

NISKANEN C E N T E R

Climate Policy and Litigation October 1, 2017 to July 31, 2018

Appendix A

Public Appearances

1. ***National Press Club event*** (July 23, 2018) Niskanen Center and the Columbia University's Center on Global Energy Policy held an event with Congressman Carlos Curbelo (FL-26) to discuss the Market Choice Act, legislation he introduced that day. After a 1-1 conversation between Congressman Curbelo and Jason Bordoff, Founding Director of the Center on Global Energy Policy, we moved to a panel conversation on the energy, economic and emissions effects of the Congressman's proposal and carbon pricing more broadly moderated by Joseph Majkut. 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.
2. ***A Conservative Perspective on Climate Change*** (April 24, 2018). Dinner speech before the Baltimore-Washington chapter of the Air & Waste Management Association. Taylor discussed why he left climate skepticism behind and the prospects for Congressional action to address climate change before approximately a dozen dinner guests.
3. ***The Economic Imperative of Climate Action*** (April 23, 2018). Panel discussion before the Brown Navigating Our World (NOW) Conference in Washington, DC. Taylor discussed why he left climate skepticism behind and the prospects for changing Republican minds about the need to address climate change before approximately 100 attendees from the investment community.
4. ***What did they know, and when did they know it? The municipal climate litigation, the fossil-fuel industry, and the municipal bond market.*** (April 17, 2018). David Bookbinder argued on a panel at American Enterprise Institute that ExxonMobil's claim of certain municipal bonds not disclosing information about the risk of climate change is unsubstantiated by pointing to cases in which a municipal bond disclosure cites a study on predicted effects of climate change.

5. ***Economics, Trade and National Narratives: Beyond the Headlines*** (April 9, 2018). Panel discussion before the opening session of the BNEF Future of Energy Global Summit in New York City. Jerry Taylor discussed various topical matters pertaining to the energy industry before approximately 700 invitation-only attendees.
6. ***Transforming Environmental Health*** (March 19, 2018). Keynote lecture by Jerry Taylor at a symposium sponsored by the Johns Hopkins Bloomberg School of Public Health in Baltimore, Maryland. Taylor discussed the nature of climate skepticism in the GOP and how best to communicate positively with right-of-center audiences before approximately 200 public health officials.
7. ***Energy Finance 2018 Conference*** (March 13, 2018), David Bookbinder discussed on a panel the buildout of natural gas pipelines in the U.S. and legal strategies that landowners have used to enforce their property rights in the face of these proposals.
8. ***Confronting the Climate Challenge: US Policy Options*** (March 2, 2018) Comments by Jerry Taylor at book forum hosted by Resources for the Future in Washington, DC. Taylor discussed the political prospects for carbon pricing in the United States Congress along with Prof. Lawrence Goulder (Stanford) and Mark Hafstead (RFF), the coauthors of the book. Approximately 100 DC policy actors were in attendance.
9. ***Making Border Carbon Adjustments Work in Law and Practice***, (February 28, 2018). David Bookbinder participated in The Brookings Institution's informal Chatham House Rule workshop that investigated these issues from a highly pragmatic perspective. The goal was to inform the BCA provisions of U.S. carbon tax legislation with an eye to ensuring effective and efficient policy design and anticipating the implementation challenges through the regulatory and administrative processes.
10. ***Can Tax Reform Include a Carbon Tax?*** (November 28, 2017). Jerry Taylor spoke on a panel at the Brookings Institution about why it is unlikely that a carbon tax will be part of tax reform in the 115th Congress. Approximately 100 people were in attendance.
11. ***Why Conservatives Should Have Embraced the Paris Climate Accord*** (November 13, 2017). Jerry Taylor spoke at a conference hosted by Hiram College about why the Trump administration was wrong to withdrawal from the Paris climate agreement. About 100 people were in attendance.
12. ***Congressional Testimony*** (November 8, 2017). Joseph Majkut provided testimony on ["Geoengineering: Innovation, Research, and Technology,"](#) before the Subcommittee on Environment and Subcommittee on Energy.
13. ***How to Talk to Conservative Elites About Climate Change*** (November 6, 2017). Jerry Taylor spoke on a panel at the 2017 American Public Health Association Annual Meeting in Atlanta, Georgia, about how best to discuss climate change to conservative elites. About 50 people were in attendance.

14. *How to Talk to Conservatives about Climate* (November 2, 2017). Jerry Taylor spoke to several hundred attendees on a panel at the 29th annual SRI conference in Coronado, California about how best to talk to conservatives about climate change.
15. *Pipeline Law Conference, New York City* (November 1, 2017), David Bookbinder presented on eminent domain issues.
16. *The Conservative Case for a Carbon Tax* (October 23, 2017). In the course of accepting their annual Sustainable Policymakers Award, Jerry Taylor spoke to 150 members of the American Sustainable Business Council in Washington, DC, about why conservatives should support a carbon tax and how best to talk about climate change with those on the right.
17. *The Conservative Case for a Carbon Tax* (October 7, 2017). Jerry Taylor spoke at a conference before 150 student activists at Dixon University about why conservatives should support a carbon tax and how best to talk about climate change with those on the right.

Appendix B

Op-Eds and Blog Posts

[Our climate blog](#) offers sophisticated, high-level analysis regarding the politics, policy, economics, and science of climate change. It is aimed at well-informed governing elites who influence the climate-related policy discussions in the White House and on Capitol Hill.

Our posts have been frequently referenced, directly and indirectly, by influential media outlets, are read extensively in Congressional offices and within the right-of-center policy community, and regularly prompt calls from Congressional staff for private briefings, Congressional testimony, and follow-up information.

1. Joseph Majkut, David Bookbinder, [“Legislative Analysis: The Market Choice Act.”](#) July 23, 2018.
2. Robert McNamara and David Bookbinder, [“Pipeline Builders Abuse Eminent Domain: How FERC denies landowners the right to meaningful appeal,”](#) *The Wall Street Journal*, July 19, 2018.
3. Jerry Taylor, [“How did Scott Pruitt become a conservative hero? Because the right abandoned its principles,”](#) *Sloan*, July 14, 2018.
4. David Bookbinder, [“Trump’s coal and nuclear bailout is lawless, reckless and dangerous — and nobody noticed,”](#) *Salon*, June 15, 2018.

5. David Bookbinder, [“Local Governments and Climate Externalities,”](#) *The Environmental Forum*, May/June 2018.
6. Joseph Majkut, [“Report: The Growing Partisan Divide on the Environment,”](#) May 16, 2018
7. David Bookbinder, [“Why Tort Action Against Fossil Fuel Producers is a Good Idea,”](#) May 14, 2018.
8. Shi-Ling Hsu, [“People and Science Collateral Damage in War on Regulations,”](#) Niskanen Center, April 24, 2018.
9. Jerry Taylor and David Bookbinder, [“Oil Companies Should be Held Accountable for Climate Change,”](#) Niskanen Center, April 17, 2018.
10. David Bookbinder, [“‘Sue and Settle’ Directive for the EPA is Nonsense,”](#) October 20, 2017.
11. David Bookbinder, [“Secretary Perry’s Feedback Loop,”](#) October 4, 2017.
12. Joseph Majkut, Adam Wong, Ryan Hagemann, [“Rightly Governing Solar Geoenvironmental Research,”](#) October 2, 2017.
13. David Bookbinder, [“Global Warming Tort Litigation: Two Very Different Approaches,”](#) September 28, 2017.

Notable Publications & Citations

Selection of mentions, interviews, and citations in key publications:

1. Ellen M. Gilmer, Sam Mintz and Rod Kuckro, [“Commenters swarm FERC to push reform — and status quo,”](#) *E&E News*, July 27, 2018.
2. Michael J. Coren, [“Republican opposition to climate action is cracking in districts won by Hillary Clinton,”](#) *Quartz Media*, July 25, 2018.
3. Amy Harder, [“GOP congressman introduces carbon tax bill,”](#) *AXIOS*, July 23, 2018.
4. Nick Sobczyk, [“Curbelo rolls out carbon tax plan to deep skepticism,”](#) *E&E News*, July 23, 2018.
5. Kelsey Tamborrino, [“Curbelo’s Carbon Tax Footprint,”](#) *POLITICO*, July 23, 2018.
6. Josh Siegel, [“Conservatives get ready to battle a GOP carbon tax bill,”](#) *Washington Examiner*, July 23, 2018.

7. Fred Krupp, [“Capitalism Will Solve the Climate Problem: Skeptics try to deny the evidence of global warming, but businesses already are betting on clean energy.”](#) *The Wall Street Journal*, July 22, 2018.
8. Josh Siegel, [“House passes GOP leadership measure declaring a carbon tax harmful to economy.”](#) *Washington Examiner*, July 19, 2018.
9. Zack Colman, [“House Republican Is Proposing a \\$23 Carbon Tax: The draft bill is an attempt at compromise between environmentalists and conservatives favoring climate action.”](#) *E&E News*, July 18, 2018.
10. Jennifer A Dlouhy, [“Republicans Move to Kill Carbon Tax Before It Gains Any Momentum.”](#) *Bloomberg*, July 18, 2018.
11. Zack Colman and Nick Sobczyk, [“House Republican will introduce \\$23 carbon tax next week.”](#) *E&E News*, July 17, 2018.
12. John Siciliano & Josh Siegel, [“Daily on Energy: Trump and Putin, energy ‘competitors’ together.”](#) *Washington Examiner*, July 16, 2018.
13. John O'Brien, [“From Policy To Payday: Former Interior Secretary Says Environmental Lawyers Have Shifted Focus.”](#) *Forbes*, July 16, 2018.
14. Zack Colman, [“Republicans duel on climate measures behind the scenes.”](#) *E&E News*, July 16, 2018.
15. Marc Morano, [“Yikes! Claim: EPA will now take ‘a less confrontational stance on climate science’ – ‘Pave the way for more constructive conversation’ to ‘address the threats of climate change’.”](#) *Climate Depot*, July 12, 2018.
16. Emily Gertz, [“What Kennedy’s Supreme Court departure means for the environment.”](#) *Popular Science*, July 12, 2018.
17. Amanda Paulson and Mark Trumbull, [“From new leadership to Clean Power Plan, subtle shifts ripple through EPA.”](#) *The Christian Science Monitor*, July 11, 2018.
18. Marianne Lavelle, [“What Brett Kavanaugh on Supreme Court Could Mean for Climate Regulations.”](#) *Inside Climate News*, July 11, 2018.
19. Niina Heikkinen and Benjamin Storrow, [“Former aide to Inhofe, a skeptic, to oversee first CO2 rules.”](#) *E&E News*, July 10, 2018.
20. Dan Vergano and Zahra Hirji, [“Retiring Supreme Court Justice Anthony Kennedy Was A ‘Gettable Vote’ On Environmental Cases, Lawyers Say.”](#) *Buzzfeed*, June 29, 2018.
21. Amanda Reilly, [“Is Massachusetts v. EPA a goner?”](#) *E&E News*, June 28, 2018.

22. Yessenia Funes, [“Big Oil's Victory in Climate Suit Doesn't Matter.”](#) *Earther*, June 27, 2018.
23. Cal Thomas, [“Thirty years of 'global warming' panic,”](#) *The Washington Times*, June 27, 2018.
24. Umair Irfan [“San Francisco and Oakland sued oil companies for causing climate change. A judge dismissed the cases: Lawsuits filed by other cities are still underway.”](#) *Vox*, June 26, 2018.
25. Ben Geman, [“Big Oil notches climate case win.”](#) *Axios*, June 26, 2018.
26. Any Harder, [“Why climate change is the easiest news to fake,”](#) *Axios*, June 25, 2018.
27. David Roberts, [“Energy lobbyists have a new PAC to push for a carbon tax. Wait, what?”](#) *Vox*, Jun 23, 2018.
28. Zack Colman, [“Another GOP group wants to tax carbon. Does it matter?”](#) *E&E News*, June 21, 2018.
29. [“Climate change and the great political divide.”](#) *Mountain West News*, June 20, 2018.
30. [“Boulder Amends And Refiles Climate Lawsuit, Alleging ‘Conspiracy’,”](#) *Climate Change Dispatch*, June 20, 2018.
31. Seth Borenstein and Steve Peoples, [“Too hot to handle: Politics of warming part of culture wars.”](#) *Associated Press*, June 20, 2018.
32. John Siciliano, [“Climate change fighters turn to Republicans,”](#) *Washington Examiner*, June 19, 2018.
33. James Osborne, [“Inside Exxon Mobil’s fight to stop climate change litigation in its tracks,”](#) *Houston Chronicle*, June 14, 2018.
34. Charlie Brennan [“Boulder governments could end up paying in climate change lawsuit,”](#) *Daily Camera*, June 14, 2018.
35. Karen Savage [“NYC Climate Case Belongs in Court, Libertarian Think Tank Argues,”](#) *Climate Liability News*, June 11, 2018.
36. Ellen M. Gilmer, [“Trump's energy blitz and the legal showdown to come,”](#) *E&E News*, June 8, 2018.
37. Elijah Wolfson, [“The list of oil companies that met with the Pope about climate change has some big names missing.”](#) *Quartz Media*, June 9, 2018.

38. Mark Reynolds, ["Don't laugh, we're closer to a bipartisan solution on climate change than you realize,"](#) *The Hill*, June 05, 2018.
39. Alan Neuhauser, ["Trump Plan to Prop Up Coal, Nuclear Won't Protect the Electric Grid,"](#) *U.S. News & World Report*, June 4, 2018.
40. Adam Aton, ["Did Trump just propose the opposite of pricing carbon?"](#) *E&E News*, June 4, 2018.
41. Michael J. Coren, ["What it will take to get Republicans and Democrats to agree on global warming,"](#) *Quartz Media*, May 27, 2018.
42. Umair Irfan, ["A federal judge in a climate change lawsuit is forcing oil companies to cough up internal documents,"](#) *Vox*, May 29, 2018.
43. Scott Waldman, ["NASA chief isn't a skeptic anymore. Will others follow?"](#) *E&E News*, May 25, 2018.
44. Scott Waldman, ["Meet the man helping Pruitt reshape science,"](#) *E&E News*, May 23, 2018.
45. James Osborne ["Carbon taxes, pricing sweep statehouses and foreign governments, even as U.S. resists,"](#) *Houston Chronicle*, May 23, 2018.
46. John Siciliano & Josh Siegel, ["Daily on Energy: Rift grows in GOP over climate change,"](#) *Washington Examiner*, May 18, 2018.
47. Alan Neuhauser, ["On Climate, Sharp Generational Divide Within GOP,"](#) *U.S. News & World Report*, May 14, 2018.
48. Steve Chapman, ["California's bad solar remedy for climate change,"](#) *Chicago Tribune*, May 11, 2018.
49. Alan Neuhauser, ["Political Winds, Not Science, Sway Conservative Republicans on Climate Change,"](#) *U.S. News & World Report*, May 10, 2018.
50. ["Climate Lawsuits, Once Limited to the Coasts, Jump Inland,"](#) *The New York Times*, April 18, 2018.
51. ["How the science of persuasion could change the politics of climate change,"](#) *MIT Technology Review*, April 16, 2018.
52. [Landowners Question If Pipeline Companies Seizing Land to Export Oil and Gas Counts as 'Public Good',](#) *DeSmogBlog*, April 16, 2018.
53. ["Are pipeline land takings in the public interest if oil, gas headed overseas?"](#) *Houston Chronicle*, April 5, 2018
54. ["Lawsuits are a poor way to address climate change,"](#) *Dallas News*, April 2, 2018.
55. ["Why EPA's Effort to Weaken Fuel Efficiency Standards Could be Trump's Most Climate-Damaging Move Yet,"](#) *Inside Climate News*, April 2, 2018

56. [“Energy Companies Sued for Being Energy Companies,”](#) *National Review*, March 28, 2018.
57. [“How Pruitt's EPA Is Delaying, Weakening and Repealing Clean Air Rules,”](#) *Inside Climate News*, March 22, 2018.
58. [“Environmentalists lost big on LNG exports. Now what?”](#) *E&E News*, February 21, 2018.
59. [Another way greens might pick a climate fight](#), *Climate Wire*, January 8, 2018.
60. [Bottom Line on Climate Communications](#), *Daily Kos*, January 4, 2018.
61. [Heartland Replies To Inside Climate News](#), *The Heartland Institute*, December 24, 2017.
62. [How Big Oil Lost Control of Its Climate Misinformation Machine](#), *Inside Climate News*, December 22, 2017.
63. [It's All Over: U.S. Republicans Reject Carbon Tax](#), *Climate Depot*, December 21, 2017.
64. [Republicans Blow Their Chance to Pass a Carbon Tax](#), *The Atlantic*, December 20, 2017.
65. [California Climate Lawsuits: Different Strategies, Same Goal](#), *Climate Liability News*, December 18, 2017.
66. [How Trump's reckless climate policy invites a judicial backlash](#), David Bookbinder, *Vox*, December 11, 2017.
67. [Heartland Weekly: Why Democrats Lose on Global Warming](#), The Heartland Institute, December 11, 2017.
68. [Kids' Lawsuit Over Climate Change Faces Big Test In Federal Court](#), *Bloomberg Bureau of National Affairs*, December 8, 2017.
69. [Climate Engineering Is A Gateway To Global Government](#), *Australian National Review*, December 7, 2017.
70. [In his own words: Behind a one-time skeptic's climate 'flip'](#), *Yale Climate Connections*, November 11, 2017.
71. [Conservatives probably can't be persuaded on climate change. So now what?](#), *Vox*, November 10, 2017.
72. [Climate Change Scientists Want To Use 'Sun Reflection Methods' To Fight Effects Of Global Warming](#), *Inquisitr*, November 9, 2017.
73. [We can brighten clouds to reflect heat and reduce global warming. But should we?](#), *Phys.Org*, November 9, 2017.

74. [Congress talked about climate change — and no one got mad](#), *Climate Wire*, November 9, 2017.
75. [Lawmakers set partisan brawls aside to discuss geoengineering](#), *E&E Daily*, November 9, 2017.
76. [US House Science Committee just had a rational hearing about climate](#), *Ars Technica*, November 9, 2017.
77. [Amid federal climate upheaval, geoengineering options explored](#), *E&E, Daily*, November 6, 2017.
78. [He Was a Professional Climate Skeptic. Then He Switched Sides.](#), *Mother Jones*, November 6, 2017.
79. [Daily on Energy: Clean energy advocates make their push while Trump's away](#), *Washington Examiner*, November 6, 2017.
80. [Humans 'dominant cause' of climate change, government report says](#), *Washington Examiner*, November 3, 2017.
81. [Carbon Tax: Political Poison for the Conservative Movement](#), Competitive Enterprise Institute, November 2, 2017.
82. [Many lawmakers doubt warming but are bullish on resilience](#), *E&E News*, November 2, 2017.
83. [Alaska Sen. Lisa Murkowski wants to fight climate change and drill for oil, too](#), *The Seattle Times*, November 1, 2017.
84. [Picking 'red-team' roster presents minefield for Pruitt](#), *Climate Wire*, October 26, 2017.
85. [Subsidizing Coal Is Far From Conservative](#), *Bloomberg*, October 23, 2017.
86. [EPA has 'plenty of tools' to battle climate change without Obama regulations, experts say](#), *Washington Examiner*, October 13, 2017.
87. [Trump Axes Climate Plan As The World Burns](#), *Huffington Post*, October 11, 2017.
88. [Analysts say repeal reinforces endangerment finding](#), *E&E News PM*, October 10, 2017.