconsideration of the prior administration's determination and plans to issue a Final Determination by April 1, 2018. In August 2017, EPA also announced its intent to reconsider provisions of the greenhouse gas standards for medium- and heavy-duty vehicles. In November 2017, the Agency issued a proposed rule to repeal emission requirements for glider kits, and provisions for trailers have been stayed by courts.
- ✓ **New Source Review**: In order to improve the NSR program, EPA planned to issue a series of memos on NSR reform. In December 2017, EPA issued guidance about the process of determining whether or not a project at an existing facility triggers NSR requirements (known as the "applicability determination"). In January 2018, EPA issued guidance withdrawing the 1995 "once-in-always-in" policy. In March 2018, EPA issued a memo that provides guidance for accounting changes in emissions from a project under the NSR program when determining whether a project will result in a significant emissions increase.
- ✓ **Methane Oil and Gas Rule**: The 2016 Oil and Gas Methane New Source Performance Standards for new and modified sources would have had an annualized cost of up to $640 million in 2025. Additionally, many of its benefits relied on an overestimated social cost of methane. Per E.O. 13783, EPA announced its intent to reconsider the rule in April 2017. In June 2017, EPA issued a proposed short- and long-term delay of the rule. In March 2018, EPA amended 2 provisions of the rule to address immediate concerns with requirements pertaining to fugitive emissions. On the same day, EPA withdrew the Oil & Gas Control Technique Guidelines (CTG) saving $14 to $16 million in regulatory costs.
- ✓ **Methane Information Collection Request:** The methane ICR for the oil and gas sector had a compliance cost of more than $40 million. In March 2017, EPA rescinded the ICR.
- ✓ **Steam Electric Effluent Limitation Guidelines**: EPA estimated the 2015 Steam ELG rule could have cost $1.2 billion per year in the first 5 years with an annualized cost of $480 million. Additionally, EPA estimated the rule could have reduced total operations and maintenance labor at coal-fired electric plants by the equivalent of 835 full-time employees in 2030. In September 2017, EPA issued a final rule to postpone compliance deadlines by 2 years, providing relief during the Agency's reconsideration, which could produce $36.8 million in annualized cost-savings.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 8/2/2018 1:47:13 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
BCC: Edward_Cohen@hna.honda.com; SSCALES3@ford.com; Tim P [Ex. 6]; Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]; Paul Balserak [pbalserak@steel.org]; Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]; Gordon, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c8fb4d82bff4eec98f5c5d00a47f554-Gordon, Ste]; Myron.Ebell@cei.org; Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]; Brian Kelly [bkelly@bkstrategies.com]; Rachel Jones [rjones@nam.org]; reisenberg@nam.org; Gunasekara, Mandy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=53d1a3caa8bb4ebab8a2d28ca59b6f45-Gunasekara,]; Wehrum, Bill [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=33d96ae800cf43a3911d94a7130b6c41-Wehrum, Wil]; Dominguez, Alexander [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5ced433b4ef54171864ed98a36cb7a5f-Dominguez,]
Subject: CAFE CALL W EPA @ 11 AM

Knowing of the regulated community's interest in this issue, please join EPA's Offices of Air and Radiation, Public Engagement, Public Affairs for an overview at 11 AM TODAY. White House and DOT staff may be participating as well.

Participant Toll Free Dial-In Number: Ex. 6
Conference ID: Ex. 6

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/22/2018 5:20:53 PM
To: Kevin Butt (TMNA) [kevin.butt@toyota.com]
Subject: Re: Still good to go?

Just tried you! Ex. 6

> On Mar 22, 2018, at 10:24 AM, Kevin Butt (TMNA) <kevin.butt@toyota.com> wrote:
>
> Tate

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/20/2018 7:13:55 PM
To: Candice Boyer [cboyer@atr.org]
Subject: Re: Wednesday meeting tomorrow--Let me know if you would like to speak

What is the time and location of the meeting?

On Mar 20, 2018, at 2:42 PM, Candice Boyer <cboyer@atr.org> wrote:

> **Dear Hill and Administration Colleagues,**
>
> **Please let me know if you are interested in making a presentation tomorrow. The agenda is almost full so I would appreciate hearing from everyone sooner rather than later.**
>
> **For anyone asking about weather—We will be hosting the meeting regardless of snow.**
>
> **Kind regards,**

Candice N. Boyer
Director of Scheduling and Outreach
Americans for Tax Reform
PH: Ex. 6
<image001.png>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/19/2018 6:44:08 PM
To: cboyer@atr.org
Subject: Checking in

Hey Candice-

The Administrator truly enjoyed his time with Grover today. He mentioned following-up with you regarding an invitation to the Weds. Meeting. Is there any more info you can provide in order to get EPA on the calendar/ regularly represented at this meeting?

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/30/2018 6:57:28 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: Give me a shout when you have time?

Ex. 6

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 3/30/2018 5:49:54 PM
To: apender@globalautomakers.org
CC: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
Subject: FW: Final Determination on Vehicle GHG Standards

Annemarie- feel free to give me a shout. **Ex. 6**

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

From: Annemarie Pender <apender@globalautomakers.org>
Date: March 30, 2018 at 10:43:40 AM EDT
To: "Amy H. Dewey" <dewey.amy@epa.gov>
Subject: Final Determination on Vehicle GHG Standards

Hi Amy,

I hope you are doing well. We have a release prepared for when EPA releases its final determination on the vehicle GHG standards. Do you know when you all will release and send your press release out?

As you can imagine we are getting a lot of inquiries and want to get ours out, but do not want to get ahead of you.

Thanks so much!

Annemarie

Sent from my iPhone

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 4/2/2018 6:34:58 PM
To: Scales, Sam (S.A.) [SSCALES3@ford.com]
Subject: Re: EMBARGOED UNTIL NOON- MTE Announcement

http://createsend.com/t/d-4AC988BD1868DDC72540EF23F30FEDED

On Apr 2, 2018, at 1:21 PM, Scales, Sam (S.A.) <SSCALES3@ford.com> wrote:

> Thanks for sending over
>
> **Sam A. Scales**
> Ford Motor Company
> **Ex. 6**
>
> **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> **Sent:** Monday, April 02, 2018 12:59 PM
> **To:** Scales, Sam (S.A.) <SSCALES3@ford.com>
> **Subject:** FW: EMBARGOED UNTIL NOON- MTE Announcement
>
> **From:** Chuck Cunningham [mailto:ccunningham@secureenergy.org]
> **Sent:** Monday, April 2, 2018 12:05 PM
> **To:** Bennett, Tate <Bennett.Tate@epa.gov>
> **Subject:** RE: EMBARGOED UNTIL NOON- MTE Announcement
>
> Thanks for this information. Hope that you had a great Easter weekend.
>
> As we discussed last week, I would be interested in your event on this issue. Please send me the detail when they are available. Thanks.
>
> **From:** Bennett, Tate [mailto:Bennett.Tate@epa.gov]
> **Sent:** Monday, April 02, 2018 11:03 AM
> **To:** Bennett, Tate <Bennett.Tate@epa.gov>
> **Subject:** EMBARGOED UNTIL NOON- MTE Announcement
>
> Please see below talking points regarding our noon MTE announcement. Please flag any press that may be conducted on your end. Also, **please give me a call if you'd like to be a part of an event on this issue later in the week.** – Tate **Ex. 6**

- <!--[if !supportLists]--><!--[endif]-->In 2012, EPA and the National Highway Traffic Safety Administration (NHTSA) set greenhouse gas (GHG) and Corporate Average Fuel Economy (CAFE) standards for light-duty vehicles starting in Model Year (MY) 2017 - 2025.
- <!--[if !supportLists]--><!--[endif]-->As part of the 2012 rulemaking, EPA made a regulatory commitment to conduct a Midterm Evaluation of the standards for MY 2022-2025 no later than April 1, 2018. This Evaluation would determine whether the standards remain appropriate or should be made more or less stringent.

- <!--[if !supportLists]--><!--[endif]-->In November 2016, the Obama Administration cut short the Midterm Evaluation process and rushed out a Final Determination days before leaving office, on January 12, 2017. Since then, the auto industry and other stakeholders sought a reinstatement of the original Midterm Evaluation timeline, so that the Agency could review the latest information.

- <!--[if !supportLists]--><!--[endif]-->On March 15, 2017, President Trump alongside EPA Administrator Pruitt and U.S. Department of Transportation Secretary Chao announced a reestablishment of the Midterm Evaluation process.

- <!--[if !supportLists]--><!--[endif]-->In August 2017, EPA and NHTSA formally reopened the regulatory docket initiating a 45-day comment period asking for additional information and data relevant to assessing whether the GHG emissions standards remain appropriate, including information on: consumer behavior, feedback on modeling approaches, costs and assessing advanced fuels technologies.

- <!--[if !supportLists]--><!--[endif]-->EPA held a public hearing in Washington, DC, on September 6, 2017. By the end of the comment period, EPA received over 290,000 comments.

- <!--[if !supportLists]--><!--[endif]-->**Based on EPA's review and analysis of the comments and information received, and the Agency's own analysis, the Administrator believes that the current GHG emission standards for MY 2022-2025 light-duty vehicles are not appropriate and should be revised.**

    - EPA will continue its close partnership with NHTSA to ensure there is adequate consideration of any potential impacts on automobile safety.