

From: Kassie Siegel <ksiegel@biologicaldiversity.org>
Sent: Tuesday, January 12, 2021 10:58 AM PST
To: Horowitz, Cara (ELC) <horowitz.elc@law.ucla.edu>; Hecht, Sean <hecht@law.ucla.edu>; Stein, Julia (ELC) <stein.elc@law.ucla.edu>; Carlson, Ann <carlson@law.ucla.edu>
Subject: Letter to Biden-Harris Administration Re ESA & Climate Change
Attachment(s): "21 01 12 Letter RE Climate Change and Endangered Species.docx"

Hi Cara, Sean, Julia, and Ann,

Hope all is as well as can be. I am following up on this letter to the Biden administration asking for revocation of a series of memos going back to 2008 that seek to block consideration of GHGs in ESA Section 7 consultation. The letter also asks for revocation of the Trump ESA Section 7 regs.

So far we have a long and fabulous list of scientist signatories and we're hoping to add some additional law profs & practitioners by the end of this week.

LMK if I can answer any questions about it?

Huge, huge thanks. I know you are all so busy! - Kassie

Kassie Siegel, Director
Climate Law Institute
[Center for Biological Diversity](#)
Phone: (951) 961-7972

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----- Forwarded message -----

From: Meyer, Katherine Anne <kmeyer@law.harvard.edu>

Date: Sun, Jan 3, 2021 at 8:23 PM

Subject: Request that you join our effort to ask the Biden-Harris Administration to take action on Climate Change matter

Cc: [REDACTED] Barnekow, Kate <kbarnekow@law.harvard.edu>

We are writing to ask if you will add your name to our effort to convince the new Biden-Harris Administration to rescind certain policies that are particularly counterproductive to protecting wildlife and plants adversely affected by Climate Change. These include (1) the 2008 Bernhardt Memorandum that advised federal agencies that they need not take Climate Change into consideration when complying with their obligation under Section 7 of the Endangered Species Act to "insure" that their actions are not likely to jeopardize the continued existence of listed species; (2) the Fish and Wildlife Service's 2010 Memorandum arguing that the determination of whether a species is "endangered" does not include whether it may become extinct due to Climate Change; and (3) parts of the Trump Administration's revised ESA regulations that also attempt to downplay consideration of Climate Change in determining the adverse effects of agency decisions. For years, these policies have been relied upon to deny much needed protection to species threatened with serious harm and extinction by Climate Change.

We have attached a copy of the cover letter and analysis drafted by the Harvard Law School Animal Law & Policy Clinic on behalf of the Center for Biological Diversity. Our current plan is to present these materials to the new Administration the week of January 25, 2021, on behalf of a coalition of environmental lawyers and scientists. Accordingly, **we request that you let us know by no later than the end of the day, January 8**, whether we can add your name and signature to this very important initiative. If so, please provide us with your name, title, and affiliation, as you would like to have it appear on the cover letter, and please send us a jpeg of your signature if you've got it.

Please let us know if you have any questions or need any additional information from us, including any of the 3 documents referenced above.

Thank you,

Katherine Meyer
Director, Animal Law and Policy Clinic
Visiting Assistant Clinical Professor of Law
Harvard Law School
617-998-2450

Kassie Siegel
Director, Climate Law Institute
Center for Biological Diversity
(951) 961-7972

[REDACTED]
HLS Students, Class of 2021

**MARYLAND
FORM
MW507**

Purpose. Complete Form MW507 so that your employer can withhold the correct Maryland income tax from your pay. Consider completing a new Form MW507 each year and when your personal or financial situation changes.

Basic Instructions. Enter on line 1 below, the number of personal exemptions you will claim on your tax return. However, if you wish to claim more exemptions, or if your adjusted gross income will be more than \$100,000 if you are filing single or married filing separately (\$150,000, if you are filing jointly or as head of household), you must complete the Personal Exemption Worksheet on page 2. Complete the Personal Exemption Worksheet on page 2 to further adjust your Maryland withholding based on itemized deductions, and certain other expenses that exceed your standard deduction and are not being claimed at another job or by your spouse. However, you may claim fewer (or zero) exemptions.

Additional withholding per pay period under agreement with employer. If you are not having enough tax withheld, you may ask your employer to withhold more by entering an additional amount on line 2.

Exemption from withholding. You may be entitled to claim an exemption from the withholding of Maryland income tax if:

- a. Last year you did not owe any Maryland Income tax and had a right to a full refund of any tax withheld; AND,
- b. This year you do not expect to owe any Maryland income tax and expect to have a right to a full refund of all income tax withheld.

If you are eligible to claim this exemption, complete Line 3 and your employer will not withhold Maryland income tax from your wages.

Students and Seasonal Employees whose annual income will be below the minimum filing requirements should claim exemption from withholding. This provides more income throughout the year and avoids the necessity of filing a Maryland income tax return.

Certification of nonresidence in the State of Maryland. Complete Line 4. This line is to be completed by residents of the District of Columbia, Virginia or West Virginia who are employed in Maryland and who do not maintain a place of abode in Maryland for 183 days or more.

Residents of Pennsylvania who are employed in Maryland and who do not maintain a place of abode in Maryland for 183 days or more, should complete line 5 to exempt themselves from the state portion of the withholding tax. These employees are still liable for withholding tax at the rate in effect for the Maryland county in which they are employed, unless they qualify for an exemption on either line 6 or line 7. Pennsylvania residents of York and Adams counties may claim an exemption from the local withholding tax by completing line 6. Pennsylvania residents living in other local jurisdictions which do not impose an earnings or income tax on Maryland residents may claim an exemption by completing line 7. Employees qualifying for exemption under 6 or 7, should also write "EXEMPT" on line 4.

Line 4 is **NOT** to be used by residents of other states who are working in Maryland, because such persons are liable for Maryland income tax and withholding from

their wages is required.

If you are domiciled in the District of Columbia, Pennsylvania or Virginia and maintain a place of abode in Maryland for 183 days or more, you become a statutory resident of Maryland and you are required to file a resident return with Maryland reporting your total income. You must apply to your domicile state for any tax credit to which you may be entitled under the reciprocal provisions of the law. If you are domiciled in West Virginia, you are not required to pay Maryland income tax on wage or salary income, regardless of the length of time you may have spent in Maryland.

Under the Servicemembers Civil Relief Act, as amended by the Military Spouses Residency Relief Act, you may be exempt from Maryland income tax on your wages if (i) your spouse is a member of the armed forces present in Maryland in compliance with military orders; (ii) you are present in Maryland solely to be with your spouse; and (iii) you maintain your domicile in another state. If you claim exemption under the SCRA enter your state of domicile (legal residence) on Line 8; enter "EXEMPT" in the box to the right on Line 8; and attach a copy of your spousal military identification card to Form MW507. **In addition, you must also complete and attach Form MW507M.**

Duties and responsibilities of employer. Retain this certificate with your records. You are required to submit a copy of this certificate and accompanying attachments to the Compliance Division, Compliance Programs Section, 301 West Preston Street, Baltimore, MD 21201, when received if:

1. You have any reason to believe this certificate is incorrect;
2. The employee claims more than 10 exemptions;
3. The employee claims an exemption from withholding because he/she had no tax liability for the preceding tax year, expects to incur no tax liability this year and the wages are expected to exceed \$200 a week;
4. The employee claims an exemption from withholding on the basis of nonresidence; or
5. The employee claims an exemption from withholding under the Military Spouses Residency Relief Act.

Upon receipt of any exemption certificate (Form MW507), the Compliance Division will make a determination and notify you if a change is required.

Once a certificate is revoked by the Comptroller, the employer must send any new certificate from the employee to the Comptroller for approval before implementing the new certificate.

If an employee claims exemption under 3 above, a new exemption certificate must be filed by February 15th of the following year.

Duties and responsibilities of employee. If, on any day during the calendar year, the number of withholding exemptions that the employee is entitled to claim is less than the number of exemptions claimed on the withholding exemption certificate in effect, the employee must file a new withholding exemption certificate with the employer within 10 days after the change occurs.

**FORM
MW507 Employee's Maryland Withholding Exemption Certificate**

Print full name	Social Security Number
Street Address, City, State, ZIP	County of residence (Nonresidents enter Maryland county (or Baltimore City) where you are employed.)
<input type="checkbox"/> Single <input type="checkbox"/> Married (surviving spouse or unmarried Head of Household) Rate <input type="checkbox"/> Married, but withhold at Single rate	

1. Total number of exemptions you are claiming not to exceed line f in Personal Exemption Worksheet on page 2. 1. _____
2. Additional withholding per pay period under agreement with employer. 2. _____
3. I claim exemption from withholding because I do not expect to owe Maryland tax. See instructions above and check boxes that apply.
 - a. Last year I did not owe any Maryland income tax and had a right to a full refund of all income tax withheld and
 - b. This year I do not expect to owe any Maryland income tax and expect to have the right to a full refund of all income tax withheld. (This includes seasonal and student employees whose annual income will be below the minimum filing requirements).
If both a and b apply, enter year applicable _____ (year effective) Enter "EXEMPT" here 3. _____
4. I claim exemption from withholding because I am domiciled in one of the following states. Check state that applies.
 - District of Columbia Virginia West Virginia
 - I further certify that I do not maintain a place of abode in Maryland as described in the instructions above. Enter "EXEMPT" here. 4. _____
5. I claim exemption from Maryland **state** withholding because I am domiciled in the Commonwealth of Pennsylvania and I do not maintain a place of abode in Maryland as described in the instructions on Form MW507. Enter "EXEMPT" here. 5. _____
6. I claim exemption from Maryland **local** tax because I live in a local Pennsylvania jurisdiction within York or Adams counties. Enter "EXEMPT" here and on line 4 of Form MW507. 6. _____
7. I claim exemption from Maryland **local** tax because I live in a local Pennsylvania jurisdiction that does not impose an earnings or income tax on Maryland residents. Enter "EXEMPT" here and on line 4 of Form MW507. 7. _____
8. I certify that I am a legal resident of the state of _____ and am not subject to Maryland withholding because I meet the requirements set forth under the Servicemembers Civil Relief Act, as amended by the Military Spouses Residency Relief Act. Enter "EXEMPT" here. 8. _____

Under the penalty of perjury, I further certify that I am entitled to the number of withholding allowances claimed on line 1 above, or if claiming exemption from withholding, that I am entitled to claim the exempt status on whichever line(s) I completed.

Employee's signature	Date
Employer's name and address including ZIP code (For employer use only)	Federal Employer Identification Number

Personal Exemptions Worksheet

Line 1

- a. Multiply the number of your personal exemptions by the value of each exemption from the table below. (Generally the value of your exemption will be \$3,200; however, if your federal adjusted gross income is expected to be over \$100,000, the value of your exemption may be reduced. **Do not claim any personal exemptions you currently claim at another job, or any exemptions being claimed by your spouse.** To qualify as your dependent, you must be entitled to an exemption for the dependent on your federal income tax return for the corresponding tax year. **NOTE:** Dependent taxpayers may not claim themselves as an exemption. a. _____
- b. Multiply the number of additional exemptions you are claiming for dependents age 65 or over by the value of each exemption from the table below. b. _____
- c. Enter the estimated amount of your itemized deductions (excluding state and local income taxes) that exceed the amount of your standard deduction, alimony payments, allowable childcare expenses, qualified retirement contributions, business losses and employee business expenses for the year. Do not claim any additional amounts you currently claim at another job or any amounts being claimed by your spouse. **NOTE:** Standard deduction allowance is 15% of Maryland adjusted gross income with a minimum of \$1,550 and a maximum of \$2,300. c. _____
- d. Enter \$1,000 for additional exemptions for taxpayer and/or spouse age 65 or over and/or blind.. . . . d. _____
- e. Add total of lines a through d. e. _____
- f. Divide the amount on line e by \$3,200. **Drop any fraction. Do not round up.** This is the **maximum** number of exemptions you may claim for withholding tax purposes. f. _____

If your federal AGI is		If you will file your tax return	
		Single or Married Filing Separately Your Exemption is	Joint, Head of Household or Qualifying Widow(er) Your Exemption is
\$100,000 or less		\$3,200	\$3,200
Over	But not over		
\$100,000	\$125,000	\$1,600	\$3,200
\$125,000	\$150,000	\$800	\$3,200
\$150,000	\$175,000	\$0	\$1,600
\$175,000	\$200,000	\$0	\$800
In excess of \$200,000		\$0	\$0

FEDERAL PRIVACY ACT INFORMATION

Social Security numbers must be included. The mandatory disclosure of your Social Security number is authorized by the provisions set forth in the Tax-General Article of the Annotated Code of Maryland. Such numbers are used primarily to administer and enforce the individual income tax laws and to exchange income tax information with the Internal Revenue Service, other states and other tax officials of this state. Information furnished to other agencies or persons shall be used solely for the purpose of administering tax laws or the specific laws administered by the person having statutory right to obtain it.

FORM
M-4

MASSACHUSETTS EMPLOYEE'S WITHHOLDING EXEMPTION CERTIFICATE

Rev. 11/19



Print full name
Print home address.....

Social Security no.
City..... State..... Zip.....

Employee:

File this form with your employer. Otherwise, Massachusetts Income Taxes will be withheld from your wages without exemptions.

Employer:

Keep this certificate with your records. If the employee is believed to have claimed excessive exemptions, the Massachusetts Department of Revenue should be so advised.

HOW TO CLAIM YOUR WITHHOLDING EXEMPTIONS

1. Your personal exemption. Write the figure "1." If you are age 65 or over or will be before next year, write "2"
2. If married and if exemption for spouse is allowed, write the figure "4." If your spouse is age 65 or over or will be before next year and if otherwise qualified, write "5." See Instruction C.....
3. Write the number of your qualified dependents. See Instruction D.....
4. Add the number of exemptions which you have claimed above and write the total.....
5. Additional withholding per pay period under agreement with employer \$.....
 - A. Check if you will file as head of household on your tax return.
 - B. Check if you are blind. C. Check if spouse is blind and not subject to withholding.
 - D. Check if you are a full-time student engaged in seasonal, part-time or temporary employment whose estimated annual income will not exceed \$8,000.

EMPLOYER: DO NOT withhold if Box D is checked.

I certify that the number of withholding exemptions claimed on this certificate does not exceed the number to which I am entitled.

Date..... Signed

THIS FORM MAY BE REPRODUCED

THE COMMONWEALTH OF MASSACHUSETTS, DEPARTMENT OF REVENUE

A. Number. The more exemptions you claim on this certificate, the less tax withheld from your employer. If you claim more exemptions than you are entitled to, civil and criminal penalties may be imposed. However, you may claim a smaller number of exemptions without penalty. If you do not file a certificate, your employer must withhold on the basis of no exemptions.

If you expect to owe more income tax than will be withheld, you may either claim a smaller number of exemptions or enter into an agreement with your employer to have additional amounts withheld.

You should claim the total number of exemptions to which you are entitled to prevent excessive overwithholding, unless you have a significant amount of other income. Underwithholding may result in owing additional taxes to the Commonwealth at the end of the year.

If you work for more than one employer at the same time, you must not claim any exemptions with employers other than your principal employer.

If you are married and if your spouse is subject to withholding, each may claim a personal exemption.

B. Changes. You may file a new certificate at any time if the number of exemptions increases. You must file a new certificate within 10 days if the number of exemptions previously claimed by you decreases. For example, if during the year your dependent son's income indicates that you will not

provide over half of his support for the year, you must file a new certificate.

C. Spouse. If your spouse is not working or if she or he is working but not claiming the personal exemption or the age 65 or over exemption, generally you may claim those exemptions in line 2. However, if you are planning to file separate annual tax returns, you should not claim withholdingg exemptions for your spouse or for any dependents that will not be claimed on your annual tax return.

If claiming a spouse, write "4" in line 2. Entering "4" makes a withholding system adjustment for the \$4,400 exemption for a spouse.

D. Dependent(s). You may claim an exemption in line 3 for each individual who qualifies as a dependent under the Federal Income Tax Law. In addition, if one or more of your dependents will be under age 12 at year end, add "1" to your dependents total for line 3.

You are not allowed to claim "federal withholding deductions and adjustments" under the Massachusetts withholding system.

If you have income not subject to withholding, you are urged to have additional amounts withheld to cover your tax liability on such income. See line 5.

From: Carlson, Ann
Sent: Monday, January 18, 2021 4:05 PM PST
To: Warren, James <WARRENJ@law.ucla.edu>
CC: Parr, Tracey <PARR@law.ucla.edu>
Subject: Me

So, you are probably aware that my life has taken a mysterious turn and I'm ready to update you on it and get the appropriate paperwork in motion. I have been appointed by the Biden administration to serve as the chief counsel for the National Highway Traffic Safety Administration. The agency is in charge of climate standards for cars and trucks, which is why they have recruited me for the position. The job starts Wednesday, believe it or not. I was just offered a job yesterday although this has been in the works for a few weeks.

So, I will be taking a leave from UCLA and need to get the appropriate paperwork in motion. I will also need to carry my UCLA health insurance through the end of January since I won't get onto federal benefits until then. Thank you! Let me know what else I need to do.

I will begin to send emails to people tomorrow and Wednesday letting them know about my new position so if you could keep this somewhat under wraps I would appreciate it.

ORAL ARGUMENT NOT YET SCHEDULED

No. 19-1230

Consolidated with Nos. 19-1239, 19-1241, 19-1242, 19-1243,
19-1245, 19-1246, 19-1249, 20-1175, and 20-1178

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

UNION OF CONCERNED SCIENTISTS, *ET AL.*,
Petitioners,

v.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION,
Respondent,

COALITION FOR SUSTAINABLE AUTOMOTIVE REGULATION, *ET AL.*,
Respondent-Intervenors.

On Petitions for Review of Final Agency Action by the National Highway Traffic
Safety Administration and the U.S. Environmental Protection Agency

**BRIEF OF *AMICI CURIAE* MEMBERS OF CONGRESS
IN SUPPORT OF PETITIONERS**

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July 6, 2020

Counsel for Amici Curiae

CERTIFICATE AS TO PARTIES, RULINGS, AND RELATED CASES

A. Parties and *Amici*

All parties, intervenors, and *amici* appearing before this Court are listed or referenced in the Initial Briefs of Petitioners, with the exception of *Amici* members of Congress and any other *amici* who had not yet entered an appearance as of the filing of Petitioners' Initial Briefs.

B. Rulings Under Review

References to the rulings at issue appear in Petitioners' Initial Briefs.

C. Related Cases

References to related cases appear in Petitioners' Initial Briefs.

D. Corporate Disclosure Statement

Pursuant to Fed. R. App. P. 26.1 and 29(a)(4)(A), *Amici* state that no party to this brief is a publicly held corporation, issues stock, or has a parent corporation.

/s/ Cara Horowitz
CARA A. HOROWITZ
JULY 6, 2020

RULE 29 STATEMENTS

All parties in the consolidated action have indicated their consent to the filing of this brief. *See* Case No. 19-1230, ECF No. 1844268 (May 26, 2020). All remaining parties do not oppose or take no position on the filing of this brief.

Pursuant to Fed. R. App. P. 29(a)(4)(E), undersigned counsel for *Amici* states that no party or party's counsel authored this brief in whole or in part, and no other person besides *Amici* or their counsel contributed money intended to fund preparing or submitting the brief.

Pursuant to D.C. Cir. R. 29(d), undersigned counsel for *Amici* states that a separate brief is necessary due to *Amici*'s distinct expertise and interests. *Amici* are members of Congress with personal experience and expertise regarding the enactment of key legislation relied upon by Respondents in support of the actions challenged by Petitioners, including some *Amici* who were in office and centrally involved in the enactment of the 2007 legislative amendments to the Energy Policy and Conservation Act of 1975. *Amici* are in a unique capacity to aid the Court in understanding the legislative intent behind statutory provisions at the center of the issues in this case. No other *amici* of which we are aware share this perspective or

address these specific issues. Accordingly, *Amici*, through counsel, certify that filing a joint brief would not be practicable.

/s/ Cara Horowitz
CARA A. HOROWITZ
JULY 6, 2020

TABLE OF CONTENTS

CERTIFICATE AS TO PARTIES, RULINGS, AND RELATED CASES	i
RULE 29 STATEMENTS	ii
TABLE OF AUTHORITIES	v
GLOSSARY OF ABBREVIATIONS	x
STATUTES AND REGULATIONS	1
SUMMARY OF ARGUMENT AND <i>AMICI CURIAE</i> 'S STATEMENT OF IDENTITY, INTEREST IN CASE, AND SOURCE OF AUTHORITY TO FILE	1
ARGUMENT	5
I. In EPCA, Congress Intended to Prioritize, Rather Than Preempt, Vehicle Emissions Standards That May Affect Fuel Economy.	8
II. In EISA's Amendments to EPCA, Congress Reaffirmed and Preserved Federal and State Authority to Regulate Vehicle Emissions.	16
A. EISA's Savings Clause Affirmatively Preserves State Authority to Issue Vehicle Emissions Standards.....	18
B. Congress Incorporated California's Greenhouse Gas Emissions Standards into EISA's Requirements for Federal Vehicle Fleets..	26
CONCLUSION	30
ADDENDUM: LIST OF <i>AMICI CURIAE</i>	1A

TABLE OF AUTHORITIES

CASES

* <i>Central Valley Chrysler-Jeep, Inc. v. Goldstene</i> , 529 F. Supp. 2d 1151 (E.D. Cal. 2007).....	17, 20, 22-26
* <i>Green Mountain Chrysler Plymouth Dodge Jeep v. Crombie</i> , 508 F. Supp. 2d 295 (D. Vt. 2007).....	12, 17, 20-21, 24-26
<i>Hall v. United States</i> , 566 U.S. 506 (2012).	19
<i>La. Pub. Serv. Comm’n v. FCC</i> , 476 U.S. 355 (1986).	6, 25
* <i>Massachusetts v. EPA</i> , 549 U.S. 497 (2007).....	2, 4, 17, 19-21, 26
<i>Mississippi ex rel. Hood v. AU Optronics Corp.</i> , 571 U.S. 161 (2014).	19
<i>Mozilla Corp. v. FCC</i> , 940 F.3d 1 (D.C. Cir. 2019).....	7
<i>Wyeth v. Levine</i> , 555 U.S. 555 (2009).	6, 25

STATUTES

21 U.S.C. § 360k(b).	6
29 U.S.C. § 655.....	6
29 U.S.C. § 667(b).	6
42 U.S.C. § 6201(5).	15
42 U.S.C. § 7507.....	1

* Authorities upon which *Amici* chiefly rely are marked with an asterisk.

42 U.S.C. § 7543(b).....	1
42 U.S.C. § 7586(f)(4).....	15
*42 U.S.C. § 13212(f).....	4, 26-27, 29
42 U.S.C. § 17002.....	4, 18
47 U.S.C. § 253(d).....	6
49 U.S.C. § 32901.....	6
49 U.S.C. § 32902.....	6, 8, 12
49 U.S.C. § 32903.....	6
49 U.S.C. § 32919.....	1, 6, 28

LEGISLATIVE MATERIALS

153 Cong. Rec. 14,430 (2007).....	22
153 Cong. Rec. 15,385-86 (2007).....	19, 22-23
153 Cong. Rec. 16,750 (2007).....	19, 24
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H.R. 2635, 110th Cong. (2007).....	27

* Authorities upon which *Amici* chiefly rely are marked with an asterisk.

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H.R. 2927, 110th Cong. (2007).....	21
H.R. 7014, 94th Cong. (1975).....	13
H.R. Rep. No. 94-340 (1975).....	15
H.R. Rep. No. 103-180 (1993).....	12
H.R. Rep. No. 110-297 (2007).....	28
<u>Memorandum from John D. Dingell & Rick Boucher to the Comm. on Energy and Commerce (June 18, 2007)</u>	21
*Pub. L. No. 94-163, 89 Stat. 871 (1975).	10-12, 15
Pub. L. No. 103-272, 108 Stat. 745 (1994).....	12
Pub. L. No. 110-140, 121 Stat. 1492 (2007).....	18, 26
S. 622, 94th Cong. (1975).....	13
S. 1883, 94th Cong. (1975).....	13-14
S. Rep. No. 94-179 (1975).....	14
S. Rep. No. 94-516 (1975) (Conf. Rep.).....	13
S. Rep. No. 103-265 (1994).....	12

* Authorities upon which *Amici* chiefly rely are marked with an asterisk.

REGULATIONS

49 C.F.R. § 531.7.....	5
49 C.F.R. § 531 Appx. B.	5
49 C.F.R. § 533.7.....	5
49 C.F.R. § 533 Appx. B.	5

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43 Fed. Reg. 11,995 (Mar. 23, 1978).....	13
68 Fed. Reg. 16,868 (Apr. 7, 2003).	13
71 Fed. Reg. 17,566 (Apr. 6, 2006).	14
83 Fed. Reg. 42,986 (proposed Aug. 24, 2018).....	11
*84 Fed. Reg. 51,310 (Sept. 27, 2019).....	1, 5, 8, 24-25, 28

* Authorities upon which *Amici* chiefly rely are marked with an asterisk.

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Greg Dotson, <i>Comments to The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule</i> (October 26, 2018).....	9
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* Authorities upon which *Amici* chiefly rely are marked with an asterisk.

GLOSSARY OF ABBREVIATIONS

CAA	Clean Air Act of 1970
EISA	Energy Independence and Security Act of 2007
EPA	U.S. Environmental Protection Agency
EPCA	Energy Policy and Conservation Act of 1975
JA	Joint Appendix
NHTSA	National Highway Traffic Safety Administration

STATUTES AND REGULATIONS

Pertinent statutes and regulations are contained in Petitioners' Initial Briefs.

SUMMARY OF ARGUMENT AND *AMICI CURIAE*'S STATEMENT OF IDENTITY, INTEREST IN CASE, AND SOURCE OF AUTHORITY TO FILE

In September 2019, the National Highway Traffic Safety Administration (“NHTSA”) and the U.S. Environmental Protection Agency (“EPA”) jointly issued “The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part One: One National Program,” 84 Fed. Reg. 51,310 (Sept. 27, 2019) (JA__ - __[84Fed.Reg.51310-63]) (the “Rule”). In the Rule, NHTSA finalizes regulations purporting to establish that the Energy Policy and Conservation Act of 1975 (“EPCA”) preempts state greenhouse gas emission and zero-emission vehicle standards, while EPA, in part relying on NHTSA’s rationale, takes adjudicatory action to withdraw portions of a 2013 preemption waiver previously granted to California under Section 209(b) of the Clean Air Act of 1970 (the “CAA”), 42 U.S.C. § 7543(b), and purports to determine that other states cannot adopt California’s vehicle emissions standards through Section 177 of the CAA, 42 U.S.C. § 7507. *See* JA__ - __[84Fed.Reg.51311-28]; 49 U.S.C. § 32919(a); JA__ - __[84Fed.Reg.51328-52].

The agencies' conclusions directly conflict with the letter of EPCA, Congress's intent in enacting it, and more than forty years of implementation. As the Supreme Court acknowledged in *Massachusetts v. EPA*, 549 U.S. 497 (2007), EPCA's fuel economy mandates and the CAA's vehicle emissions requirements are independent statutory enactments that may be administered in tandem. Indeed, Congress established from the outset that fuel economy standards do not interfere with state or federal authority to set vehicle emissions standards under the CAA, and that vehicle manufacturers must meet these obligations simultaneously. In cases where emissions standards may affect a vehicle's fuel economy, fuel economy standards must yield, if necessary. Congress reiterated that intent 30 years later in the Energy Independence and Security Act of 2007 ("EISA"), a set of amendments to EPCA in part designed to preserve state authority to adopt emissions standards.

Amici Curiae are members of Congress—each of whom is listed in the attached Addendum—with an interest in the preservation and interpretation of the statutory scheme at issue in this case. To aid the Court's understanding of the relevant statutory context, and based on *Amici's* unique experience with and understanding of Congress's intent, this brief examines the statutory and legislative history of EPCA and EISA's amendments to EPCA. Each demonstrates that the Rule directly conflicts with Congress's intent regarding EPCA's preemptive scope.

First, in 1975, Congress crafted EPCA’s fuel economy mandates to accommodate federal and state vehicle emissions standards, not to preempt them. Congress understood that emissions standards might sometimes affect a vehicle’s fuel economy, and in those cases it consistently struck the balance in favor of environmental and health protection by favoring emissions standards. Congress required the U.S. Department of Transportation to take federal and state emissions standards into account when setting “maximum feasible” fuel economy standards, where they might affect fuel economy. That obligation would not exist, of course, if such state standards were preempted. Indeed, during EPCA’s drafting, Congress rejected proposals that would have frozen emissions standards to prioritize energy efficiency improvements, instead opting to prioritize emissions standards where they might interact with fuel economy standards. Accordingly, for over 40 years, NHTSA has consistently considered the impact of state emissions standards when setting fuel economy standards and has never before concluded that state emissions standards are preempted.

Second, EISA’s amendments to EPCA confirm Congress’s understanding that vehicle emissions standards have never been preempted by EPCA—and underscore its intent to preserve state authority to enact vehicle emissions standards, regardless of how those emissions standards might affect fuel economy. Congress

enacted EISA shortly after the Supreme Court decided *Massachusetts v. EPA*, which held that fuel economy standards under EPCA do not preclude EPA's regulation of vehicle greenhouse gas emissions. Following and consistent with this landmark decision, Congress reaffirmed EPCA's existing statutory scheme preserving emissions standards—including state emissions standards—notwithstanding fuel economy standards.

EISA's savings clause expressly preserves existing regulatory authority over environmental matters, including vehicle emissions under the CAA. *See* 42 U.S.C. § 17002. Congress understood and intended for this savings clause to preserve both EPA's and California's authority to regulate vehicle greenhouse gas emissions. Unsuccessful proposals designed to overturn *Massachusetts v. EPA* or curtail authority over greenhouse gas emissions demonstrate Congress's awareness that a change to the existing scheme would be needed to effect preemption. Congress declined to make any such change. Moreover, EISA's provisions related to federal vehicle fleets further demonstrate Congressional intent to preserve state authority over vehicle emissions. Those provisions require federal agencies to acquire low greenhouse gas-emitting vehicles, tasking EPA to identify such vehicles considering "the most stringent standards for vehicle greenhouse gas emissions" sold anywhere in the country. 42 U.S.C. § 13212(f)(3). With this language, Congress affirmatively

anticipated and endorsed the potential for state-promulgated greenhouse gas emissions standards that are “more stringent” than federal standards. Congress could not have incorporated state greenhouse gas emissions standards into federal fleet requirements while simultaneously intending to preempt those same standards.

In drafting and passing both EPCA and EISA, Congress never wavered in its directive that emissions standards operate alongside and, where necessary, take precedence over fuel economy standards. NHTSA’s conclusion that state greenhouse gas emission and zero-emission vehicle standards are preempted by EPCA—and EPA’s decision to revoke California’s waiver, founded in part on that faulty determination—conflict with Congress’s express and consistent intent to ensure that states maintain the authority to regulate vehicle emissions to protect air quality and public health.

ARGUMENT

Contrary to the letter and intent of EPCA, the Rule concludes that state greenhouse gas emission and zero-emission vehicle standards are preempted by federal fuel economy standards and withdraws portions of EPA’s previously-granted 2013 preemption waiver pursuant to CAA Section 209(b). *See* JA__[84Fed.Reg.51317-18]; *see also* 49 C.F.R. §§ 531.7, 533.7; *id.* § 531 Appx. B; *id.* § 533 Appx. B; JA__[84Fed.Reg.51328].

As an initial matter, Congress never authorized NHTSA to determine EPCA's preemptive scope, and NHTSA has no authority to promulgate a regulation purporting to do so. Executive agencies "have no special authority to pronounce on pre-emption absent delegation by Congress." *Wyeth v. Levine*, 555 U.S. 555, 577 (2009); *see also La. Pub. Serv. Comm'n v. FCC*, 476 U.S. 355, 374 (1986) ("[A]n agency literally has no power to act, let alone preempt the validly enacted legislation of a sovereign State, unless and until Congress confers power upon it."). Congress leaves no question when it does delegate such interpretive authority: These instances are rare, and explicit. *See, e.g.*, 47 U.S.C. § 253(d) (authorizing the Federal Communications Commission to make determinations about state laws applicable to providers of telecommunications services and to "preempt the enforcement of such [state laws] to the extent necessary . . ."); 29 U.S.C. §§ 655, 667(b) (authorizing the Occupational Health and Safety Administration to promulgate occupational safety or health standards as a "national consensus standard" with preemptive effect); *cf.* 21 U.S.C. § 360k(b) (authorizing the Federal Drug Administration to exempt from preemption state laws regarding marketing of medical devices). By contrast, EPCA contains no language authorizing NHTSA to undertake rulemaking concerning the preemptive scope of EPCA's fuel economy standards. *See* 49 U.S.C. § 32919(a); 49 U.S.C. §§ 32901-03. Absent an express Congressional grant of such

authority, NHTSA cannot validly issue the Rule. *See Mozilla Corp. v. FCC*, 940 F.3d 1, 74-76 (D.C. Cir. 2019) (holding that the Federal Communications Commission lacked statutory authority to preempt states from regulating net neutrality more stringently).

Even if NHTSA had authority to determine the preemptive scope of EPCA, the agencies' conclusions in the Rule directly conflict with statutory directives. Congress consistently intended for EPCA to preserve EPA's and states' authority to regulate vehicle emissions under the CAA, including greenhouse gas emissions. Based on *Amici's* unique understanding of the relevant statutory history of EPCA, and some *Amici's* personal experience participating in the legislative process for the 2007 EISA amendments to EPCA, *Amici* make the following points in support of Petitioners:

(1) the Rule conflicts with both the statutory text and legislative history of EPCA, which demonstrate that Congress affirmatively intended for vehicle manufacturers to meet both fuel economy standards and emissions standards, and for fuel economy standards to yield to emissions standards when necessary—not preempt them; and

(2) the Rule conflicts with both the statutory text and legislative history of EISA's amendments to EPCA, which show that Congress adopted a savings clause

preserving both EPA's and California's authority to regulate vehicle emissions—and in so doing rejected proposals to curtail that authority—and further specifically endorsed California's greenhouse gas emissions standards by incorporating them into requirements for federal vehicle fleets.

I. In EPCA, Congress Intended to Prioritize, Rather Than Preempt, Vehicle Emissions Standards That May Affect Fuel Economy.

In the Rule, NHTSA determines—incorrectly—that state greenhouse gas emission and zero-emission vehicle standards are preempted by EPCA because they could interfere with federal fuel economy standards. *See* JA__ [84Fed.Reg.51314] (citing 49 U.S.C. § 32902(a), (f)). EPCA's statutory and legislative history tells another story. Congress understood potential interactions between emissions controls and fuel economy, and it struck the balance decidedly in favor of environmental and health protections. It provided for fuel economy mandates that are separate from vehicle emissions controls and that shield emissions standards where the two schemes interact, even where such interaction might make fuel economy improvements harder to achieve. In the process, Congress rejected legislative proposals to prioritize EPCA's energy efficiency goals by freezing emissions standards. NHTSA's conclusions controvert Congressional intent to preserve vehicle emissions standards—particularly here, where the emissions

standards in question are, if anything, wholly in line with EPCA's energy efficiency goals.

EPCA was enacted in the wake of the 1973 petroleum crisis. *See* Greg Dotson, [State Authority to Regulate Mobile Source Greenhouse Gas Emissions, Part 2: A Legislative and Statutory History Assessment](#), 32 *Georgetown Envtl. L. Rev.* (Forthcoming 2020) [hereinafter *Dotson Article*], at 11.¹ Presidents Nixon and Ford repeatedly called for Congress to move forward with legislation to improve energy efficiency and reduce the United States' dependence on petroleum imports, with the primary purpose of reducing the country's vulnerability to future energy shortages. *Id.* at 11-15. But even as it passed EPCA to achieve these objectives, Congress opted against improving energy efficiency at the expense of environmental and public health protection.

¹ Much of the statutory and legislative history recited in this brief is definitively detailed in several analyses published by Professor Dotson. *See generally* *Dotson Article*; *see also* Greg Dotson, [State Authority to Regulate Mobile Source Greenhouse Gas Emissions, Part 1: History and Current Challenge](#), 49 *Envtl. L. Rep.* 11,037 (2019) [*Dotson Article Part 1*]; Greg Dotson, [Comments to The Safer Affordable Fuel-Efficient \(SAFE\) Vehicles Rule](#) (October 26, 2018). *Amici* thank Professor Dotson for his efforts to compile the relevant primary materials supporting this brief, and for his assistance in preparing this brief.

Throughout EPCA's drafting, Congress understood and considered the possibility that emissions standards could affect fuel economy. During the petroleum crisis, efforts to comply with carbon monoxide and hydrocarbon emissions standards had resulted in a fuel economy penalty of as much as 10 percent. *See Dotson Article* at 15-17. With the country's broader energy efficiency goals in mind, President Ford transmitted two early legislative proposals to Congress seeking to freeze emissions standards in order to prioritize fuel economy improvements. *See id.* at 18-22 (describing the proposed Energy Independence Act of 1975); *id.* at 24-26 (describing a subsequent proposal to freeze federal emissions standards through model year 1981). But Congress rejected these proposals, signaling its intent to preserve vehicle emissions standards even if altering or abandoning them would improve fuel economy. *See id.* at 23, 26.

Congress did not just decline to freeze emissions standards; it affirmatively prioritized them. For the first three vehicle model years affected by EPCA's fuel mandates, model years 1978-1980, Congress set fuel economy standards directly by statute. *See Pub. L. No. 94-163, § 301, 89 Stat. 871, 902 (1975) (adding § 502(a)(1) to the Motor Vehicle Information and Cost Savings Act).* In doing so, Congress specifically accounted for interactions with emissions standards, and indeed directed that its fuel economy standards would yield to both federal and state emissions

standards that affect fuel economy. It did so by crafting an adjustment mechanism to modify its fuel economy standards when a “fuel economy reduction” resulted from the application of a “Federal standard.” *Id.* § 301, 89 Stat. at 905 (adding § 502(d)(2)(A)). Notably, Congress expressly defined “Federal standards” to include *both* emissions standards set by EPA and those set by states with a CAA waiver. *Id.* (adding § 502(d)(3)(D)(i)) (defining “Federal standards” to include “emissions standards applicable by reason of section 209(b) of such Act”).

The inclusion of this adjustment mechanism demonstrates that (1) Congress did not intend for EPCA to preempt state emissions standards, and (2) Congress understood that state emissions standards could negatively affect fuel economy such that it might be appropriate to adjust fuel economy standards. *See also Dotson Article* at 17. No such mechanism to alter fuel economy standards to accommodate vehicle emissions standards would be necessary if EPCA preempted those standards.²

² NHTSA argues that Section 502(d)’s petition mechanism was a temporary and limited exception to EPCA’s preemption provision, which “became obsolete” after model year 1980, once NHTSA assumed the task of setting fuel economy standards. *See* 83 Fed. Reg. 42,986, 43,237 (proposed Aug. 24, 2018) (JA__[83Fed.Reg.43237]). But as explained further below, Congress had no need to extend this individual adjustment authority beyond model year 1980, precisely because Congress incorporated into Section 502(e) a requirement for NHTSA to consider effects on fuel economy from state emissions standards when setting future

When NHTSA took over the task of setting fuel economy standards for model years beyond 1980, Congress continued to require the agency to account for federal and state vehicle emissions standards that may affect fuel economy. Section 502(e) of EPCA enumerates criteria for NHTSA to consider when determining the “maximum achievable average fuel economy” for future model years and requires NHTSA to consider “the effect of other Federal motor vehicle standards,” including emissions standards, on fuel economy. Pub. L. No. 94-163, § 301, 89 Stat. at 905 (adding § 502(e)(3)).³ With this provision, Congress continued to conform fuel economy mandates to emissions standards after model year 1980, just as it had done in the first three years of the statute’s operation. There is no indication in the statute or legislative record that Congress intended to accommodate state emissions

fuel economy standards. As discussed in footnote 5 below, NHTSA consistently took this approach for decades, until promulgating this Rule.

³ Congress recodified EPCA in 1994, amending the language in Section 502(e)(3) to require consideration of “the effect of other motor vehicle standards of the Government on fuel economy.” Pub. L. No. 103-272, 108 Stat. 745, 1060 (1994); 49 U.S.C. § 32902(f). The accompanying House and Senate reports each explain that the recodification was meant to occur “without substantive change” to the recodified provisions, meaning that the new language in Section 502(e)(3) retains the same meaning as EPCA’s original language. *See* H.R. Rep. No. 103-180, at 1 (1993); S. Rep. No. 103-265, at 1 (1994); *Green Mountain Chrysler Plymouth Dodge Jeep v. Crombie*, 508 F. Supp. 2d 295, 346 (D. Vt. 2007).

standards when defining “Federal standards” with respect to model years 1978-1980, but reversed course and intended to preempt those same standards when referring to “Federal motor vehicle standards” for later model years.⁴

For 44 years—until this Rule—NHTSA has correctly read Section 502(e) to require the consideration of state, as well as federal, emissions standards when setting fuel economy standards. NHTSA has properly “considered” state standards under Section 502(e)(3) when they receive a waiver from EPA pursuant to Section 209(b); and under Section 502(e)(1)-(2) when determining fuel economy standards.⁵

⁴ Congress had consistently prioritized emissions standards over fuel economy standards throughout the legislative process. Drafts of EPCA included provisions adapting fuel economy standards to account for energy efficiency impacts from emissions standards. *See, e.g.*, S. 1883, 94th Cong. § 504(b) (1975) (proposing broad authority to modify fuel economy standards to reflect the maximum feasible fuel economy); H.R. 7014, 94th Cong. § 502(a)(5)(C), (d)(1) (1975) (proposing to require consideration of the “relationship to other Federal motor vehicle standards” when setting fuel economy standards and authorizing adjustment of fuel economy standards); S. 622, 94th Cong. § 502(a)(5), (d)(4) (1975) (preserving the same scheme as H.R. 7014 but expanding authority to adjust fuel economy standards, which ultimately became EPCA’s final text); S. Rep. No. 94-516, at 38 (1975) (Conf. Rep.) (defining “other Federal motor vehicle standards” to expressly include federal and state emissions standards under sections 202 and 209(b) of the CAA).

⁵ *See, e.g.*, 43 Fed. Reg. 11,995, 12,009-10 (Mar. 23, 1978) (considering the fuel economy effects of California emissions standards under the header “The Effect of Other Federal Motor Vehicle Standards” and assessing those standards under Section 502(e)(1)-(2) when establishing fuel economy standards for light trucks for model years 1980-1981); 68 Fed. Reg. 16,868, 16,895-96 (Apr. 7, 2003) (considering the fuel economy effects of California’s emissions standards under the

NHTSA had never before determined that state emissions standards were preempted by EPCA; instead, it repeatedly treated state emissions standards as consistent with NHTSA's authority to set fuel economy standards at the "maximum achievable" level, as Congress intended, even when state emissions standards had a significant effect on fuel economy.⁶

Other Congressional statements during EPCA's drafting confirm that Congress consistently intended to prioritize environmental regulation, including emissions standards. *See, e.g.*, S. 1883, 94th Cong. § 502(b)(1) (1975) (identifying the objective to reduce fuel consumption "to the maximum extent practicable . . . without reducing standards for . . . environmental quality"); S. Rep. No. 94-179, at 6 (1975) (clarifying that fuel economy standards were intended to create "the most

header "Federal Motor Vehicle Emissions Standards" when establishing fuel economy standards for light trucks for model years 2005-2007, even when acknowledging EPCA's preemption clause); 71 Fed. Reg. 17,566, 17,643 (Apr. 6, 2006) (considering California emissions standards and California's zero emission vehicle program under the header "Federal Motor Vehicle Emissions Standards" when establishing fuel economy standards for light trucks for model years 2008-2011, even when acknowledging EPCA's preemption clause).

⁶ *See Dotson Article Part 1*, at 11,049-50 (describing NHTSA adjusting fuel economy standards for individual manufacturers where NHTSA determined that California's emissions standards reduced the fuel economy that was technologically feasible and economically practicable).

fuel-efficient new car fleets compatible with safety, damageability, and emission standards”); H.R. Rep. No. 94-340, at 90 (1975) (noting the “current uncertainty as to the level of future emissions standards and their effects on fuel economy” and requiring that fuel economy standards “take account of” possible future fuel economy penalties from emissions standards). By contrast, EPCA’s legislative history contains no indication that Congress intended for fuel economy standards to preclude or preempt vehicle emissions standards that may affect fuel economy.⁷

NHTSA’s preemption findings are additionally inconsistent with Congressional intent because the vehicle emissions standards at issue, if anything, accord with EPCA’s energy efficiency goals. *See* Pub. L. No. 94-163, § 2(5), 89 Stat. at 874 (codified at 42 U.S.C. § 6201(5)) (identifying the purpose “to provide for improved energy efficiency of motor vehicles”). Congress has repeatedly indicated its intent to protect all vehicle emissions standards, even where those standards undercut fuel economy and potentially run counter to EPCA’s purpose. But unlike

⁷ Nor does subsequent statutory history. In the 1990 amendments to the CAA, Congress required EPA to establish clean-fuel programs for states with air quality concerns, explicitly referencing California’s standards for zero-emission vehicles as a model. *See* 42 U.S.C. § 7586(f)(4) (requiring EPA to establish zero-emission vehicle standards that “conform as closely as possible to standards which are established by the State of California” for the same class of vehicles). It could not have done so if these standards were preempted by EPCA.

the carbon monoxide and hydrocarbon emissions standards that result in fuel economy penalties, greenhouse gas emissions standards—to the extent that they interact with fuel economy standards at all—have been demonstrated to result in improved energy efficiency. In this case, Congress’s direction to prioritize emissions standards is wholly in line with EPCA’s statutory purpose.

In sum, Congress drafted and passed EPCA with the express intent to preserve federal and state vehicle emissions standards, even those that—unlike the standards at issue here—negatively affect fuel economy. NHTSA’s conclusion that EPCA preempts state emissions standards contravenes Congress’s dual statutory scheme of fuel economy regulation under EPCA and public health protection under the CAA.

II. In EISA’s Amendments to EPCA, Congress Reaffirmed and Preserved Federal and State Authority to Regulate Vehicle Emissions.

Over 30 years after EPCA was passed, Congress amended EPCA’s fuel economy provisions as part of EISA’s comprehensive energy legislation, reinforcing Congress’s original intent to establish a statutory regime that both protects public health and advances fuel economy. During this process, Congress acknowledged that EPCA’s fuel economy scheme has never infringed upon state or federal regulatory authority over vehicle emissions, including greenhouse gas emissions, and that legislation would be necessary to change that status quo. Congress made clear that California’s greenhouse gas emissions standards under Section 209(b) of the CAA—

and those of other states that adopt California's standards pursuant to Section 177—are not preempted by NHTSA's fuel economy standards, and Congress rejected proposals to alter the relationship between fuel economy and vehicle emissions standards.

Prior to EISA's enactment, three important court decisions captured Congress's attention. First, the Supreme Court issued its landmark decision in *Massachusetts v. EPA*, 549 U.S. 497 (2007), holding that EPCA's fuel economy standards do not limit EPA's mandate to regulate greenhouse gas emissions from new motor vehicles under the CAA. Second, following *Massachusetts v. EPA*, two federal district courts issued opinions rejecting the argument that EPCA preempts state greenhouse gas emissions standards for which EPA has granted a waiver under the CAA. See *Green Mountain Chrysler Plymouth Dodge Jeep v. Crombie*, 508 F. Supp. 2d. 295 (D. Vt. 2007) (*Green Mountain*); *Central Valley Chrysler-Jeep, Inc. v. Goldstene*, 529 F. Supp. 2d 1151 (E.D. Cal. 2007) (*Central Valley Chrysler-Jeep*). Taken together, these decisions confirmed the validity of vehicle greenhouse gas emissions standards set by both EPA and California, under authority of the CAA and unaffected by EPCA's fuel economy requirements.

To reaffirm EPCA's limited preemptive scope and in light of these recent judicial opinions, Congress added a savings clause in EISA that, among other things,

preserves state authority to issue emissions standards. The savings clause became the latest in an unbroken line of Congressional expressions of intent that fuel economy standards do not, and should not, preempt vehicle emissions standards. Going even further, Congress acknowledged and endorsed the possibility of state greenhouse gas emissions standards more stringent than federal standards, by ensuring that any such state standards—far from being preempted—would be incorporated into the requirements for federal vehicle fleets.

A. EISA’s Savings Clause Affirmatively Preserves State Authority to Issue Vehicle Emissions Standards.

EISA’s text affirms Congress’s intent, consistent with EPCA, not to preempt state emissions standards that receive a CAA waiver. In Section 3 of EISA, Congress added a savings clause that provides:

Except to the extent expressly provided in this Act or an amendment made by this Act, nothing in this Act or an amendment made by this Act supersedes, limits the authority provided or responsibility conferred by, or authorizes any violation of any provision of law (including a regulation), including any energy or environmental law or regulation.

Pub. L. No. 110-140, § 3, 121 Stat. 1492, 1498 (2007); 42 U.S.C. § 17002. This savings clause reaffirms Congress’s intent, as codified in EPCA, for fuel economy mandates to sit alongside, rather than supplant, environmental protections, including state and federal authority to regulate vehicle greenhouse gas emissions under the

CAA. During Senate floor debates prior to a final vote approving EISA, Senator Dianne Feinstein—the lead Senate author for EISA’s amendments to EPCA’s fuel economy provisions—explained that EPA’s authority to regulate greenhouse gas emissions was “in no manner affected by this legislation, as plainly provided for in section 3 of the bill addressing the relationship . . . to other laws.” 153 Cong. Rec. 15,386 (2007). In floor debates the day Congress voted in favor of EISA, Representative Edward Markey—then a member of the Committee on Energy and Commerce, and the lead House author for EISA’s amendments to EPCA’s fuel economy provisions—unequivocally confirmed that “[t]he laws and regulations referred to in section 3 include, but are not limited to, the [CAA] and any regulations promulgated under [CAA] authority. *It is the intent of Congress to fully preserve existing federal and State authority under the [CAA].*” 153 Cong. Rec. 16,750 (2007) (emphasis added).

Congress’s awareness of key legal developments prior to the enactment of EISA’s savings clause confirms this intent. Congress is presumed to understand existing law, including judicial decisions, at the time it legislates. *See Mississippi ex rel. Hood v. AU Optronics Corp.*, 571 U.S. 161, 169 (2014) (quoting *Hall v. United States*, 566 U.S. 506, 516 (2012)). Congress drafted EISA’s savings clause in the wake of the Supreme Court’s landmark April 2007 decision in *Massachusetts v.*

EPA, holding that EPA's obligation to regulate greenhouse gas emissions from new motor vehicles under the CAA is unaffected by NHTSA's fuel economy mandates under EPCA. 549 U.S. at 532 ("The two obligations may overlap, but there is no reason to think the two agencies cannot both administer their obligations and yet avoid inconsistency."). Then, during EISA's negotiation process, two federal district courts issued opinions holding that state greenhouse gas emissions standards promulgated under Section 209(b) of the CAA are not preempted by EPCA. *See Green Mountain*, 508 F. Supp. 2d. at 353-54 (decided September 12, 2007); *Central Valley Chrysler-Jeep*, 529 F. Supp. 2d at 1163 (decided December 11, 2007). Presuming Congress's awareness of these judicial decisions, the savings clause must be read to ratify them.

Beyond this presumption, the record shows these cases were top of mind when EISA was drafted and that Congress meant to affirm them. *Massachusetts v. EPA* generated significant debate, and the subsequent introduction and rejection of proposals to curtail regulatory authority over greenhouse gas emissions from vehicles highlights Congressional awareness that EPCA does not preempt such authority, and that new laws or legislative amendments would be required to achieve

that result.⁸ In early December 2007, several months after the *Green Mountain* decision, Congress reached an agreement on a near-final version of EISA, titled H.R.

6. See Congressional Research Serv., [*Energy Independence and Security Act of 2007: A Summary of Major Provisions*](#), CRS-3–CRS-4 (Dec. 21, 2007); see also *Dotson Article* at 64. Representative Henry Waxman explained that the proposal “won’t diminish the EPA’s authority to address global warming, which the Supreme Court has recognized [in *Massachusetts v. EPA*]. It won’t seize authority from the

⁸ Congress declined to pursue a legislative proposal from early June 2007 to revoke both EPA and state authority to regulate vehicle greenhouse gas emissions. See [Discussion Draft](#), Subcomm. on Energy & Air Quality, H. Energy & Commerce Comm., 110th Cong., at 29 (June 1, 2007). The proposal was roundly rejected and was not introduced to either house of Congress as a formal bill. See [Memorandum from John D. Dingell & Rick Boucher to the Comm. on Energy and Commerce](#) (June 18, 2007) (noting that the Committee on Energy and Commerce would not alter authority over vehicle greenhouse gas emissions as part of EISA’s amendments to EPCA); *Dotson Article* at 45-51. Subsequently, Congress declined to amend EPCA’s fuel economy standards to require NHTSA to define fuel economy standards “in terms of average grams per mile of carbon dioxide emissions.” H.R. 2927, 110th Cong. § 1(a) (2007); *Dotson Article* at 51-55. This legislative proposal was designed to preempt California’s greenhouse gas emissions standards, which were also defined in those units. See *Dotson Article* at 51.

Even after the passage of EISA, Congress rejected other legislative proposals to amend Section 209(b) of the CAA to foreclose state regulation of vehicle emissions, reiterating its bicameral understanding that such authority existed unless and until Congress eliminated that authority through new legislation. See *Dotson Article* at 77-82 (describing the 2011 proposal and rejection of H.R. 910, titled the “Energy Tax Prevention Act,” which would have prohibited EPA from granting preemption waivers for state greenhouse gas emissions standards).

States to act on global warming.” 153 Cong. Rec. 14,430 (2007). Then, less than two weeks later and shortly after publication of the *Central Valley Chrysler-Jeep* decision, Senator Carl Levin proposed to add language to EISA requiring EPA’s greenhouse gas regulations to be consistent with fuel economy standards under EPCA. See Ben Geman & Alex Kaplun, [Senate Energy Showdown on Tap This Morning](#), E&E Daily (Dec. 13, 2007). But Congress declined this proposal to alter EPCA’s statutory scheme, instead opting to continue prioritizing emissions standards over fuel economy standards as EPCA had for the previous 32 years. See *Dotson Article* at 57.

Senator Levin ultimately signed onto EISA’s amendments to EPCA; on the Senate floor, he confirmed that EPA’s authority to regulate greenhouse gas emissions “was recently upheld by the U.S. Supreme Court, and it is not our purpose today to attempt to change that authority or to undercut the decision of the Supreme Court.” 153 Cong. Rec. 15,385-86 (2007). In response, Senator Daniel Inouye reaffirmed Congress’s intent for EISA’s amendments to acknowledge the separate obligations of EPA and NHTSA under each respective statute, as originally established by EPCA. *Id.* at 15,386. Senator Feinstein then reiterated that EISA

does not impact the authority to regulate tailpipe emissions of the EPA, California, or other States, under the Clean Air Act . . . There was no intent in any way, shape, or form to negatively affect, or otherwise restrain, California or any

other State's existing or future tailpipe emissions laws, or any future EPA authority on tailpipe emissions. The two issues are separate and distinct. . . . The U.S. District Court for the Eastern District of California in [*Central Valley Chrysler-Jeep*] has reiterated this point in finding that if approved by EPA, California's standards are not preempted by [EPCA].

Id. The Senate's deliberations establish unequivocal intent for EISA to preserve state authority to adopt greenhouse gas emissions standards, consistent with the recently issued *Central Valley Chrysler-Jeep* decision.

Congress similarly declined to amend EPCA's fuel economy scheme in response to calls from other stakeholders around the same time. Congress refused to incorporate proposed legislative language from Chrysler's counsel in November 2007 designed to eliminate state authority over vehicle greenhouse gas emissions. See [Letter from Sens. Tom Carper, Dianne Feinstein, & Edward J. Markey to Sec'y Elaine L. Chao & Acting Admin'r Andrew Wheeler](#) (Oct. 25, 2018) [hereinafter Carper, Feinstein, & Markey Letter]; [Attachment to Carper, Feinstein, & Markey Letter](#), at 1-6. And Congress pushed forward with EISA's savings clause despite contemporaneous threats from the Bush Administration to veto EISA unless Congress mandated a single national regulatory standard for both fuel economy requirements and vehicle greenhouse gas emissions. See [Attachment to Carper, Feinstein, & Markey Letter](#), at 11-13, 19. These actions show that stakeholders—

and, consequently, Congress—understood that, as explained by *Green Mountain* and *Central Valley Chrysler-Jeep*, EPCA preserves state authority over vehicle emissions standards unless and until Congress alters that status quo.

Lastly, prior to a House vote on EISA, Representative Markey confirmed that “Congress does not intend . . . to in any way supersede or limit the authority and/or responsibility conferred by sections 177, 202, and 209 of the [CAA].” 153 Cong. Rec. 16,750 (2007). Representative Markey clarified that authority under Sections 177 and 209 “includes but is not limited to the authority affirmed by [*Green Mountain*] and [*Central Valley Chrysler-Jeep*],” *id.*, indicating the House’s understanding that EISA—via the savings clause—does not affect the conclusions in those opinions.

NHTSA attempts to discount this evidence of Congressional intent by asserting that EPCA’s preemption provision has always applied to emissions standards that are “related to” fuel economy—which, in NHTSA’s view, includes state greenhouse gas emissions standards—and therefore Congress would have had to expressly include state greenhouse gas emissions standards in EISA’s savings clause in order to overcome EPCA preemption. *See* JA__ [84Fed.Reg.51321]. While NHTSA acknowledges Congressional statements explaining the intent of EISA’s savings clause to include state vehicle emissions standards, NHTSA downplays

them as “lack[ing] authority” by arguing that individual Congresspersons “cannot speak for the body of Congress as a whole.” *Id.*

NHTSA’s characterization of Congress’s actions and intent is incorrect. NHTSA’s interpretation of EISA’s savings clause depends on its inaccurate belief that EPCA, as originally drafted, preempts emissions standards under the CAA when those standards affect fuel economy. As explained above, this conclusion is contrary to the statute, to Congress’s intent in enacting EPCA, and to NHTSA’s decades-long implementation of that statute. *See supra* Section I. Far from preempting emissions standards that affect fuel economy, EPCA calls for agencies to accommodate them when setting federal fuel economy standards. *Id.* But just as importantly, it is the text of EISA itself, and the full context of its enactment, that belie NHTSA’s cramped interpretation of the savings clause—not simply the words of individual Congresspersons, as NHTSA asserts.⁹

⁹ NHTSA dismisses the relevance of *Green Mountain* and *Central Valley Chrysler-Jeep*, labeling them as “[w]rongly decided” and “legally flawed.” JA __, __[84Fed.Reg.51314, 17]. But the effect of these cases on EISA’s legislative process, as described above, cannot be sidelined. NHTSA’s judgment about these cases is further evidence of NHTSA’s usurpation of the role of courts; absent an affirmative grant from Congress, NHTSA has no authority to interpret EPCA’s preemption provision and reject judicial determinations to the contrary. *See Wyeth*, 555 U.S. at 577; *La. Pub. Serv. Comm’n*, 476 U.S. at 374.

In sum, Congress affirmatively intended for EISA’s savings clause to preserve state authority over vehicle emissions, confirming Congress’s understanding that EPCA never preempted such state standards. Congress adopted EISA’s savings clause with full awareness of—and with the affirmative intent to ratify—the Supreme Court’s holding in *Massachusetts v. EPA* and the courts’ rejection of EPCA preemption of state greenhouse gas emissions standards in *Green Mountain* and *Central Valley Chrysler-Jeep*. And Congress declined multiple efforts during the legislative process to restrict EPA’s and states’ authority to regulate vehicle greenhouse gas emissions, implicitly acknowledging that EPCA does not preempt such regulation.

B. Congress Incorporated California’s Greenhouse Gas Emissions Standards into EISA’s Requirements for Federal Vehicle Fleets.

Finally, Congress not only enacted a savings clause to preserve state authority to set emissions standards, but Congress also incorporated California’s greenhouse gas emissions standards into EISA’s statutory scheme, endorsing California’s authority to issue such standards.

To help green the federal fleet of vehicles, EISA amended the Energy Policy Act of 1992 to provide that “no Federal agency shall acquire a light duty motor vehicle or medium duty passenger vehicle that is not a low greenhouse gas emitting vehicle.” Pub. L. No. 110-140, § 141, 121 Stat. at 1517; 42 U.S.C. § 13212(f)(2)(A).

The term “low greenhouse gas emitting vehicle” was not defined in the statute, and Congress left it to EPA to determine which vehicles meet that description. *See* 42 U.S.C. § 13212(f)(3)(A). However, Congress required EPA, when identifying these vehicles, to “take into account the most stringent standards for vehicle greenhouse gas emissions applicable to and enforceable against motor vehicle manufacturers for vehicles sold anywhere in the United States.” *Id.* § 13212(f)(3)(B).

The language “sold anywhere in the United States” was a clear reference to California’s greenhouse gas emissions standards. *See Dotson Article* at 58-63. Representative Waxman, as the Chair of the House Committee on Oversight and Government Reform, first introduced this provision in June 2007 as part of H.R. 2635, titled the Carbon-Neutral Government Act. *See* H.R. 2635, 110th Cong. (2007). At a hearing a month earlier, Representative Waxman characterized his proposed federal vehicle fleet standards as “requiring Government vehicles to meet the California standards for motor vehicle greenhouse gas emissions.” *H.R. 2635, the Carbon-Neutral Government Act of 2007: Hearing Before the Subcomm. on Gov’t Mgmt., Org., & Procurement of the H. Comm. on Oversight & Gov’t Reform*, 110th Cong. 2 (2007). The committee report accompanying H.R. 2635 confirmed that “[c]urrently, the only applicable greenhouse gas emissions standards are those adopted by California and other states. Those standards will be enforceable if and

when EPA grants the waiver requested by the state of California under the [CAA].” H.R. Rep. No. 110-297, at 17 (2007).

This provision was incorporated into EISA without controversy. *Dotson Article* at 63. Thus, not only did Congress clearly intend to preserve California’s regulatory authority over greenhouse gas emissions, but it also intended to hold federal vehicle fleets to California’s stringent standards. The inclusion and adoption of California’s greenhouse gas emissions standards into EISA’s requirements for federal fleets necessarily forecloses preemption of those same standards.

In the Rule, NHTSA acknowledges that the language “most stringent standards for vehicle greenhouse gas emissions” in the federal-fleet provision would be rendered superfluous if only EPA could set those standards, but NHTSA argues that the statutory language directs EPA to consider only “enforceable” standards, which excludes state emissions standards that are preempted by EPCA. JA__ [84Fed.Reg.51322]. NHTSA instead characterizes the provision as referencing state or local authority to impose fuel economy requirements on vehicles obtained through procurement contracts. *Id.* (citing 49 U.S.C. § 32919(c)). NHTSA reasons that “[i]t is not plausible that Congress intended this limited provision concerning guidance on Federal government procurement to disrupt the longstanding express preemption provision in EPCA.” *Id.*

NHTSA's interpretation gets it backwards. Congress did not intend for the federal fleet provision to alter EPCA's preemptive scope. Rather, the federal fleet provision reflects and reaffirms Congress's general intent and understanding that EPCA does not preempt, and *never has* preempted, state emissions standards under the CAA. This general intent and understanding is evidenced by EPCA's prioritization of emissions standards over fuel economy standards in all aspects, as well as by Congress's steadfast and longstanding rejection of all attempts to reverse or provide exceptions to that priority. Congress's affirmative incorporation of California's greenhouse gas emissions standards into EISA's requirements for federal vehicle fleets is but more evidence of that priority. *See Dotson Article* at 95. And NHTSA's conclusion that Congress intended to refer to state or local procurement requirements is nonsensical on its face. The statute expressly notes that the "most stringent" greenhouse gas standards must be "applicable to and enforceable *against motor vehicle manufacturers.*" 42 U.S.C. § 13212(f)(3)(B) (emphasis added). Contracts for procurement of government vehicles cannot be considered a "standard" that binds automakers' manufacturing decisions; rather, the statutory language evinces Congress's intent to reference California's authority to set emissions standards under the CAA. NHTSA's determination regarding EISA's federal fleet provision is inconsistent with Congress's intent not to preempt state

greenhouse gas emissions standards and instead to apply those standards to federal vehicle fleets.

CONCLUSION

For reasons stated herein, the Court should grant the Petitions for Review.

Respectfully submitted,

/s/ Cara Horowitz

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July 6, 2020

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Representative of California

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Dianne Feinstein

Senator of California, Senate author of the 2007 fuel economy provisions

Charles E. Schumer

Senator of New York, Senate Democratic Leader

Richard J. Durbin

Senator of Illinois, Senate Democratic Whip

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Sheldon Whitehouse

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Brian Schatz

Senator of Hawaii

Tom Udall

Senator of New Mexico

Jeanne Shaheen

Senator of New Hampshire

CERTIFICATE OF COMPLIANCE

I hereby certify that the foregoing brief complies with the type-volume limitations set forth in D.C. Cir. R. 32(e)(3) and Fed. R. App. P. 29(a)(5) because this brief contains 6,490 words, excluding the parts of the brief exempted by Fed. R. App. P. 32(f) and D.C. Cir. R. 32(e)(1). The foregoing brief complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type style requirements of Fed. R. App. P. 32(a)(6) because this brief has been prepared in a proportionally spaced typeface using Microsoft Office Word 2016 in 14-point Times New Roman font.

/s/ Cara Horowitz
CARA A. HOROWITZ

July 6, 2020

CERTIFICATE OF SERVICE

I hereby certify that, on this 6th day of July, 2020, I caused to be electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the District of Columbia Circuit using the Court's CM/ECF system, which will send notice of such filing to all counsel who are CM/ECF registered users.

/s/ Cara Horowitz
CARA A. HOROWITZ

July 6, 2020

MI-W4

(Rev. 12-20)

EMPLOYEE'S MICHIGAN WITHHOLDING EXEMPTION CERTIFICATE STATE OF MICHIGAN - DEPARTMENT OF TREASURY

This certificate is for Michigan income tax withholding purposes only. **Read instructions on page 2 before completing this form.**

Issued under P.A. 281 of 1967.

▶ 1. Full Social Security Number			▶ 2. Date of Birth		
▶ 3. Name (First, Middle Initial, Last)			4. Driver's License Number or State ID		
Home Address (No., Street, P.O. Box or Rural Route)			▶ 5. Are you a new employee? <input type="checkbox"/> Yes If Yes, enter date of hire..... (mm/dd/yyyy) <input type="checkbox"/> No		
City or Town	State	ZIP Code			
6. Enter the number of personal and dependent exemptions (see instructions)			▶ 6.		
7. Additional amount you want deducted from each pay (if employer agrees)			7. \$.00		
8. I claim exemption from withholding because (see instructions):					
a. <input type="checkbox"/> A Michigan income tax liability is not expected this year.					
b. <input type="checkbox"/> Wages are exempt from withholding. Explain: _____					
c. <input type="checkbox"/> Permanent home (domicile) is located in the following Renaissance Zone: _____					
EMPLOYEE: If you fail or refuse to file this form, your employer must withhold Michigan income tax from your wages without allowance for any exemptions. Keep a copy of this form for your records. See additional instructions on page 2.					
<i>Under penalty of perjury, I certify that the number of withholding exemptions claimed on this certificate does not exceed the number I am allowed to claim. If claiming exemption from withholding, I certify that I do not anticipate a Michigan income tax liability this year.</i>					
9. Employee's Signature				▶ Date	

EMPLOYER: Complete the below section.				
10. Employer's Name		▶ 11. Federal Employer Identification Number		
Address (No., Street, P.O. Box or Rural Route)		City or Town	State	ZIP Code
Name of Contact Person		Contact Phone Number		
INSTRUCTIONS TO EMPLOYER: Keep a copy of this certificate with your records. All new hires must be reported to the State of Michigan. See www.mi-newhire.com for information.				
In addition, a copy of this form must be sent to the Michigan Department of Treasury if the employee claims 10 or more exemptions or claims they are exempt from withholding. Send a copy to: Michigan Department of Treasury Tax Technical Section P.O. Box 30477 Lansing, MI 48909				

INSTRUCTIONS TO EMPLOYEE'S MICHIGAN WITHHOLDING EXEMPTION CERTIFICATE (Form MI-W4)

You must submit a Michigan withholding exemption certificate (form MI-W4) to your employer on or before the date that employment begins. If you fail or refuse to submit this certificate, your employer must withhold tax from your compensation without allowance for any exemptions. Your employer is required to notify the Michigan Department of Treasury if you have claimed 10 or more personal or dependency exemptions or claimed that you are exempt from withholding.

You **MUST** provide a new MI-W4 to your employer within 10 days if your residency status changes or if your exemptions decrease because: a) your spouse, for whom you have been claiming an exemption, is divorced or legally separated from you or claims his/her own exemption(s) on a separate certificate, or b) a dependent no longer qualifies under the Internal Revenue Code.

Line 5: If you check "Yes," enter your date of hire.

Line 6: Personal and dependency exemptions. The number of exemptions claimed here may not exceed the number of exemptions you are entitled to claim on a *Michigan Individual Income Tax Return* (Form MI-1040). Dependents include qualifying children and qualifying relatives under the Internal Revenue Code, even if your AGI exceeds the limits to claim federal tax credits for them.

Do not claim the same exemptions more than once or tax will be under-withheld. Specifically, **do not claim:**

- Your personal exemption if someone else will claim you as their dependent.
- Your personal exemption with more than one employer at a time.
- Your spouse's personal exemption if they claim it with their employer.
- Your dependency exemptions if someone else (for example, your spouse) is claiming them with their employer.

Line 7: You may designate additional withholding if you expect to owe more than the amount withheld.

Line 8a: You may claim exemption from Michigan income tax withholding if all of the following conditions are met:

- i) Your employment is intermittent, temporary, or less than full time;
- ii) Your personal and dependency exemptions exceed your annual taxable compensation;
- iii) You claimed exemption from federal withholding; and
- iv) You did not incur a Michigan income tax liability for the previous year.

Line 8b: Reasons wages might be exempt from withholding include:

- You are a nonresident spouse of military personnel stationed in Michigan.
- You are a resident of one of the following reciprocal states while working in Michigan: Illinois, Indiana, Kentucky, Minnesota, Ohio, or Wisconsin.
- You are an enrolled member of a federally-recognized tribe that does not have a tax agreement with the state of Michigan, you reside within that tribe's Indian Country (as defined in 18 USC 1151), and compensation from this job will be earned within that Indian Country.

Line 8c: For questions about Renaissance Zones, contact your local assessor's office.



2021 W-4MN, Minnesota Employee Withholding Allowance/Exemption Certificate

Employees

Complete Form W-4MN so that your employer can withhold the correct Minnesota income tax from your pay. Consider completing a new Form W-4MN each year or when your personal or financial situation changes.

Employee's First Name and Initial	Last Name	Employee's Social Security Number
Permanent Address		Marital Status (Check one): <input type="checkbox"/> Single; Married, but legally separated; or Spouse is a nonresident alien <input type="checkbox"/> Married <input type="checkbox"/> Married, but withhold at higher Single rate
City	State ZIP Code	

Read instructions on back. Complete Section 1 OR Section 2, then sign and give the completed form to your employer. Do not complete both Section 1 and Section 2. Completing both sections will make the form invalid.

Section 1 — Determining Minnesota Allowances

- A Enter "1" if no one else can claim you as a dependent **A** _____
- B Enter "1" if any of the following apply: **B** _____
 - You are single and have only one job
 - You are married, have only one job, and your spouse does not work
 - Your wages from a second job or your spouse's wages are \$1500 or less
- C Enter "1" if you are married. You may choose to enter "0" if you are married and have either a working spouse or more than one job. (Entering "0" may help you avoid having too little tax withheld.) **C** _____
- D Enter the number of dependents (other than your spouse or yourself) you will claim on your tax return. . . . **D** _____
- E Enter "1" if you will use the filing status Head of Household (see instructions). **E** _____
- F **Total number of allowances claimed.** Add steps A through E.
If you plan to itemize deductions on your 2021 Minnesota income tax return, you may also complete the Itemized Deductions and Additional Income Worksheet. **F** _____

Section 2 — Exemption From Minnesota Withholding

Complete Section 2 if you claim to be exempt from Minnesota income tax withholding (see Section 2 instructions for qualifications). If applicable, check one box below to indicate why you believe you are exempt:

- A** I meet the requirements and claim exempt from both federal and Minnesota income tax withholding
- B** Even though I did not claim exempt from federal withholding, I claim exempt from Minnesota withholding, because:
 - I had no Minnesota income tax liability last year
 - I received a refund of all Minnesota income tax withheld
 - I expect to have no Minnesota income tax liability this year
- C** All of these apply:
 - My spouse is a military service member assigned to a military location in Minnesota
 - My domicile (legal residence) is in another state
 - I am in Minnesota solely to be with my spouse. My state of domicile is _____
- D** I am an American Indian that resides and works on a reservation
- E** I am a member of the Minnesota National Guard or an active duty U.S. military member and claim exempt from Minnesota withholding on my military pay
- F** I receive a military pension or other military retirement pay as calculated under U.S. Code, title 10, sections 1401 through 1414, 1447 through 1455, and 12733, and I claim exempt from Minnesota withholding on this retirement pay

Minnesota Allowances and Additional Withholding

- 1 Minnesota Allowances.** Enter Step F from Section 1 above or Step 10 of the Itemized Deductions Worksheet . . **1** _____
- 2 Additional Minnesota withholding you want deducted each pay period (see instructions) **2** _____**

I certify that all information provided in Section 1 OR Section 2 is correct. I understand there is a \$500 penalty for filing a false Form W-4MN.

Employee's Signature	Date	Daytime Phone Number
----------------------	------	----------------------

Employees: Give the completed form to your employer.

Employers

See the employer instructions to determine if you must send a copy of this form to the Minnesota Department of Revenue. If required, enter your information below and mail this form to the address in the instructions. (Incomplete forms are considered invalid.) We may assess a \$50 penalty for each required Form W-4MN not filed with us. Keep a copy for your records.

Name of Employer	Federal Employer ID Number (FEIN)	Minnesota Tax ID Number
Address	City	State ZIP Code

Form W-4MN Employee Instructions

Complete this form for your employer to calculate the amount of Minnesota income tax to be withheld from your pay.

When should I complete Form W-4MN?

Complete Form W-4MN if any of these apply:

- You begin employment
- You change your filing status
- You reasonably expect to change your filing status in the next calendar year
- Your personal or financial situation changes
- You claim exempt from Minnesota withholding (see Section 2 instructions for qualifications)

If you have not had sufficient Minnesota income tax withheld from your wages, we may assess penalty and interest when you file your state income tax return.

Note: Your employer may be required to submit a copy of your Form W-4MN to the Minnesota Department of Revenue. You may be subject to a \$500 penalty if you provide a false Form W-4MN.

What if I have completed federal Form W-4?

If you completed a 2021 Form W-4, you must complete Form W-4MN to determine your Minnesota withholding allowances.

What if I am exempt from Minnesota withholding?

If you claim exempt from Minnesota withholding, complete only Section 2 of Form W-4MN and sign the form to validate it. If you complete Section 2, you must complete a new Form W-4MN by February 15 in each following year.

You cannot claim exempt from withholding if all of these apply:

- Another person can claim you as a dependent on their federal tax return
- Your annual income exceeds \$1,100
- Your annual income includes more than \$350 of unearned income

What if I am a nonresident alien for U.S. income taxes?

If you are a nonresident alien, you are not allowed to claim exempt from withholding. You will check the single box for marital status regardless of your actual marital status and may enter one personal allowance on Step A. Enter zero on steps B, C, and E.

If you are resident of Canada, Mexico, South Korea, or India, and are allowed to claim dependents, you may enter the number of dependents on Step D.

Section 1 — Minnesota Allowances Worksheet

Complete Section 1 to find your allowances for Minnesota withholding tax. For regular wages, withholding must be based on allowances you claimed and may not be a flat amount or percentage of wages.

If you expect to owe more income tax for the year than will be withheld, you can claim fewer allowances or request additional Minnesota withholding from your wages. Enter the amount of additional Minnesota income tax you want withheld on line 2 of Section 1.

Nonwage Income

Consider making estimated payments if you have a large amount of “nonwage income.” Nonwage income (other than tax-exempt income) includes interest, dividends, net rental income, unemployment compensation, gambling winnings, prizes and awards, hobby income, capital gains, royalties, and partnership income.

Two Earners or Multiple Jobs

If your spouse works or you have more than one job, figure the total number of allowances you are entitled to claim on all jobs using worksheets from only one Form W-4MN. Usually, your withholding will be more accurate when all allowances are claimed on the Form W-4MN for the highest paying job and zero allowances are claimed on the others.

Head of Household Filing Status

You may claim Head of Household as your filing status if you are unmarried and pay more than 50% of the costs of keeping up a home for yourself, your dependents, and other qualifying individuals. Enter “1” on Step E if you may claim Head of Household as your filing status on your tax return.

What if I itemize deductions on my Minnesota return or have other nonwage income?

Use the Itemized Deductions and Additional Income Worksheet to find your Minnesota withholding allowances. Complete Section 1 on page 1, then follow the steps in the worksheet on the next page to find additional allowances.

Section 2 — Minnesota Exemption

Your employer will not withhold Minnesota taxes from your pay if you are exempt from Minnesota withholding. You cannot claim exempt from withholding if all of these apply:

- Another person can claim you as a dependent on their federal tax return
- Your annual income exceeds \$1,100
- Your annual income includes more than \$350 of unearned income

Itemized Deductions and Additional Income Worksheet

- 1 Enter an estimate of your 2021 Minnesota itemized deductions. For 2021, you may have to reduce your itemized deductions if your income is over \$199,850 (\$99,925 for Married Filing Separately). _____
- 2 Enter one of the following based on your filing status: _____
 - a. \$25,050 if Married Filing Jointly
 - b. \$18,800 if Head of Household
 - c. \$12,525 if Single or Married Filing Separately
- 3 Subtract step 2 from step 1. If zero or less, enter 0 _____
- 4 Enter an estimate of your 2021 additional standard deduction (from page 11 of the Form M1 instructions). _____
- 5 Add steps 3 and 4 _____
- 6 Enter an estimate of your 2021 taxable nonwage income _____
- 7 Subtract step 6 from step 5. If zero, enter 0. If less than zero, enter the amount in parentheses. _____
- 8 Divide the amount on step 7 by \$4,350. If a negative amount, enter in parentheses. Do not include fractions _____
- 9 Enter the number on step F of Section 1 on page 1 _____
- 10 Add step 8 and 9 and enter the total here. If zero or less, enter 0. Enter this amount on line 1 of page 1. _____

Box A

Check box A of Section 2 to claim exempt if all of these apply:

- You meet the requirements to be exempt from federal withholding
- You had no Minnesota income tax liability in the prior year and received a full refund of Minnesota tax withheld
- You expect to have no Minnesota income tax liability for the current year

Box B

Check box B of Section 2 if you are not claiming exempt from federal withholding, but meet the second and third requirements for box A.

Box C

Check box C in Section 2 to claim exempt if all of these apply:

- You are the spouse of a military member assigned to duty in Minnesota
- You and your spouse are domiciled in another state
- You are in Minnesota solely to be with your active duty military spouse member

Boxes D-F

If you receive income from the following sources, it is exempt from Minnesota withholding. Your employer will not withhold Minnesota tax from that income when you check the appropriate box in Section 2.

- **Box D:** You receive wages as a member of an American Indian tribe living and working on the reservation of which you are an enrolled member.
- **Box E:** You receive wages for Minnesota National Guard (MNG) pay or for active duty U.S. military pay. MNG and active duty U.S. military members can claim exempt from Minnesota withholding on these wages, even if they are taxable federally. For more information, see Income Tax Fact Sheet 5, Military Personnel.
- **Box F:** You receive a military pension or other military retirement pay calculated under U.S. Code title 10, sections 1401 through 1414, 1447 through 1455, and 12733. You may claim exempt from Minnesota withholding on this income even if it is taxable federally.

Note: You may not want to claim exempt if you (or your spouse if filing a joint return) expect to have other forms of income subject to Minnesota tax and you want to avoid owing tax at the end of the year.

If you complete Section 2, you must complete a new Form W-4MN by February 15 in each following year.

Nonresident Alien

If you are a nonresident alien for federal tax purposes, do not complete Section 2.

Additional Minnesota Withholding

If you would like an additional amount of tax to be deducted per payment period, enter the amount on line 2. Do not enter a percentage of the payment you want to be deducted.

Use of Information

All information on Form W-4MN is private by state law. It cannot be given to others without your consent, except to the Internal Revenue Service, to other states that guarantee the same privacy, and by court order. Your name, address, and Social Security Number are required for identification. Information about your allowances is required to determine your correct tax. We ask for your phone number so we can call if we have a question.

Questions?

- Website: www.revenue.state.mn.us
- Email: withholding.tax@state.mn.us
- Phone: 651-282-9999 or 1-800-657-3594 (toll-free)

Form W-4MN Employer Instructions

Form W-4MN Requirement

Federal Form W-4 will not determine withholding allowances used to determine the amount of Minnesota withholding. Employees completing a 2021 Form W-4 will need to complete 2021 Form W-4MN to determine the appropriate amount of Minnesota withholding.

Lock-In Letters

Internal Revenue Service (IRS) Letter 2800C tells you when the IRS believes your employee may have filed an incorrect federal Form W-4. If you receive this letter, you must provide the Minnesota Department of Revenue with a copy of the employee's Form W-4MN. We will verify the number of allowances that the employee may claim for Minnesota purposes. Continue using the Form W-4MN you were using at the time you received Letter 2800C from the IRS, until we notify you to change the amount of allowances on the employee's Form W-4MN. If the employee has not completed a Form W-4MN, have them complete the form and use the allowances calculated on that form until notified by the department.

Use the amount on line 1 of page 1 for calculating the withholding tax for your employees.

When does an employee complete Form W-4MN?

Employees complete Form W-4MN when they begin employment or when their personal or financial situation changes.

How should I determine Minnesota withholding for an employee that does not complete Form W-4MN?

If an employee does not complete Form W-4MN and they have a federal Form W-4 (from 2019 or prior years) on file, use the allowances on their federal Form W-4. Otherwise, withhold Minnesota tax as if the employee is single with zero withholding allowances.

What if my employee claims to be exempt from Minnesota withholding?

If your employee claims exempt from Minnesota withholding, they must complete Section 2 of Form W-4MN. They must provide you with a new Form W-4MN by February 15 of each year. If you are paying an employee for wages that are exempt from withholding, such as Medicaid Waiver Payments or wages to H-2A visa workers, do not send us Form W-4MN.

When do I need to submit copies of a Form W-4MN to the department?

You must send copies of Form W-4MN to us if any of these apply:

- The employee claims more than 10 Minnesota withholding allowances
- The employee checked box A or B under Section 2, and you reasonably expect the employee's wages to exceed \$200 per week
- You believe the employee is not entitled to the number of allowances claimed

You do not need to submit Form W-4MN to us if the employee is asking to have additional Minnesota withholding deducted from their pay.

We may assess a \$50 penalty for each Form W-4MN you do not file with us when required.

Mail Forms W-4MN to:

Minnesota Department of Revenue
Mail Station 6501
600 N. Robert St.
St. Paul, MN 55146-6501

What if my employee is a resident of a reciprocity state?

If your employee is a resident of North Dakota or Michigan and they do not want you to withhold Minnesota tax from their wages, they must complete Form MWR, *Reciprocity Exemption/Affidavit of Residency*. They must complete a Form MWR by February 28 of each year, or within 30 days after they begin working or change their permanent residence. See Withholding Fact Sheet 20, *Reciprocity - Employee Withholding*, for more information.

What is an invalid Form W-4MN?

A Form W-4MN is considered invalid if any of these apply:

- There is any unauthorized change or addition to the form, including any change to the language certifying the form is correct
- The employee indicates in any way the form is false by the date they provide you with the form
- The form is incomplete or lacks the necessary signatures
- Both Section 1 and Section 2 were completed
- The employer information is incomplete

What if I receive an invalid form?

Do not use the invalid form to calculate Minnesota income tax withholding. Have the employee complete and submit a new Form W-4MN. If the employee does not give you a valid form, and you have an earlier Form W-4MN from them, use the earlier form to calculate their withholding.

If a valid Form W-4MN is not completed by the employee, withhold taxes as if the employee is single and claiming zero withholding allowances.

What if my employee is a nonresident alien of the United States?

If the wages to this employee are subject to income tax withholding, you will use Table 1 and the procedure under **Withholding Adjustment for Nonresident Alien Employees** in IRS Publication 15-T to determine the correct Minnesota withholding tax. Do not use this procedure for nonresident alien students from India and business apprentices from India. See IRS Notice 1392 for special instructions and withholding exceptions.

Constitutional Conservatism

*Anthony Moffa**

INTRODUCTION

Article four, section three, clause two of the United States Constitution simply and unequivocally declares that “[t]he Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.”¹ Interpreting this Constitutional authority, the Supreme Court famously said, “the power over the public land thus entrusted to Congress is without limitations.”² Environmentalists and scholars have thus for years pointed to the Property Clause as a theoretical basis for legislating environmental protection.³ And the so-called Constitutional common law that developed around the Property Clause provides support for their interpretation.⁴ Nonetheless, the majority of the statutes that comprise the field we have come to call “environmental law,” including recent efforts to legislate solutions to the climate crisis, do not claim the Property Clause as their primary source of authority.

The origins of the Property Clause at the founding cast doubt upon readings that ascribe to it the modern-day values of environmentalism. Sharing an article with its immediately preceding clause governing the admission of new states, the first mention of anything resembling the Property Clause at the Constitutional Convention came in that very context.⁵ The language of the clause itself (“dispose of”) and contemporary

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¹ U.S. CONST. ART. IV.

² *Kleppe v. New Mexico*, 426 U.S. 529, 539 (1976).

³ See, e.g., Joseph L. Sax, *Helpless Giants: The National Parks and the Regulation of Private Lands*, 75 MICH. L. REV. 239 (1976).

⁴ See John D. Leshy, *A Property Clause for the Twenty-First Century*, 75 U. COLO. L. REV. 1101, 1101 (2004) (describing a constitutional common law of the Property Clause that “favors retention of federal land in national ownership (retention), national over state and local authority (nationalization), and environmental preservation (conservation)”).

⁵ See 2 THE RECORDS OF THE FEDERAL CONVENTION OF 1787, at 321 (Max Farrand ed., 1911). (“The following additional powers proposed to be vested in the Legislature of the United States having been submitted to the consideration of the Convention . . . To dispose of the unappropriated lands of the United States . . . To authorise the Executive to procure and hold for the use of the United States landed property for the erection of forts, magazines, and other necessary buildings . . . To establish public institutions, rewards and immunities for the promotion of agriculture, commerce, trades, and manufactures”).

federal lands policy of the later eighteenth and early nineteenth centuries suggested further that the power vested in Congress would expand the treasury, while *decreasing* federal landholdings. Hence, the originalist understanding has been that the Framers had two motivations in adopting the Property Clause (boundaries of states and economics) neither of which resembled a conservationist ethos (even as such a philosophy would have manifested at the time).

This work sets out to re-examine and challenge that history of the Property Clause with an eye towards increased congressional reliance on it in the face of daunting threats to our natural environment. No one could seriously question the primary motivations of the Framers, but that does not foreclose the importance of searching for secondary motivations that deepen our understanding of arguably the Constitution's most explicitly environmental provision. Eugene Gaetke's work in the 1980's⁶ and Peter Appel's work twenty years later⁷ laid the groundwork for the argument here by pushing back on the originalist argument for a narrow interpretation of Congress's power under the clause.⁸ The argument put forward in the pages that follow completes the picture, making an affirmative case for a fuller, conservationist original understanding, one that acknowledges the historic role of the federal government in preserving the nation's environment and natural resources.

I. CONSTITUTIONAL AUTHORITY FOR ENVIRONMENTAL LAW

The 1970s has a special place in the history of environmental law. In that decade the Congress drafted and passed the sweeping legislation that would come to occupy the field. Congress of course derived the power to pass those foundational statutes from the Constitution. The question of which part of the Constitution did not invite much controversy or debate.⁹ When some in the regulated industry challenged the constitutionality of environmental laws, the commerce clause of Article I, section 8 emerged as the primary source of cited authority.

⁶ *Refuting the Classic Property Clause Theory*, 63 N.C. L. REV. 617 (1985).

⁷ *The Power of Congress "Without Limitation": The Property Clause and Federal Regulation of Private Property*, 86 MINN. L. REV. 1 (2001).

⁸ This article does not engage with the argument, which recently reemerged in Utah, that the entirety of federal land ownership and management is somehow unconstitutional. John Leshy sufficiently disposes of that rather outlandish contention in a 2018 article. See John D. Leshy, *Are U.S. Public Lands Unconstitutional?* 69 HAST. L. J. 499 (2018).

⁹ Rule XII, clause 7(c) of the Rules of United States House of Representatives, requiring so-called "Constitutional Authority Statements" accompany proposed legislation, did not yet exist; it was added in 2011.

The United States Supreme Court declared unequivocally that “the power conferred by the Commerce Clause [is] broad enough to permit congressional regulation of activities causing air or water pollution, or other environmental hazards that may have effects in more than one State.”¹⁰

[Discussion of legislative history and judicial review of individual foundational environmental laws omitted]

The text and legislative history of our foundational environmental laws, as well as the judicial precedent interpreting them, clearly indicates a belief that they are grounded in the power of Congress to regulate interstate commerce. That interpretation has indeed contributed to the statutes’ resilience in the face of numerous allegations of unconstitutionality over the decades. However, grounding environmental protection in economic regulation, rather than say conservation of wilderness, also comes at a cost – both in the reach of the law and its expressive function. The following parts explain why paying that cost is needless, arguing that the Property Clause provides a conservation-minded source of Constitutional authority.

II. THE PROPERTY CLAUSE AT THE FOUNDING

Article IX of the Articles of Confederation proclaimed that “no State shall be deprived of territory for the benefit of the United States.”¹¹ In the abstract, this principle sounds rather innocuous. However, it was included at the behest of seven so-called “landed” states – colonies whose royal charters extended west to the Mississippi River or the Pacific Ocean – to preserve their claims to that territory.¹² The remaining six states opposed those claims, arguing that states should cede to the central government any territory west of the Appalachian Mountains.¹³ One strong argument in favor of cession was relative equality of geographic jurisdiction, and therefore political influence, among the states.¹⁴ Another was the dire need for federal funds to pay the debts incurred fighting the Revolutionary War. Even James Madison, champion of “landed” Virginia, acknowledged the

¹⁰ *Hodel v. Virginia Surface Mining Recl. Assn.*, 452 U.S. 264, 282 (1981).

¹¹ ARTICLES OF CONFEDERATION art. IX.

¹² See “Motion Regarding the Western Lands, [6 September] 1780,” Founders Online, National Archives, <https://founders.archives.gov/documents/Madison/01-02-02-0051> (describing the position and listing the landed states as “Massachusetts, Connecticut, New York, Virginia, North Carolina, South Carolina, and Georgia”).

¹³ See *id.*

¹⁴ See *id.*

potential importance of ceded territory as a common resource.¹⁵ Nonetheless, the Articles of Confederation were ratified in 1781 without the issue being fully resolved. The ensuing failure of our first constitution can in part be attributed to the lack of central government resources, including land. The Property Clause of the United States Constitution has its origins in this story of a resource-deprived federal government.¹⁶

In 1787, the debate over the legislative powers of the federal government raged fiercely. Parts of that debate concerned the ability to regulate the lands held and acquired – what would become the Property Clause. Nonetheless, contemporary accounts of the Constitutional Convention, most notably the notes of James Madison, suggest that the conversations on this particular subject were not nearly as heated or extensive as the discussions of what were perceived as more controversial powers.¹⁷ The cession of lands by the original states to the federal government, now understood as necessary for the preservation of the union, importantly distinguished the reach of the constitutional central government from the previous one under the Articles of Confederation;¹⁸ however, there

¹⁵ The Papers of James Madison, vol. 2, 20 March 1780 – 23 February 1781, ed. William T. Hutchinson and William M. E. Rachal. Chicago: The University of Chicago Press, 1962, pp. 72–78 (moving, among other things, “[t]hat all the Lands to be ceded to the United States and not appropriated or disposed of in bounties to the American Army shall be considered as a common Fund for the use and benefit of such of the United States as have become or shall become Members of the Confederation”).

¹⁶ See John D. Leshy, *Are U.S. Public Lands Unconstitutional?* 69 HAST. L. J. 499, 504 (2018) (describing the early history of federal public lands acquisition (by cession) and management embodied in four documents: “the October 10, 1780 Resolution of Second Continental Congress that urged the states with western land claims to cede them to the United States . . . Virginia’s 1784 cession to the United States of the western lands it claimed . . . the famous Northwest Ordinance adopted by the Congress of the Confederation in 1787. . . [and] the United States Constitution, which replaced the Articles of Confederation in 1788.”).

¹⁷ See, e.g., Max Farrand, *The Records of the Federal Convention of 1787*, ed. Max Farrand (New Haven: Yale University Press, 1911) Vol. 1 (containing 26 instances of the word “lands” compared to 274 instances of the word “representation” – a much debated issue with respect to the composition of the legislature).

¹⁸ See CONGRESSIONAL RESEARCH SERVICE, *FEDERAL LAND OWNERSHIP: OVERVIEW AND DATA* (2020) (“The original states reluctantly ceded the lands to the developing new government. This cession, together with granting constitutional powers to the new federal government, including the authority to regulate federal property and to create new states, played a crucial role in transforming the weak central government under the Articles of Confederation into a stronger, centralized federal government under the U.S. Constitution.”); see also Peter A. Appel, *The Power of Congress “Without Limitation”:* *The Property Clause and Federal Regulation of Private Property*, 86 MINN. L. REV. 1, 23 (2001) (“[T]he history reveals that the western lands, the question of who should control them, and the eventual decision to vest that authority in the United States rather than the

was limited discussion concerning how the power over them might be used.¹⁹

One of the few explicit references to the idea of granting Congress the power over federal lands, simply listed “additional powers proposed to be vested in the Legislature of the United States,” many of which concerned the governance of real and intellectual property.²⁰ The proposed authority over real property included the power “[t]o dispose of the unappropriated lands of the United States” and “[t]o authorise the Executive to procure and hold for the use of the United States landed property for the erection of forts, magazines, and other necessary buildings” and “[t]o establish public institutions, rewards and immunities for the promotion of agriculture, commerce, trades, and manufactures.”

At first blush these powers sound rather mundane and even ministerial. Indeed, at least one constitutional scholar who has looked at the contemporary records contends that the delegates to the Convention conceived of public land management as an administrative, rather than legislative, function.²¹ This argument is bolstered by the Convention’s decision to locate the Property Clause in Article IV, rather than with the other legislative powers in Article I. As the role of administrative law has grown in prominence since the founding, this may be a distinction without a practical difference. Regardless of the nominal conception of federal lands policymaking as legislative or administrative, one could read the proposed powers as reflecting a deeper appreciation of the federal government’s responsibility as steward of the lands. For instance, the establishment of

individual states received significant attention from the Continental Congress.”)

¹⁹ See Leshy, *supra* note 16, at 506 (“The Property Clause did not provoke significant discussion at the Constitutional Convention.”).

²⁰ See Max Farrand, *The Records of the Federal Convention of 1787*, ed. Max Farrand (New Haven: Yale University Press, 1911). Vol. 2. 5/13/2020. https://oll.libertyfund.org/titles/1786#Farrand_0544-02_2213 (listing, among other things, the power “To grant charters of incorporation in cases where the public good may require them, and the authority of a single State may be incompetent; To secure to literary authors their copy rights for a limited time; To establish an University; To encourage, by proper premiums and provisions, the advancement of useful knowledge and discoveries; . . . To grant patents for useful inventions; To secure to authors exclusive rights for a certain time”).

²¹ See Lance F. Sorenson, *The Hybrid Nature of the Property Clause: Implications for Judicial Review of National Monument Reductions*, 21 U. PA. J. CONST. L. 761, 781-82 (2019) (“[T]he Convention did not conceive of the management of property as a legislative power. Rather, it remained administrative. As such, it was separated from more traditional legislative functions. Public lands management was, and remains to this day, an administrative power housed in Congress.”).

public institutions for the promotion of agriculture and the acquisition of land for necessary buildings are two prominent functions of modern public land governance as delegated by Congress to the Bureau of Land Management,²² the National Park Service,²³ and United States Department of Agriculture.²⁴

Further supporting the notion that the founders understood the Property Clause to convey significant authority to Congress is their conscious decision *not* to place the clause within the Article II purview of the executive branch.²⁵ The ratified language of Article IV’s Property Clause explicitly acknowledges that public lands policy involves more than just acquisition and disposal, implicitly endorsing a stewardship role for Congress. In addition to transactional authority, the clause tasks Congress with “mak[ing] all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.”²⁶ This language clearly contemplates more active management than even the proposed powers listed in draft committee and reproduced above. What remains unclear from the text is just what the founders envisioned as “needful” when it came to managing and protecting government property.

In the Federalist Papers, famously authored to convince states to ratify the Constitution, both Hamilton and Madison offer some limited insight on the point of federal land policy. In the Federalist No. 43 Madison recounts a version of the text of the Property Clause itself and describes the power conveyed by it as “a power of very great importance.”²⁷ He goes on to argue the vesting of this power in the federal government as necessary for the management of the yet unexplored western territories, preempting debate among various states that may lay claim to the governing of said territories.²⁸ The focus on quashing the competing jurisdictional claims of the states to new territories, particularly in the West, is a theme that

²² Federal Land Policy and Management Act of 1976, 43 U.S.C. §§ 1701 et seq.

²³ National Park Service Organic Act, 64 P.L. 235, 39 Stat. 535, 64 Cong. Ch. 408 (1916).

²⁴ An Act to establish a Department of Agriculture, ch. 71, 12 Stat. 387 (1862).

²⁵ Lance F. Sorenson, *The Hybrid Nature of the Property Clause: Implications for Judicial Review of National Monument Reductions*, 21 U. PA. J. CONST. L. 761, 781-82 (2019) (“[T]he Convention did not want the public domain managed by the President out of concern that it was too much power in one person’s hands.”).

²⁶ U.S. Const. Art. VI, sec. 3, cl. 2.

²⁷ Federalist No. 43.

²⁸ Federalist No. 43 (arguing the Property Clause was “was probably rendered absolutely necessary by jealousies and questions concerning the western territory sufficiently known to the public.”).

pervades the discussion of the Property Clause throughout the essays of both Hamilton and Madison.

In Federalist No. 7, Hamilton recounts “serious and animated discussions concerning the right to the lands which were ungranted at the time of the revolution.”²⁹ He correctly asserts that states compromised under the Articles of Confederation, settling on the view that those ungranted lands transferred from the Crown to federal government of the United States at the signing of the Treaty of Paris.³⁰ Hamilton goes on to emphasize the importance of maintaining the “Western territory” as “the common property of the union,” arguing the importance of federal control to avoid inconsistent principles of management and apportionment, as well as interstate hostility.³¹ That extended argument could rightly be classified as the first documented argument for the conservation of federal landholdings, albeit protecting them from state, rather than private, acquisition.

James Madison, in the Federalists Nos. 14 and 41, argues forcefully in favor of a strong union and in support of the particular distribution of powers and responsibilities among levels and branches of government. Madison urges that the union is necessary as the “conservator of peace” and “guardian of our . . . common interests.”³² This passage is notable for two reasons. First, we see in it a very early usage of the idea of government as an agent of conservation, albeit conservation of peaceful and tranquil state of affairs, rather than nature. Second, Madison acknowledges the existence of, and, more importantly, the value of protecting, commonly held resources, many of which, especially at this time, were natural. The recognition of the importance of central government to the preservation of commonly held property ties Madison’s line of reasoning back to Roman and natural law,³³ which is where, not coincidentally, we find the roots of the public trust doctrine.³⁴

²⁹ Federalist No. 7.

³⁰ Treaty of Paris of 1783.

³¹ Federalist No. 7.

³² Federalist No. 14.

³³ See JUSTINIAN’S INSTITUTES, Book II, (J.B. Moyle trans., 1913) (“now let us proceed to the law of Things. Of these, some admit of private ownership, while others, it is held, cannot belong to individuals: for some things are by natural law common to all, some are public, some belong to a society or corporation, and some belong to no one.”)

³⁴ See *PPL Mont., LLC v. Montana*, 565 U.S. 576, 576 (2012) (“The public trust doctrine is of ancient origin. Its roots trace to Roman civil law and its principles can be found in the English common law on public navigation and fishing rights over tidal lands and in the state laws of the United States of America.”); see generally Bruce W. Frier, *The*

One can understand the Property Clause as an acknowledgement of the natural law obligation of states to preserve and protect common resources. Both Madison and Hamilton, along with a good number of the founders, were noted subscribers to the theory of natural law.³⁵ Madison wrote of a legal duty “precedent, both in order of time and in degree of obligation, to the claims of Civil Society.”³⁶ Hamilton specifically espoused belief in “the law of nature,” defined as “an eternal and immutable law, which is indispensably obligatory upon all mankind, prior to any human institution whatever.”³⁷ Whether or not one ascribes to a natural law theory of the Constitution, it would be foolish to ignore the theory’s influence on the document’s drafters, particularly when interpreting their words. In the context of the Property Clause, that influence suggests that “needful rules and regulations” would be those that ensure the preservation of the common property resources of the United States for use and enjoyment by citizens in perpetuity. And further, the writings of Justinian place air and water among those common resources.³⁸ Thus, the Property Clause could quite reasonably be read to Constitutionally empower the Congress to enact legislation for the purpose of maintaining a healthy, sustainable environment.

III. FOUNDING ERA USE OF PROPERTY CLAUSE AUTHORITY

Alas, much of the earlier Congressional action under the Property Clause disposed of, rather than preserved, federal lands. Owing no doubt to the attitude of the times, federal landholdings in the West were put forward as opportunities for new, enterprising citizens. The federal government also saw in this policy the prospect of revenue generation, at a time when precious few sources of funds were available.³⁹

Roman Origins Of The Public Trust Doctrine, 32 JOURNAL OF ROMAN ARCHAEOLOGY 641 (2019).

³⁵ See Robert S. Barker, *Natural Law and the United States Constitution*, 66 REV. OF METAPHYSICS 105, 109 (2012) (“The most influential Founders of the United States Constitution saw God as the source of the supreme rules of law and government, and applied the Natural Law in their work in the 1787 Constitutional Convention.”).

³⁶ James Madison, “Memorial and Remonstrance Against Religious Assessments, June 20, 1785,” in THE FOUNDERS CONSTITUTION, vol. 5, at 82 (Philip B. Kurland and Ralph Lerner, eds., 1987).

³⁷ THE WORKS OF ALEXANDER HAMILTON, vol. 1 (Henry Cabot Lodge, ed., 1904).

³⁸ See JUSTINIAN’S INSTITUTES, Book II, (J.B. Moyle trans., 1913) (“Thus, the following things are by natural law common all—the air, running water, the sea, and consequently the sea-shore.”)

³⁹ See U.S. Const. Amend. XVI (ratified in 1913); see also Revenue Act of 1861, Act of August 5, 1861, Chap. XLV, 12 Stat. 292 (imposing the first federal income tax).

Congress established the General Land Office (GLO) as an agency housed within the Department of the Treasury in 1812, vesting it with the authority to “superintend, execute and perform, all such acts and things, touching or respecting the public lands of the United States.”⁴⁰ The GLO continued the work of disposing of western lands that predated the Constitution.⁴¹ Congress implicitly signaled its approach to land policy, and thereby the Property Clause, when it chose to place the GLO within the treasury department. That move signaled two important things. First, Congress saw the chief public benefit of federal landholdings as revenue generation.⁴² Second, Congress did not embrace stewardship of common resources as an important function of the federal government, instead prioritizing the “settlement” of as much territory as possible.⁴³

These perspectives on common resources were widely shared among early citizens and thinkers. A lonely dissenting voice resonated from jurist and scholar St. George Tucker, who argued that “[t]he western territory ought to be regarded as a national stock of wealth.”⁴⁴ Tucker advocated for limited disposal of federal lands, sufficient only to raise revenue necessary to pay current debt, retaining the rest of the property as a common resource.⁴⁵ This view sounds much more consistent with a stewardship ethos. And, practically speaking, it is. Upon closer examination, however, Tucker’s rationale for limiting disposal emerges as having little to do with conservation, and much more to do with a concern that bloated federal treasury would lead to an increasingly intrusive and potentially tyrannical

⁴⁰ An Act for the establishment of a General Land-Office in the Department of the Treasury, Chap. LXVIII, 12th Congress, 1st Session (1812); *see also* MILTON CONOVER, *THE GENERAL LAND OFFICE: ITS HISTORY, ACTIVITIES AND ORGANIZATION* 3 (1923) (describing the creation of the General Land Office).

⁴¹ *See* Land Ordinance of 1785 (passed by the Congress of the Confederation to allow settlers to purchase land in undeveloped parts of the country).

⁴² *See* Lance F. Sorenson, *The Hybrid Nature of the Property Clause: Implications for Judicial Review of National Monument Reductions*, 21 U. PA. J. CONST. L. 761, 775 n. 48 (2019).

⁴³ It should be noted that much of this territory was far from unoccupied. The interests, livelihoods, and humans rights of the indigenous communities that inhabited the land for generations were entirely written off by founding-era federal lands policy, and American law in general.

⁴⁴ ST. GEORGE TUCKER, *BLACKSTONE'S COMMENTARIES: WITH NOTES OF REFERENCE TO THE CONSTITUTION AND LAWS OF THE FEDERAL GOVERNMENT OF THE UNITED STATES AND OF THE COMMONWEALTH OF VIRGINIA* 283 (WILLIAM YOUNG BIRCH & ABRAHAM SMALL EDS., 1803).

⁴⁵ *Id.* at 283-84.

centralized government.⁴⁶

It was not until 1849 that any change in Congress’s approach came about, and even then, at the height of Manifest Destiny, the focus was largely not on stewardship. In that year Congress established the Department of the Interior⁴⁷ and moved to it the GLO, along with all of its responsibilities. The Department of the Interior’s mission at its inception, though broader in perspective than national debts and revenues, did not yet include notions of sustainable resource management or environmental protection. Those goals would not outwardly manifest until the twentieth century.

As the nineteenth century came to a close, the Supreme Court issued an opinion interpreting the Property Clause that would come to shape the doctrine for the modern era. Considering whether Congress’s authority extended to the regulation of fencing on privately-held land neighboring federal property, the Court in *Camfield v. United States*⁴⁸ answered in the affirmative.⁴⁹ This permissive interpretation of the Property Clause, recognizing its underlying stewardship purpose, established it as an important source of legislative power for the budding conservation movement.

[Property, natural resources, and early conceptions of conservation. Draw on JEDEDIAH PURDY, THE MEANING OF PROPERTY]

⁴⁶ See *id.* at 283-86 (“To amass immense riches to defray the expenses of ambition when occasion may prompt, without seeming to oppress the people, has uniformly been the policy of tyrants. Should such a policy creep into our government, and the sales of land, instead of being appropriated to the discharge of former debts, be converted to a treasure in a bank, those who can at any time command it, may be tempted to apply it to the most nefarious purposes.”); see also Lance F. Sorenson, *The Hybrid Nature of the Property Clause: Implications for Judicial Review of National Monument Reductions*, 21 U. PA. J. CONST. L. 761, 775 (2019) (discussing Tucker’s argument).

⁴⁷ See An Act to establish the Home Department, and to provide for the Treasury Department an Assistant Secretary of the Treasury, and a Commissioner of the Customs, 9 Stat. 393, Pub. L. 30-108 (1849).

⁴⁸ 167 US 518 (1897).

⁴⁹ See *id.*; see also *McKelvey v. United States*, 260 U.S. 353, 359 (1922) (“[Congress] may sanction some uses and prohibit others, and may forbid interference with such as are sanctioned.”); *United States v. Alford*, 274 U.S. 264, 266-67 (1927) (holding that Congress has authority to “prohibit the doing of acts upon privately owned lands that imperil the publicly owned forests”).

IV. THE CONTEMPORARY PROPERTY CLAUSE

Interpreting the scope of the Property Clause in *Kleppe v. New Mexico*, and relying on *Camfield* to do so,⁵⁰ the Supreme Court famously held that “the power over the public land thus entrusted to Congress is without limitations.”⁵¹ In upholding a narrow federal legislative protection for wild horses and burros,⁵² the Court, perhaps unwittingly or perhaps intentionally,⁵³ opened the door for federal lawmakers to use their Property Clause authority to protect the natural environment. Surprisingly, however, Congress has not, as of yet, done so much as walk through that open door, let alone drive a truck filled with climate change policy through it.

The decision in *Kleppe* made clear that Property Clause authority sweeps broadly, reaching beyond the borders of federal property. However, the Court explicitly left open the question of just how far beyond government property borders the power reaches⁵⁴ – to the extent that those borders can and should be defined by the traditional metes and bounds of property law. That question went unanswered at the highest court, but circuit courts expounded on it in the wake of *Kleppe*. Just one year after the Supreme Court’s decision, the Eighth Circuit bluntly and aptly described the state of doctrine, writing that “whether federal regulations can be deemed ‘needful’ prescriptions ‘respecting’ the public lands . . . is primarily entrusted to the judgment of Congress, and courts exercising judicial review have supported an expansive reading of the Property Clause.”⁵⁵ The court relied on this deferential reading to uphold congressional regulation of non-federal waters.⁵⁶ The Ninth Circuit similarly unequivocally declared as

⁵⁰ See 426 U.S. 529, 540-41 (1976).

⁵¹ 426 U.S. at 539.

⁵² Wild Free-Roaming Horse and Burro Act of 1971, 16 U.S.C. §§ 1331 - 1340.

⁵³ See John D. Leshy, *A Property Clause for the Twenty-First Century*, 75 U. Colo. L. Rev. 1101, 1101 (2004) (arguing that the Supreme Court’s federal lands jurisprudence is an expression of “constitutional common law” that favors “retention of federal land in national ownership (retention), national over state and local authority (nationalization), and environmental preservation (conservation).”).

⁵⁴ See 426 U.S. at 546 (“While it is clear that regulations under the Property Clause may have some effect on private lands not otherwise under federal control, *Canfield v. United States*, 167 U. S. 518 (1897), we do not think it appropriate in this declaratory judgment proceeding to determine the extent, if any, to which the Property Clause empowers Congress to protect animals on private lands or the extent to which such regulation is attempted by the Act.”).

⁵⁵ *United States v. Brown*, 552 F.2d 817, 822 (8th Cir. 1977) (citing *United States v. San Francisco*, 310 U.S. 16, 28-30 (1940)).

⁵⁶ 552 F.2d at 821-22 (8th Cir. 1977) (holding that the Property Clause authorizes

“well-established” the understanding that the Property Clause “grants to the United States power to regulate conduct on non-federal land when reasonably necessary to protect adjacent federal property.”⁵⁷ This interpretation of the Property Clause was understood as a necessary incident of Congress’ undisputed power to dedicate federal land for specific purposes (e.g., protection of wildlife); Congress must have the ability to make unlawful conduct that threatens those chosen purposes.⁵⁸

...

This modern, more expansive interpretation of the Property Clause, while questioned by some scholars,⁵⁹ has held fast in the courts in recent decades as well. Indeed, in recent years even reticent federal courts have avoided finding any limitation within the constitutional doctrine itself, assuming sweeping Property Clause authority and instead relying on principles of statutory interpretation to read the particular statutes at issue to confine federal agency action.⁶⁰ Affirmative statements of the Property Clause’s broad reach have also been a hallmark of some recent decisions. The Ninth Circuit described as regulable “commercial activity . . . that has implications for [federal] land even if commenced on property adjacent to

Congress “to regulate activities on non-federal public waters in order to protect wildlife and visitors on [federal] lands”).

⁵⁷ *United States v. Lindsey*, 595 F.2d 5, 6 (9th Cir. 1979).

⁵⁸ *Minn. by Alexander v. Block*, 660 F.2d 1240, 1249 (8th Cir. 1981) (“Under this authority to protect public land, Congress’ power must extend to regulation of conduct on or off the public land that would threaten the designated purpose of federal lands. Congress clearly has the power to dedicate federal land for particular purposes. As a necessary incident of that power, Congress must have the ability to insure that these lands be protected against interference with their intended purposes.”).

⁵⁹ *See, e.g.*, Jeffrey M. Schmitt, *Limiting the Property Clause*, 20 NEV. L. J. 145 (2019); Allison H. Eid, *The Property Clause and New Federalism*, 75 U. Colo. L. Rev. 1241 (2004).

⁶⁰ *See, e.g.*, *Utah Native Plant Soc’y v. United States Forest Serv.*, 923 F.3d 860, 867 (10th Cir. 2019) (“Assuming the Property Clause reaches this far, Congress, with the aim of preserving federal lands, might rely on it to enact legislation altering the State of Utah’s authority to manage wildlife on its own lands. . . . While Congress might enact legislation respecting national forests, the “clear and manifest purpose” of which is to preempt Utah’s traditional trustee and police powers as a sovereign to manage wildlife within its borders, it has not done so.”); *Herr v. United States Forest Serv.*, 865 F.3d 351, 358 (6th Cir. 2017) (“The Forest Service tells us that it can regulate littoral and riparian rights under the Property Clause to the same extent that state regulators can regulate them. Maybe; maybe not. But we need not decide.”); *Virginia v. Reno*, 955 F. Supp. 571, 580 (E.D. Va. 1997) (finding that the Enclave Clause of Article I does not limit Congress’ authority under the Property Clause of Article IV).

[it].”⁶¹ In a case upholding the priority given to rural Alaskans for subsistence hunting permits, the court specifically identified the goals of Congressional policy as conservation of limited natural resources and protection of wildlife-dependent rural inhabitants.⁶² Taken together, these cases suggest that Congress can act under the Property Clause to protect natural resources, as well as human and environmental health more broadly, and can target harmful activities on private land with that action.

V. CONSTITUTIONAL AUTHORITY FOR CLIMATE CHANGE LEGISLATION

Putting together the fundamental acknowledgement of some stewardship obligation running with the Property Clause at its inception with the modern conception of a power dubbed unlimited by the twentieth century Supreme Court, there exists the requisite authority to legislatively address the climate crisis.

Even if we constrain the permissible purpose of Property-Clause-based legislation to the protection of legally recognized property interests held by the federal government, the authority for comprehensive climate legislation exists. In *Massachusetts v. EPA*, the Supreme Court accepted that the impacts of climate change affect the value of government landholdings (in that case state government) negatively.⁶³ And in *Kleppe v. New Mexico* the Court reaffirmed the principle that the Property Clause authority sweeps broadly enough to permit regulation on private land for the purpose of protecting public land.⁶⁴ Thus, combining those holdings, permissible Property Clause regulation would include the curtailment of greenhouse gas emissions from private land for the purpose of protecting federal landholdings by way of climate mitigation.

The federal government currently owns approximately 640 million acres, comprising 28% of the 2.27 billion acres of the United States’ total

⁶¹ *United States v. Parker*, 761 F.3d 986, 990 (9th Cir. 2014).

⁶² *Alaska Constitutional Legal Def. Conservation Fund, Inc. v. Kempthorne*, 198 F. App’x 601, 603 (9th Cir. 2006).

⁶³ 549 US 497 (2007) (“Because the Commonwealth ‘owns a substantial portion of the state’s coastal property,’ it has alleged a particularized injury in its capacity as a landowner.” (internal citations omitted)).

⁶⁴ 426 U.S. at 538 (“[T]he Property Clause is broad enough to permit federal regulation of fences built on private land adjoining public land when the regulation is for the protection of the federal property. . . . the power granted by the Property Clause is broad enough to reach beyond territorial limits.” (citing *Canfield v. United States*, 167 U.S. 518 (1897))).

land area.⁶⁵ Of those total landholdings, almost 80 million acres fall under the purview of the National Park Service,⁶⁶ which found in 2008 that “[c]limate change is redefining [national] parks and will continue to do so.”⁶⁷ The Park Service went on to identify habitat loss as an effect of climate change that demanded attention.⁶⁸ The Park Service has also since put forward strategies to deal specifically with the impacts of sea-level rise on management areas, which include, among other things, “accelerated coastal erosion [and] landward migration of shorelines.”⁶⁹ Maps of all federal landholdings reveal significant coastal property in along the West Coast and in Alaska under BLM management.⁷⁰ The fact that climate change will cause the loss of some measurable portion of this property is undeniable. Accordingly, Congress can, and should, use its Property Clause authority to protect these federal lands.

None of the climate change bills put forward in Congress or regulations proposed by EPA have proffered the Property Clause as their primary source of Constitutional authority.

[Discuss climate bills – from McCain-Lieberman to Waxman-Markey to the Green New Deal, and regulations -Clean Power Plan and Affordable Clean Energy]

VI. WHY THE SOURCE OF CONSTITUTIONAL AUTHORITY MATTERS

It remains quite clear that the Commerce Clause provides ample authority for Congress to legislatively address the climate crisis through a number of avenues – capping emissions, subsidizing clean energy, funding infrastructure and energy grid improvements. So, why concern ourselves with the question of whether the Property Clause would also justify such legislative action? Let me offer two reasons.

First, the proffered Constitutional basis for legislation says something

⁶⁵ CONGRESSIONAL RESEARCH SERVICE (CRS), FEDERAL LAND OWNERSHIP: OVERVIEW AND DATA (2020).

⁶⁶ *Id.*

⁶⁷ Jill S. Baron, et al., *Adaptation Options for Climate-Sensitive Ecosystems and Resources* in EPA, PRELIMINARY REVIEW OF ADAPTATION OPTIONS FOR CLIMATE-SENSITIVE ECOSYSTEMS AND RESOURCES (2008).

⁶⁸ *See id.*

⁶⁹ NATIONAL PARK SERVICE, COASTAL ADAPTATION STRATEGIES HANDBOOK (Rebecca Beavers, Amanda Babson & Courtney Schupp, eds. 2016).

⁷⁰ *See* CRS, *supra* note 76.

about the underlying fundamental purpose of the law and affects consequential choices about statutory language. As Cass Sunstein powerfully argued almost three decades ago, law serves an expressive, in addition to behavior-policing, function.⁷¹ Sunstein spotlights environmental law as a discipline where the social meaning of regulation is an important part of the policy debate.⁷² One might understand important air and water pollution controls as simultaneously efforts to physically protect those natural resources and statements about society's collective attitude towards them. The preamble sections of some statutes testify to Congress's explicit recognition of this important expression.⁷³

As detailed above,⁷⁴ for years, environmental statutes have been justified as regulation of commerce – in other words, economic policy. That link has been more than just a legal argument used to defend environmental law from constitutional attack. The policy debate has been dominated by conversations about tradeoffs, quantification of costs and benefits, and, more recently, jobs in regulated industries. The dominance of the economic framing has in turn subordinated other perspectives at the core of environmentalism – ecology, ethics, equity, to name a few. The language of environmental law largely reflects that subordination. Statutes explicitly mention “costs” and “economics,”⁷⁵ while forgoing philosophical

⁷¹ See Cass Sunstein, *On the Expressive Function of Law*, 144 U. PA. L. REV. 2021, 2022, 2024 (1996) (“Many people support law because of the statements made by law, and disagreements about law are frequently debates over the expressive content of law. . . .

⁷² *Id.* at 2024 (“In environmental protection, public debate is often focused on the perceived social meaning of law.”); see also *id.* (offering the Endangered Species Act, emissions trading, and mandatory recycling as examples of environmental policies that serve important expressive functions); see generally Michael P. Vandenberg, *The Social Meaning of Environmental Command and Control*, 20 VA. ENV. L. J. 191 (2001).

⁷³ See, e.g., The National Environmental Policy Act, 42 USC § 4331(a) (“The Congress, recognizing the profound impact of man's activity on the interrelations of all components of the natural environment, particularly the profound influences of population growth, high-density urbanization, industrial expansion, resource exploitation, and new and expanding technological advances and recognizing further the critical importance of restoring and maintaining environmental quality to the overall welfare and development of man, declares that it is the continuing policy of the Federal Government, in cooperation with State and local governments, and other concerned public and private organizations, to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.”)

⁷⁴ See Part I, *supra*.

⁷⁵ See, e.g., Clean Air Act, 42 USCS § 7479(3) (“The term “best available control technology” means an emission limitation based on the maximum degree of reduction of each pollutant subject to regulation under this Act emitted from or which results from any

or moral imperatives. At least one prominent reason for that drafting style is the stated Constitutional basis in the Commerce Clause.

Furthermore, although the Constitutional basis for a law is not necessarily the same as, or included within, a law's text, the recent requirement in the Rules of United States House of Representatives that a "Constitutional Authority Statement"⁷⁶ accompany every bill effectively ensures the choice serve an expressive function. Reliance on the Property Clause, instead of, or in addition to, the Commerce Clause changes that expression.

Second, additional Constitutional authority may be necessary to insulate future climate legislation from judicial review. Addressing climate change – both through mitigation and adaptation - will be a monumental lift that will touch nearly every facet of modern life and every part of society. Just look at the sweeping nature of the proposed "Green New Deal;" completing that policy agenda would require multiple statutes the reach beyond traditional environmental law. Any climate related legislation that actually passes will inevitably face challenge in the federal courts. Reliance on more than just the permissive Commerce Clause jurisprudence would be a wise strategy in the face of such challenge. That is particularly true given the documented unease of some Supreme Court justices with what they perceive as impermissible intrusion on free markets and personal liberty.⁷⁷ Offering the Property Clause as a primary Constitutional basis for climate legislation, or at least an alternative justification, would force the Court to consider the issue in the context of an entirely different jurisprudence. That doctrine has in modern times recognized the nearly unlimited power of Congress to protect federal lands and is rooted in a historical acknowledgement of the importance of preserving common resources for the collective good.

major emitting facility, which the permitting authority, on a case-by-case basis, taking into account energy, environmental, and *economic* impacts and *other costs*, determines is achievable for such facility through application of production processes and available methods, systems, and techniques.”).

⁷⁶ Rule XII, clause 7(c) of the Rules of United States House of Representatives (“A bill or joint resolution may not be introduced unless the sponsor submits for printing in the Congressional Record a statement citing as specifically as practicable the power or powers granted to Congress in the Constitution to enact the bill or joint resolution. The statement shall appear in a portion of the Record designated for that purpose and be made publicly available in electronic form by the Clerk.”).

⁷⁷ See Mark Joseph Stern, A New *Lochner* Era, Slate, June 29, 2018 (discussing how *Lochner*-era thinking might return to the Supreme Court); see also National Federation of Independent Business v. Sebelius, 567 U.S. 519 (2012).

From: Carlson, Ann
Sent: Tuesday, January 19, 2021 5:42 PM PST
To: Freeman, Jody <freeman@law.harvard.edu>
Subject: my crazy news

Hey there,

Hope you are hanging in during the craziness. Just wanted to let you know my news. I've been appointed by the Biden-Harris team to serve as NHTSA's Chief Counsel. The deputy is also a climate person. I get sworn in tomorrow. Sure to be a wild ride! I've obviously told the UCLA powers that be, in part because they had to find someone to teach Property for me, but haven't let the whole faculty know yet. That will come tomorrow after the swearing in ceremony.

I'm really excited. It will be a strange and huge change but I think it'll be fascinating. I understand NHTSA was not the partner it could have been in the Obama era -- our appointments are meant to change that.

Anyway, thought you'd find it all interesting....

xo

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Carlson, Ann
Sent: Tuesday, January 26, 2021 1:20 PM PST
To: JR DE SHAZO <deshazo@ucla.edu>
Subject: My flakiness

Hi JR,

I'm sorry I never got back to you about Mary but that's because, as you may have heard, I am taking a leave from UCLA. President Biden has appointed me as chief counsel of NHTSA and started last Wednesday, when he swore in the political appointees.

Would love to attend, schedule permitting. I am working remotely from LA until we are told to come to DC, which probably won't be till things open up again.

Hope you're well!

From: Carlson, Ann

Sent: Thursday, January 21, 2021 10:16 AM PST

To: Burtraw, Dallas <Burtraw@rff.org>; Danny Cullenward <dcullenward-iemac@ghgpolicy.org>; Meredith Fowlie <fowlie@berkeley.edu>; Jennifer Kropke <jkropke@ibew11.org>

CC: Sanchez, Lauren@EPA <Lauren.Sanchez@calepa.ca.gov>; Hickerson, Heather@EPA <Heather.Hickerson@calepa.ca.gov>

Subject: My news

Hi all,

I'm writing to let you know that I was sworn in yesterday to serve as Chief Counsel of NHTSA. I'm really excited about my new role and the chance to work on transportation and climate change. But my appointment also means that I have resigned from IEMAC. Serving with all of you has been a wonderful experience and I'm sorry that I won't be able to continue to do so. I'm confident, though, that our paths will continue to cross as we all work to address the greatest existential environmental threat the planet has ever faced.

Thank you all and all best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

NATIVE FULLERTONIAN GOES TO WASHINGTON

Born and brought up in Fullerton, Ann Carlson attended Raymond School, Wilshire Junior High, and Fullerton High School. After graduating from U.C. Santa Barbara and from Harvard Law School, Ann forged a career in Environmental Law teaching at U.C.L.A. Law School. She is currently writing a book on how Southern California has cleaned up its air pollution.

On Wednesday, January 20, Ann was sworn in as Chief Counsel of the National Highway Traffic Safety Administration (NHTSA). The NHTSA is responsible for highway safety but also has joint responsibility, along with the EPA, for greenhouse gas and fuel economy standards for the transportation sector.

Carlson says, "I'm part of a group of appointees that make real the Biden-Harris commitment to make tackling climate change a whole government priority."

She will be working remotely in the near term but will then move to Washington, D.C. and commute back and forth to her home in Los Angeles as often as possible. Her husband, Carl H. Moor, is a judge in Los Angeles.

The photo shows Carlson being sworn in by President Biden, just hours after his inauguration on January 20.

State of New Jersey – Division of Taxation
Employee's Withholding Allowance Certificate

1. SS#			2. Filing Status: (Check only one box) 1. <input type="checkbox"/> Single 2. <input type="checkbox"/> Married/Civil Union Couple Joint 3. <input type="checkbox"/> Married/Civil Union Partner Separate 4. <input type="checkbox"/> Head of Household 5. <input type="checkbox"/> Qualifying Widow(er)/Surviving Civil Union Partner			
Name						
Address						
City	State	Zip				
3. If you have chosen to use the chart from instruction A, enter the appropriate letter here.....						3.
4. Total number of allowances you are claiming (see instructions).....						4.
5. Additional amount you want deducted from each pay						5. \$
6. I claim exemption from withholding of NJ Gross Income Tax and I certify that I have met the conditions in the instructions of the NJ-W4. If you have met the conditions, enter "EXEMPT" here.....						6.
7. Under penalties of perjury, I certify that I am entitled to the number of withholding allowances claimed on this certificate or entitled to claim exempt status.						
Employee's Signature					Date	
Employer's Name and Address					Employer Identification Number	

BASIC INSTRUCTIONS

- Line 1 Enter your name, address, and Social Security number in the spaces provided.
- Line 2 Check the box that indicates your filing status. If you checked Box 1 (Single) or Box 3 (Married/Civil Union Partner Separate) you will be withheld at Rate A.
Note: If you have checked Box 2 (Married/Civil Union Couple Joint), Box 4 (Head of Household) or Box 5 (Qualifying Widow(er) Surviving Civil Union Partner) and either your spouse/civil union partner works or you have more than one job or more than one source of income and the combined total of all wages is greater than \$50,000, see instruction A below. If you do not complete Line 3, you will be withheld at Rate B.
- Line 3 If you have chosen to use the wage chart below, enter the appropriate letter.
- Line 4 Enter the number of allowances you are claiming. Entering a number on this line will decrease the amount of withholding and could result in an underpayment on your return.
- Line 5 Enter the amount of additional withholdings you want deducted from each pay.
- Line 6 Enter "EXEMPT" to indicate that you are exempt from New Jersey Gross Income Tax Withholdings, if you meet one of the following conditions:
- Your filing status is **SINGLE** or **MARRIED/CIVIL UNION PARTNER SEPARATE** and your wages plus your taxable nonwage income will be \$10,000 or less for the current year.
 - Your filing status is **MARRIED/CIVIL UNION COUPLE JOINT**, and your wages combined with your spouse's/civil union partner's wages plus your taxable nonwage income will be \$20,000 or less for the current year.
 - Your filing status is **HEAD OF HOUSEHOLD** or **QUALIFYING WIDOW(ER)/SURVIVING CIVIL UNION PARTNER** and your wages plus your taxable nonwage income will be \$20,000 or less for the current year.

Your exemption is good for ONE year only. You must complete and submit a form each year certifying you have no New Jersey Gross Income Tax liability and claim exemption from withholding. If you have questions about eligibility, filing status, withholding rates, etc. when completing this form, call the Division of Taxation's Customer Service Center at (609) 292-6400.

Instruction A - Wage Chart

This chart is designed to increase withholdings on your wages, if these wages will be taxed at a higher rate due to inclusion of other wages or income on your NJ-1040 return. **It is not intended to provide withholding for other income or wages.** If you need additional withholdings for other income or wages, use Line 5 on the NJ-W4. This Wage Chart applies to taxpayers who are married/civil union couple filing jointly, heads of households, or qualifying widow(er)/surviving civil union partner. **Single individuals or married/civil union partners filing separate returns do not need to use this chart.** If you have indicated filing status #2, 4 or 5 on the above NJ-W4 and your taxable income is greater than \$50,000, you should strongly consider using the Wage Chart. (See the Rate Tables on the reverse side to estimate your withholding amount.)

HOW TO USE THE CHART

- Find the amount of your wages in the left-hand column.
- Find the amount of the total for all other wages (including your spouse's/civil union partner's wages) along the top row.
- Follow along the row that contains your wages until you come to the column that contains the other wages.
- This meeting point indicates the Withholding Table that best reflects your income situation.
- If you have chosen this method, enter the "letter" of the withholding rate table on Line 3 of the NJ-W4.

NOTE: If your income situation substantially increases (or decreases) in the future, you should resubmit a revised NJ-W4 to your employer.

WAGE CHART

		Total of All Other Wages	0 10,000	10,001 20,000	20,001 30,000	30,001 40,000	40,001 50,000	50,001 60,000	60,001 70,000	70,001 80,000	80,001 90,000	OVER 90,000
YOUR WAGES	0 10,000		B	B	B	B	B	B	B	B	B	B
	10,001 20,000		B	B	B	B	C	C	C	C	C	C
	20,001 30,000		B	B	B	A	A	D	D	D	D	D
	30,001 40,000		B	B	A	A	A	A	A	E	E	E
	40,001 50,000		B	C	A	A	A	A	A	E	E	E
	50,001 60,000		B	C	D	A	A	A	E	E	E	E
	60,001 70,000		B	C	D	A	A	E	E	E	E	E
	70,001 80,000		B	C	D	E	E	E	E	E	E	E
	80,001 90,000		B	C	D	E	E	E	E	E	E	E
	OVER 90,000		B	C	D	E	E	E	E	E	E	E

RATE TABLES FOR WAGE CHART

The rate tables listed below correspond to the letters in the Wage Chart on the front page. Use these to estimate the amount of withholding that will occur if you choose to use the wage chart. Compare this to your estimated income tax liability for your New Jersey Income Tax return to see if this is the correct amount of withholding that you should have.

RATE "A"											
WEEKLY PAYROLL PERIOD (Allowance \$19.20)						ANNUAL PAYROLL PERIOD (Allowance \$1,000)					
If the amount of taxable wages is:			The amount of income tax to be withheld is:			If the amount of taxable wages is:			The amount of income tax to be withheld is:		
Over	But Not Over		Of Excess Over			Over	But Not Over		Of Excess Over		
\$ 0	\$ 385		1.5%	\$ 0		\$ 0	\$ 20,000		1.5%	\$ 0	
\$ 385	\$ 673	\$ 5.77 +	2.0%	\$ 385		\$ 20,000	\$ 35,000	\$ 300.00 +	2.0%	\$ 20,000	
\$ 673	\$ 769	\$ 11.54 +	3.9%	\$ 673		\$ 35,000	\$ 40,000	\$ 600.00 +	3.9%	\$ 35,000	
\$ 769	\$ 1,442	\$ 15.29 +	6.1%	\$ 769		\$ 40,000	\$ 75,000	\$ 795.00 +	6.1%	\$ 40,000	
\$ 1,442	\$ 9,615	\$ 56.35 +	7.0%	\$ 1,442		\$ 75,000	\$ 500,000	\$ 2,930.00 +	7.0%	\$ 75,000	
\$ 9,615	\$ 19,231	\$ 628.46 +	9.9%	\$ 9,615		\$ 500,000	\$ 1,000,000	\$ 32,680.00 +	9.9%	\$ 500,000	
\$ 19,231	\$ 1,580.38	+ 11.8%	\$ 19,231		\$ 1,000,000	over	\$ 82,180.00	+ 11.8%	\$ 1,000,000		
RATE "B"											
WEEKLY PAYROLL PERIOD (Allowance \$19.20)						ANNUAL PAYROLL PERIOD (Allowance \$1,000)					
If the amount of taxable wages is:			The amount of income tax to be withheld is:			If the amount of taxable wages is:			The amount of income tax to be withheld is:		
Over	But Not Over		Of Excess Over			Over	But Not Over		Of Excess Over		
\$ 0	\$ 385		1.5%	\$ 0		\$ 0	\$ 20,000		1.5%	\$ 0	
\$ 385	\$ 962	\$ 5.77 +	2.0%	\$ 385		\$ 20,000	\$ 50,000	\$ 300.00 +	2.0%	\$ 20,000	
\$ 962	\$ 1,346	\$ 17.31 +	2.7%	\$ 962		\$ 50,000	\$ 70,000	\$ 900.00 +	2.7%	\$ 50,000	
\$ 1,346	\$ 1,538	\$ 27.69 +	3.9%	\$ 1,346		\$ 70,000	\$ 80,000	\$ 1,440.00 +	3.9%	\$ 70,000	
\$ 1,538	\$ 2,885	\$ 35.19 +	6.1%	\$ 1,538		\$ 80,000	\$ 150,000	\$ 1,830.00 +	6.1%	\$ 80,000	
\$ 2,885	\$ 9,615	\$ 117.31 +	7.0%	\$ 2,885		\$ 150,000	\$ 500,000	\$ 6,100.00 +	7.0%	\$ 150,000	
\$ 9,615	\$ 19,231	\$ 588.46 +	9.9%	\$ 9,615		\$ 500,000	\$ 1,000,000	\$ 30,600.00 +	9.9%	\$ 500,000	
\$ 19,231	\$ 1,540.38	+ 11.8%	\$ 19,231		\$ 1,000,000		\$ 80,100.00	+ 11.8%	\$ 1,000,000		
RATE "C"											
WEEKLY PAYROLL PERIOD (Allowance \$19.20)						ANNUAL PAYROLL PERIOD (Allowance \$1,000)					
If the amount of taxable wages is:			The amount of income tax to be withheld is:			If the amount of taxable wages is:			The amount of income tax to be withheld is:		
Over	But Not Over		Of Excess Over			Over	But Not Over		Of Excess Over		
\$ 0	\$ 385		1.5%	\$ 0		\$ 0	\$ 20,000		1.5%	\$ 0	
\$ 385	\$ 769	\$ 5.77 +	2.3%	\$ 385		\$ 20,000	\$ 40,000	\$ 300.00 +	2.3%	\$ 20,000	
\$ 769	\$ 962	\$ 14.62 +	2.8%	\$ 769		\$ 40,000	\$ 50,000	\$ 760.00 +	2.8%	\$ 40,000	
\$ 962	\$ 1,154	\$ 20.00 +	3.5%	\$ 962		\$ 50,000	\$ 60,000	\$ 1,040.00 +	3.5%	\$ 50,000	
\$ 1,154	\$ 2,885	\$ 26.73 +	5.6%	\$ 1,154		\$ 60,000	\$ 150,000	\$ 1,390.00 +	5.6%	\$ 60,000	
\$ 2,885	\$ 9,615	\$ 123.65 +	6.6%	\$ 2,885		\$ 150,000	\$ 500,000	\$ 6,430.00 +	6.6%	\$ 150,000	
\$ 9,615	\$ 19,231	\$ 567.88 +	9.9%	\$ 9,615		\$ 500,000	\$ 1,000,000	\$ 29,530.00 +	9.9%	\$ 500,000	
\$ 19,231	\$ 1,519.81	+ 11.8%	\$ 19,231		\$ 1,000,000		\$ 79,030.00	+ 11.8%	\$ 1,000,000		
RATE "D"											
WEEKLY PAYROLL PERIOD (Allowance \$19.20)						ANNUAL PAYROLL PERIOD (Allowance \$1,000)					
If the amount of taxable wages is:			The amount of income tax to be withheld is:			If the amount of taxable wages is:			The amount of income tax to be withheld is:		
Over	But Not Over		Of Excess Over			Over	But Not Over		Of Excess Over		
\$ 0	\$ 385		1.5%	\$ 0		\$ 0	\$ 20,000		1.5%	\$ 0	
\$ 385	\$ 769	\$ 5.77 +	2.7%	\$ 385		\$ 20,000	\$ 40,000	\$ 300.00 +	2.7%	\$ 20,000	
\$ 769	\$ 962	\$ 16.15 +	3.4%	\$ 769		\$ 40,000	\$ 50,000	\$ 840.00 +	3.4%	\$ 40,000	
\$ 962	\$ 1,154	\$ 22.69 +	4.3%	\$ 962		\$ 50,000	\$ 60,000	\$ 1,180.00 +	4.3%	\$ 50,000	
\$ 1,154	\$ 2,885	\$ 30.96 +	5.6%	\$ 1,154		\$ 60,000	\$ 150,000	\$ 1,610.00 +	5.6%	\$ 60,000	
\$ 2,885	\$ 9,615	\$ 127.88 +	6.5%	\$ 2,885		\$ 150,000	\$ 500,000	\$ 6,650.00 +	6.5%	\$ 150,000	
\$ 9,615	\$ 19,231	\$ 565.38 +	9.9%	\$ 9,615		\$ 500,000	\$ 1,000,000	\$ 29,400.00 +	9.9%	\$ 500,000	
\$ 19,231	\$ 1,517.31	+ 11.8%	\$ 19,231		\$ 1,000,000		\$ 78,900.00	+ 11.8%	\$ 1,000,000		
RATE "E"											
WEEKLY PAYROLL PERIOD (Allowance \$19.20)						ANNUAL PAYROLL PERIOD (Allowance \$1,000)					
If the amount of taxable wages is:			The amount of income tax to be withheld is:			If the amount of taxable wages is:			The amount of income tax to be withheld is:		
Over	But Not Over		Of Excess Over			Over	But Not Over		Of Excess Over		
\$ 0	\$ 385		1.5%	\$ 0		\$ 0	\$ 20,000		1.5%	\$ 0	
\$ 385	\$ 673	\$ 5.77 +	2.0%	\$ 385		\$ 20,000	\$ 35,000	\$ 300.00 +	2.0%	\$ 20,000	
\$ 673	\$ 1,923	\$ 11.54 +	5.8%	\$ 673		\$ 35,000	\$ 100,000	\$ 600.00 +	5.8%	\$ 35,000	
\$ 1,923	\$ 9,615	\$ 84.04 +	6.5%	\$ 1,923		\$ 100,000	\$ 500,000	\$ 4,370.00 +	6.5%	\$ 100,000	
\$ 9,615	\$ 19,231	\$ 584.04 +	9.9%	\$ 9,615		\$ 500,000	\$ 1,000,000	\$ 30,370.00 +	9.9%	\$ 500,000	
\$ 19,231	\$ 1,535.96	+ 11.8%	\$ 19,231		\$ 1,000,000		\$ 79,870.00	+ 11.8%	\$ 1,000,000		

From: Carlson, Ann
Sent: Tuesday, January 26, 2021 6:45 AM PST
To: Barb Edmonds <Barb@edmondsllp.com>
CC: Carl Moor [REDACTED]
Subject: New job, exemptions

Hi Barb,

I have temporarily taken a leave to serve in the Biden administration as chief counsel of the national highway traffic safety administration. The job will be fun but it comes with a big pay cut and I am filling out the forms for how many withholdings I should claim. I will be paid \$150,000 a year. Can you tell me how many I should claim?

Thank you!



Employee's Withholding Allowance Certificate

IT-2104

New York State • New York City • Yonkers

First name and middle initial		Last name		Your Social Security number	
Permanent home address (number and street or rural route)			Apartment number		Single or Head of household <input type="checkbox"/> Married <input type="checkbox"/>
City, village, or post office			State	ZIP code	Married, but withhold at higher single rate <input type="checkbox"/>
<p>Note: If married but legally separated, mark an X in the <i>Single or Head of household</i> box.</p>					
<p>Are you a resident of New York City? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Are you a resident of Yonkers? Yes <input type="checkbox"/> No <input type="checkbox"/></p>					
Complete the worksheet on page 4 before making any entries.					
1 Total number of allowances you are claiming for New York State and Yonkers, if applicable (from line 19)					1
2 Total number of allowances for New York City (from line 31)					2
Use lines 3, 4, and 5 below to have additional withholding per pay period under special agreement with your employer.					
3 New York State amount					3
4 New York City amount					4
5 Yonkers amount					5

I certify that I am entitled to the number of withholding allowances claimed on this certificate.

Employee's signature	Date
----------------------	------

Penalty – A penalty of \$500 may be imposed for any false statement you make that decreases the amount of money you have withheld from your wages. You may also be subject to criminal penalties.

Employee: detach this page and give it to your employer; keep a copy for your records.

Employer: Keep this certificate with your records.

Mark an X in box A and/or box B to indicate why you are sending a copy of this form to New York State (see instructions):

A Employee claimed more than 14 exemption allowances for NYS A

B Employee is a new hire or a rehire ... B First date employee performed services for pay (mm-dd-yyyy) (see instr.):

Are dependent health insurance benefits available for this employee? Yes No

If Yes, enter the date the employee qualifies (mm-dd-yyyy):

Employer's name and address (Employer: complete this section only if you are sending a copy of this form to the NYS Tax Department.)	Employer identification number
--	--------------------------------

Instructions

Changes effective for 2021

Form IT-2104 has been revised for tax year 2021. The worksheet on page 4 and the charts beginning on page 5, used to compute withholding allowances or to enter an additional dollar amount on line(s) 3, 4, or 5, have been revised. If you previously filed a Form IT-2104 and used the worksheet or charts, you should complete a new 2021 Form IT-2104 and give it to your employer.

Who should file this form

This certificate, Form IT-2104, is completed by an employee and given to the employer to instruct the employer how much New York State (and New York City and Yonkers) tax to withhold from the employee's pay. The more allowances claimed, the lower the amount of tax withheld.

If the federal Form W-4 you most recently submitted to your employer was for tax year 2019 or earlier, and you did not file Form IT-2104, your employer may use the same number of allowances you claimed on your federal Form W-4. Due to differences in federal and New York State tax law, this may result in the wrong amount of tax withheld for New York State, New York City, and Yonkers.

For tax years 2020 or later, withholding allowances are no longer reported on federal Form W-4. Therefore, if you submit a federal Form W-4 to your

employer for tax year 2020 or later, and you do not file Form IT-2104, your employer may use zero as your number of allowances. This may result in the wrong amount of tax withheld for New York State, New York City, and Yonkers.

Complete Form IT-2104 each year and file it with your employer if the number of allowances you may claim is different from federal Form W-4 or has changed. Common reasons for completing a new Form IT-2104 each year include the following:

- You started a new job.
- You are no longer a dependent.
- Your individual circumstances may have changed (for example, you were married or have an additional child).
- You moved into or out of NYC or Yonkers.
- You itemize your deductions on your personal income tax return.
- You claim allowances for New York State credits.
- You owed tax or received a large refund when you filed your personal income tax return for the past year.
- Your wages have increased and you expect to earn \$107,650 or more during the tax year.

- The total income of you and your spouse has increased to \$107,650 or more for the tax year.
- You have significantly more or less income from other sources or from another job.
- You no longer qualify for exemption from withholding.
- You have been advised by the Internal Revenue Service that you are entitled to fewer allowances than claimed on your original federal Form W-4 (submitted to your employer for tax year 2019 or earlier), and the disallowed allowances were claimed on your original Form IT-2104.
- You are a covered employee of an employer that has elected to participate in the Employer Compensation Expense Program.

Exemption from withholding

You cannot use Form IT-2104 to claim exemption from withholding. To claim exemption from income tax withholding, you **must** file Form IT-2104-E, *Certificate of Exemption from Withholding*, with your employer. You must file a new certificate each year that you qualify for exemption. This exemption from withholding is allowable only if you had no New York income tax liability in the prior year, you expect none in the current year, **and** you are over 65 years of age, under 18, or a full-time student under 25. You may also claim exemption from withholding if you are a military spouse and meet the conditions set forth under the Servicemembers Civil Relief Act as amended by the Military Spouses Residency Relief Act and the Veterans Benefits and Transition Act. If you are a dependent who is under 18 or a full-time student, you may owe tax if your income is more than \$3,100.

Withholding allowances

You may **not** claim a withholding allowance for yourself or, if married, your spouse. Claim the number of withholding allowances you compute in Part 1 and Part 4 of the worksheet on page 4. If you want more tax withheld, you may claim fewer allowances. **If you claim more than 14 allowances**, your employer **must send** a copy of your **Form IT-2104** to the New York State Tax Department. You may then be asked to verify your allowances. If you arrive at negative allowances (less than zero) on lines 1 or 2 and your employer cannot accommodate negative allowances, **enter 0** and see *Additional dollar amount(s)* below.

Income from sources other than wages – If you have more than \$1,000 of income from sources other than wages (such as interest, dividends, or alimony received), reduce the number of allowances claimed on line 1 and line 2 (if applicable) of the IT-2104 certificate by one for each \$1,000 of nonwage income. If you arrive at negative allowances (less than zero), see *Withholding allowances* above. You may also consider making estimated tax payments, especially if you have significant amounts of nonwage income. Estimated tax requires that payments be made by the employee directly to the Tax Department on a quarterly basis. For more information, see the instructions for Form IT-2105, *Estimated Tax Payment Voucher for Individuals*, or see *Need help?* on page 7.

Other credits (Worksheet line 14) – If you will be eligible to claim any credits other than the credits listed in the worksheet, such as an investment tax credit, you may claim additional allowances.

Find your filing status and your New York adjusted gross income (NYAGI) in the chart below, and divide the amount of the expected credit by the number indicated. Enter the result (rounded to the nearest whole number) on line 14.

Single and NYAGI is:	Head of household and NYAGI is:	Married and NYAGI is:	Divide amount of expected credit by:
Less than \$215,400	Less than \$269,300	Less than \$323,200	65
Between \$215,400 and \$1,077,550	Between \$269,300 and \$1,616,450	Between \$323,200 and \$2,155,350	68
Over \$1,077,550	Over \$1,616,450	Over \$2,155,350	88

Example: *You are married and expect your New York adjusted gross income to be less than \$323,200. In addition, you expect to receive a flow-through of an investment tax credit from the S corporation of which you are a shareholder. The investment tax credit will be \$160. Divide the expected credit by 65. 160/65 = 2.4615. The additional withholding allowance(s) would be 2. Enter 2 on line 14.*

Married couples with both spouses working – If you and your spouse both work, you should each file a separate IT-2104 certificate with your respective employers. Your withholding will better match your total tax if the higher wage-earning spouse claims all of the couple's allowances and the lower wage-earning spouse claims zero allowances. **Do not** claim more total allowances than you are entitled to. If your combined wages are:

- less than \$107,650, you should each mark an **X** in the box *Married, but withhold at higher single rate* on the certificate front, and divide the total number of allowances that you compute on line 19 and line 31 (if applicable) between you and your working spouse.
- \$107,650 or more, use the chart(s) in Part 5 and enter the additional withholding dollar amount on line 3.

Taxpayers with more than one job – If you have more than one job, file a separate IT-2104 certificate with each of your employers. Be sure to claim only the total number of allowances that you are entitled to. Your withholding will better match your total tax if you claim all of your allowances at your higher-paying job and zero allowances at the lower-paying job. In addition, to make sure that you have enough tax withheld, if you are a single taxpayer or head of household with two or more jobs, and your combined wages from all jobs are under \$107,650, reduce the number of allowances by seven on line 1 and line 2 (if applicable) on the certificate you file with your higher-paying job employer. If you arrive at negative allowances (less than zero), see *Withholding allowances* above.

If you are a single or a head of household taxpayer, and your combined wages from all of your jobs are between \$107,650 and \$2,263,265, use the chart(s) in Part 6 and enter the additional withholding dollar amount from the chart on line 3.

If you are a married taxpayer, and your combined wages from all of your jobs are \$107,650 or more, use the chart(s) in Part 5 and enter the additional withholding dollar amount from the chart on line 3 (Substitute the words *Higher-paying job* for *Higher earner's wages* within the chart).

Dependents – If you are a dependent of another taxpayer and expect your income to exceed \$3,100, you should reduce your withholding allowances by one for each \$1,000 of income over \$2,500. This will ensure that your employer withholds enough tax.

Following the above instructions will help to ensure that you will not owe additional tax when you file your return.

Heads of households with only one job – If you will use the head-of-household filing status on your state income tax return, mark the *Single or Head of household* box on the front of the certificate. If you have only one job, you may also wish to claim two additional withholding allowances on line 15.

Additional dollar amount(s)

You may ask your employer to withhold an additional dollar amount each pay period by completing lines 3, 4, and 5 on Form IT-2104. In most instances, if you compute a negative number of allowances and your employer cannot accommodate a negative number, for each negative allowance claimed you should have an additional \$1.85 of tax withheld per week for New York State withholding on line 3, and an additional \$0.80 of tax withheld per week for New York City withholding on line 4. Yonkers residents should use 16.75% (.1675) of the New York State amount for additional withholding for Yonkers on line 5.

Note: If you are requesting your employer to withhold an additional dollar amount on lines 3, 4, or 5 of this allowance certificate, the additional dollar amount, as determined by these instructions or by using the chart(s) in Part 5 or Part 6, is accurate for a weekly payroll. Therefore, if you are not paid on a weekly basis, you will need to adjust the dollar amount(s) that you compute. For example, if you are paid biweekly, you must double the dollar amount(s) computed.

Avoid underwithholding

Form IT-2104, together with your employer's withholding tables, is designed to ensure that the correct amount of tax is withheld from your pay. If you fail to have enough tax withheld during the entire year, you may owe a large tax liability when you file your return. The Tax Department must assess interest and may impose penalties in certain situations in addition to the tax liability. Even if you do not file a return, we may determine that you owe personal income tax, and we may assess interest and penalties on the amount of tax that you should have paid during the year.

Employers

Box A – If you are required to submit a copy of an employee's Form IT-2104 to the Tax Department because the employee claimed more than 14 allowances, mark an **X** in box A and send a copy of Form IT-2104 to: **NYS Tax Department, Income Tax Audit Administrator, Withholding Certificate Coordinator, W A Harriman Campus, Albany NY 12227-0865**. If the employee is also a new hire or rehire, see *Box B* instructions. See Publication 55, *Designated Private Delivery Services*, if not using U.S. Mail.

Due dates for sending certificates received from employees claiming more than 14 allowances are:

Quarter	Due date	Quarter	Due date
January – March	April 30	July – September	October 31
April – June	July 31	October – December	January 31

Box B – If you are submitting a copy of this form to comply with New York State's New Hire Reporting Program, mark an **X** in box B. Enter the first day any services are performed for which the employee will be paid wages, commissions, tips and any other type of compensation. For services based solely on commissions, this is the first day an employee working for commissions is eligible to earn commissions. Also, mark an **X** in the *Yes* or *No* box indicating if dependent health insurance benefits are available to this employee. If *Yes*, enter the date the employee qualifies for coverage. Mail the completed form, within 20 days of hiring, to: **NYS Tax Department, New Hire Notification, PO Box 15119, Albany NY 12212-5119**. To report newly-hired or rehired employees online instead of submitting this form, go to <https://www.nynewhire.com>.

(continued)

Worksheet

See the instructions before completing this worksheet.

Part 1 – Complete this part to compute your withholding allowances for New York State and Yonkers (line 1).

6 Enter the number of dependents that you will claim on your state return (<i>do not include yourself or, if married, your spouse</i>)	6	
For lines 7, 8, and 9, enter 1 for each credit you expect to claim on your state return.		
7 College tuition credit	7	
8 New York State household credit	8	
9 Real property tax credit	9	
For lines 10, 11, and 12, enter 3 for each credit you expect to claim on your state return.		
10 Child and dependent care credit	10	
11 Earned income credit	11	
12 Empire State child credit	12	
13 New York City school tax credit: If you expect to be a resident of New York City for any part of the tax year, enter 2	13	
14 Other credits (<i>see instructions</i>)	14	
15 Head of household status and only one job (<i>enter 2 if the situation applies</i>)	15	
16 Enter an estimate of your federal adjustments to income, such as deductible IRA contributions you will make for the tax year. Total estimate \$ _____. Divide this estimate by \$1,000. Drop any fraction and enter the number	16	
17 If you expect to be a covered employee of an employer who elected to pay the employer compensation expense tax in 2021, complete Part 3 below and enter the number from line 28	17	
18 If you expect to itemize deductions on your state tax return, complete Part 2 below and enter the number from line 23. All others enter 0	18	
19 Add lines 6 through 18. Enter the result here and on line 1. If you have more than one job, or if you and your spouse both work, see instructions for <i>Taxpayers with more than one job</i> or <i>Married couples with both spouses working</i>	19	

Part 2 – Complete this part only if you expect to itemize deductions on your state return.

20 Enter your estimated NY itemized deductions for the tax year (<i>see Form IT-196 and its instructions; enter the amount from line 49</i>)	20														
21 Based on your federal filing status, enter the applicable amount from the table below	21														
Standard deduction table															
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">Single (cannot be claimed as a dependent)</td> <td style="width: 33%;">\$ 8,000</td> <td style="width: 33%;">Qualifying widow(er)</td> <td style="width: 33%;">\$16,050</td> </tr> <tr> <td>Single (can be claimed as a dependent)</td> <td>\$ 3,100</td> <td>Married filing jointly</td> <td>\$16,050</td> </tr> <tr> <td>Head of household</td> <td>\$11,200</td> <td>Married filing separate returns</td> <td>\$ 8,000</td> </tr> </table>	Single (cannot be claimed as a dependent)	\$ 8,000	Qualifying widow(er)	\$16,050	Single (can be claimed as a dependent)	\$ 3,100	Married filing jointly	\$16,050	Head of household	\$11,200	Married filing separate returns	\$ 8,000			
Single (cannot be claimed as a dependent)	\$ 8,000	Qualifying widow(er)	\$16,050												
Single (can be claimed as a dependent)	\$ 3,100	Married filing jointly	\$16,050												
Head of household	\$11,200	Married filing separate returns	\$ 8,000												
22 Subtract line 21 from line 20 (<i>if line 21 is larger than line 20, enter 0 here and on line 18 above</i>)	22														
23 Divide line 22 by \$1,000. Drop any fraction and enter the result here and on line 18 above	23														

Part 3 – Complete this part if you expect to be a covered employee of an employer that has elected to participate in the Employer Compensation Expense Program (line 17).

24 Expected annual wages and compensation from electing employer in 2021	24	
25 Line 24 minus \$40,000 (if zero or less, stop)	25	
26 Line 25 multiplied by .05	26	
27 Line 26 multiplied by .935	27	
28 Divide line 27 by 65. Drop any fraction and enter the result here and on line 17 above	28	

Part 4 – Complete this part to compute your withholding allowances for New York City (line 2).

29 Enter the amount from line 6 above	29	
30 Add lines 15 through 18 above and enter total here	30	
31 Add lines 29 and 30. Enter the result here and on line 2	31	

		Combined wages between \$1,185,400 and \$1,724,299									
Higher earner's wages		\$1,185,400	\$1,239,250	\$1,293,200	\$1,347,050	\$1,400,950	\$1,454,850	\$1,508,700	\$1,562,550	\$1,616,450	\$1,670,400
		\$1,239,249	\$1,293,199	\$1,347,049	\$1,400,949	\$1,454,849	\$1,508,699	\$1,562,549	\$1,616,449	\$1,670,399	\$1,724,299
\$592,650	\$646,499	\$5	\$8								
\$646,500	\$700,399	\$5	\$8	\$11	\$14						
\$700,400	\$754,299	\$5	\$8	\$11	\$14	\$17	\$21				
\$754,300	\$808,199	\$5	\$8	\$11	\$14	\$17	\$21	\$24	\$27		
\$808,200	\$862,049	\$5	\$8	\$11	\$14	\$17	\$21	\$24	\$27	\$30	\$33
\$862,050	\$915,949	\$37	\$8	\$11	\$14	\$17	\$21	\$24	\$27	\$30	\$33
\$915,950	\$969,899	\$32	\$40	\$11	\$14	\$17	\$21	\$24	\$27	\$30	\$33
\$969,900	\$1,023,749	\$27	\$35	\$44	\$14	\$17	\$21	\$24	\$27	\$30	\$33
\$1,023,750	\$1,077,549	\$32	\$30	\$38	\$47	\$17	\$21	\$24	\$27	\$30	\$33
\$1,077,550	\$1,131,499	\$35	\$34	\$31	\$40	\$48	\$19	\$22	\$25	\$28	\$32
\$1,131,500	\$1,185,399	\$22	\$35	\$34	\$31	\$40	\$48	\$19	\$22	\$25	\$28
\$1,185,400	\$1,239,249	\$9	\$22	\$35	\$34	\$31	\$40	\$48	\$19	\$22	\$25
\$1,239,250	\$1,293,199		\$9	\$22	\$35	\$34	\$31	\$40	\$48	\$19	\$22
\$1,293,200	\$1,347,049			\$9	\$22	\$35	\$34	\$31	\$40	\$48	\$19
\$1,347,050	\$1,400,949				\$9	\$22	\$35	\$34	\$31	\$40	\$48
\$1,400,950	\$1,454,849					\$9	\$22	\$35	\$34	\$31	\$40
\$1,454,850	\$1,508,699						\$9	\$22	\$35	\$34	\$31
\$1,508,700	\$1,562,549							\$9	\$22	\$35	\$34
\$1,562,550	\$1,616,449								\$9	\$22	\$35
\$1,616,450	\$1,670,399									\$9	\$22
\$1,670,400	\$1,724,299										\$9

		Combined wages between \$1,724,300 and \$2,263,265									
Higher earner's wages		\$1,724,300	\$1,778,150	\$1,832,050	\$1,885,950	\$1,939,800	\$1,993,700	\$2,047,600	\$2,101,500	\$2,155,350	\$2,209,300
		\$1,778,149	\$1,832,049	\$1,885,949	\$1,939,799	\$1,993,699	\$2,047,599	\$2,101,499	\$2,155,349	\$2,209,299	\$2,263,265
\$862,050	\$915,949	\$36	\$39								
\$915,950	\$969,899	\$36	\$39	\$42	\$45						
\$969,900	\$1,023,749	\$36	\$39	\$42	\$45	\$49	\$52				
\$1,023,750	\$1,077,549	\$36	\$39	\$42	\$45	\$49	\$52	\$55	\$58		
\$1,077,550	\$1,131,499	\$35	\$38	\$41	\$44	\$47	\$50	\$53	\$56	\$490	\$906
\$1,131,500	\$1,185,399	\$32	\$35	\$38	\$41	\$44	\$47	\$50	\$53	\$487	\$906
\$1,185,400	\$1,239,249	\$28	\$32	\$35	\$38	\$41	\$44	\$47	\$50	\$484	\$903
\$1,239,250	\$1,293,199	\$25	\$28	\$32	\$35	\$38	\$41	\$44	\$47	\$480	\$900
\$1,293,200	\$1,347,049	\$22	\$25	\$28	\$32	\$35	\$38	\$41	\$44	\$477	\$897
\$1,347,050	\$1,400,949	\$19	\$22	\$25	\$28	\$32	\$35	\$38	\$41	\$474	\$894
\$1,400,950	\$1,454,849	\$48	\$19	\$22	\$25	\$28	\$32	\$35	\$38	\$471	\$891
\$1,454,850	\$1,508,699	\$40	\$48	\$19	\$22	\$25	\$28	\$32	\$35	\$468	\$888
\$1,508,700	\$1,562,549	\$31	\$40	\$48	\$19	\$22	\$25	\$28	\$32	\$465	\$884
\$1,562,550	\$1,616,449	\$34	\$31	\$40	\$48	\$19	\$22	\$25	\$28	\$462	\$881
\$1,616,450	\$1,670,399	\$35	\$34	\$31	\$40	\$48	\$19	\$22	\$25	\$459	\$878
\$1,670,400	\$1,724,299	\$22	\$35	\$34	\$31	\$40	\$48	\$19	\$22	\$456	\$875
\$1,724,300	\$1,778,149	\$9	\$22	\$35	\$34	\$31	\$40	\$48	\$19	\$452	\$872
\$1,778,150	\$1,832,049		\$9	\$22	\$35	\$34	\$31	\$40	\$48	\$449	\$869
\$1,832,050	\$1,885,949			\$9	\$22	\$35	\$34	\$31	\$40	\$479	\$866
\$1,885,950	\$1,939,799				\$9	\$22	\$35	\$34	\$31	\$470	\$895
\$1,939,800	\$1,993,699					\$9	\$22	\$35	\$34	\$462	\$887
\$1,993,700	\$2,047,599						\$9	\$22	\$35	\$464	\$878
\$2,047,600	\$2,101,499							\$9	\$22	\$466	\$881
\$2,101,500	\$2,155,349								\$9	\$452	\$882
\$2,155,350	\$2,209,299									\$235	\$438
\$2,209,300	\$2,263,265										\$14

Note: These charts do not account for additional withholding in the following instances:

- a married couple with both spouses working, where one spouse's wages are more than \$1,131,632 but less than \$2,263,265, and the other spouse's wages are also more than \$1,131,632 but less than \$2,263,265;
- married taxpayers with only one spouse working, and that spouse works more than one job, with wages from each job under \$2,263,265, but combined wages from all jobs is over \$2,263,265.

If you are in one of these situations and you would like to request an additional dollar amount of withholding from your wages, contact the Tax Department for assistance (see *Need help?* on page 7).

Part 6 – These charts are only for single taxpayers and head of household taxpayers with more than one job, and whose combined wages are between \$107,650 and \$2,263,265.

Enter the additional withholding dollar amount on line 3.

The additional dollar amount, as shown below, is accurate for a weekly payroll. If you are not paid on a weekly basis, you will need to adjust these dollar amount(s). For example, if you are paid biweekly, you must double the dollar amount(s) computed.

		Combined wages between \$107,650 and \$538,749										
Higher wage		\$107,650 \$129,249	\$129,250 \$150,749	\$150,750 \$172,299	\$172,300 \$193,849	\$193,850 \$236,949	\$236,950 \$280,099	\$280,100 \$323,199	\$323,200 \$377,099	\$377,100 \$430,949	\$430,950 \$484,899	\$484,900 \$538,749
\$53,800	\$75,299	\$13	\$18									
\$75,300	\$96,799	\$12	\$20	\$27	\$28							
\$96,800	\$118,399	\$8	\$16	\$24	\$27	\$28						
\$118,400	\$129,249	\$2	\$10	\$18	\$21	\$26	\$37					
\$129,250	\$139,999		\$4	\$14	\$17	\$23	\$43					
\$140,000	\$150,749		\$2	\$10	\$13	\$19	\$43	\$43				
\$150,750	\$161,549			\$3	\$9	\$15	\$42	\$41				
\$161,550	\$172,499			\$1	\$7	\$13	\$42	\$43	\$41			
\$172,500	\$193,849				\$3	\$10	\$40	\$46	\$43	\$46		
\$193,850	\$236,949					\$11	\$35	\$49	\$48	\$49	\$40	
\$236,950	\$280,099						\$10	\$19	\$31	\$28	\$31	\$16
\$280,100	\$323,199							\$7	\$17	\$29	\$24	\$29
\$323,200	\$377,099								\$8	\$19	\$29	\$24
\$377,100	\$430,949									\$8	\$19	\$29
\$430,950	\$484,899										\$8	\$19
\$484,900	\$538,749											\$8

		Combined wages between \$538,750 and \$1,185,399												
Higher wage		\$538,750 \$592,649	\$592,650 \$646,499	\$646,500 \$700,399	\$700,400 \$754,299	\$754,300 \$808,199	\$808,200 \$862,049	\$862,050 \$915,949	\$915,950 \$969,899	\$969,900 \$1,023,749	\$1,023,750 \$1,077,549	\$1,077,550 \$1,131,499	\$1,131,500 \$1,185,399	
\$236,950	\$280,099	\$11												
\$280,100	\$323,199	\$9	\$8											
\$323,200	\$377,099	\$30	\$8	\$8	\$8									
\$377,100	\$430,949	\$24	\$30	\$8	\$8	\$8	\$8							
\$430,950	\$484,899	\$29	\$24	\$30	\$8	\$8	\$8	\$8	\$8					
\$484,900	\$538,749	\$19	\$29	\$24	\$30	\$8	\$8	\$8	\$8	\$8	\$8			
\$538,750	\$592,649	\$8	\$19	\$29	\$24	\$30	\$8	\$8	\$8	\$8	\$8	\$236	\$452	
\$592,650	\$646,499		\$8	\$19	\$29	\$24	\$30	\$8	\$8	\$8	\$8	\$236	\$452	
\$646,500	\$700,399			\$8	\$19	\$29	\$24	\$30	\$8	\$8	\$8	\$236	\$451	
\$700,400	\$754,299				\$8	\$19	\$29	\$24	\$30	\$8	\$8	\$236	\$452	
\$754,300	\$808,199					\$8	\$19	\$29	\$24	\$30	\$8	\$236	\$452	
\$808,200	\$862,049						\$8	\$19	\$29	\$24	\$30	\$236	\$452	
\$862,050	\$915,949							\$8	\$19	\$29	\$24	\$258	\$451	
\$915,950	\$969,899								\$8	\$19	\$29	\$252	\$473	
\$969,900	\$1,023,749									\$8	\$19	\$257	\$468	
\$1,023,750	\$1,077,549										\$8	\$247	\$472	
\$1,077,550	\$1,131,499											\$123	\$234	
\$1,131,500	\$1,185,399												\$14	

(Part 6 continued on page 8)

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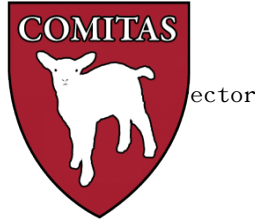
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December 28, 2020

President-elect Joseph R. Biden Jr.
Biden-Harris Transition
1401 Constitution Ave NW
Washington, DC 20001

Re: Request to Revoke Memoranda and Regulations Regarding Consideration of
Greenhouse Emissions under the Endangered Species Act

Dear President-elect Biden,

Congratulations on your historic Presidential election win and thank you for the visionary plans to address the climate crisis. We write with suggestions for implementing your laudatory commitment “to require any federal permitting decision to consider the effects of greenhouse gas emissions and climate change.”¹ It is indeed critically important for federal agencies to roll up their sleeves and examine all ways to reduce the greenhouse pollution from their approvals and actions. By revoking guidance instituted by the George W. Bush administration and regulations adopted by the Trump administration that were intended to frustrate this goal, you can jumpstart a new era of science-based analysis to advance practical ways to reduce greenhouse emissions across all federal agencies. In furtherance of this vital goal, we urge you to rescind the ill-advised memoranda and Endangered Species Act regulations as detailed further below.

¹ *The Biden Plan for a Clean Energy Revolution and Environmental Justice*, <https://joebiden.com/climate-plan>.

The Endangered Species Act is our nation's safety net for plants and animals on the brink of extinction. It is the world's strongest and most successful biodiversity protection law. Since its passage in 1973, it has worked to protect more than 99 percent of the more than 1,600 plants and animals protected as "threatened" or "endangered." Now more than ever, as climate change drives the Earth's sixth mass extinction event, we urgently need all federal agencies to steadfastly implement all of the law's provisions as Congress intended.

Since 2008, however, the U.S. Department of the Interior has been relying on memoranda in its enforcement of the Endangered Species Act (ESA) that purport to instruct federal agencies to *ignore* greenhouse gas emissions when making certain listing decisions under the statute, and undermine the inter-agency consultation process for "insur[ing]" that federal actions are not likely to jeopardize or adversely modify the critical habitat of protected species, as required by Section 7 of the statute (16 U.S.C. § 1536(a)(2)). The George W. Bush administration issued the 2008 Bernhardt Memorandum, so named because it was issued by then Interior Solicitor David Bernhardt. This was followed by the Polar Bear Listing Memorandum, so named because it was issued during the course of litigation over the 2008 listing of the polar bear as a threatened species.

During the Trump administration, David Bernhardt, now as Interior Secretary, enshrined the principles first developed in the memoranda into new Endangered Species Act regulations which may threaten implementation of the law in unprecedented ways. Endangered and Threatened Wildlife and Plants; Regulations for Interagency Cooperation, 84 Fed. Reg. 44976 (Aug. 27, 2019) (codified at 50 C.F.R. § 402). The new regulations may be construed and implemented by agencies in a manner that undermines their ability to meaningfully evaluate climate-change related injuries that federal agencies must consider during consultation.

The memoranda and regulations are factually and legally flawed and directly contrary to the purposes of the Endangered Species Act. Given the evidence showing that climate change harms endangered and threatened species, the memoranda directing agencies to ignore its effects also contradict the Act's affirmative requirement that every federal agency "utilize" its authorities "in furtherance of the purposes" of the ESA. 16 U.S.C. § 1536(a)(1).

As explained more fully in the Supporting Analysis, attached as Exhibit A, immediately rescinding the guidance memoranda and the 2019 Endangered Species Act regulations will greatly assist federal agencies in considering the effects of climate change on imperiled species, and in effectuating your important promise "to require any federal permitting decision to consider the effects of greenhouse gas emissions and climate change."²

Please contact Kassie Siegel at ksiegel@biologicaldiversity.org or (951) 961-7972 if you would like to discuss any of these important issues further. Thank you very much for your consideration.

Signed,

² *The Biden Plan for a Clean Energy Revolution and Environmental Justice*, <https://joebiden.com/climate-plan>.

Katherine A. Meyer
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Harvard Animal Law & Policy Clinic
Harvard Law School
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Kassie Siegel
Director
Climate Law Institute
Center for Biological Diversity
951-961-7972

Enclosures

Exhibit A: Supporting Analysis Re: Request to Revoke Memoranda and Regulations Regarding Consideration of Greenhouse Emissions under the Endangered Species Act.

Exhibit B: U.S. Dep't of the Interior, Office of the Solicitor, *Guidance on the Applicability of the Endangered Species Act's Consultation Requirements to Proposed Actions Involving the Emissions of Greenhouse Gases* (Oct. 3, 2008) (Bernhardt Memorandum); including referenced memorandum entitled *Expectations for Consultations on Actions that Would Emit Greenhouse Gases* (May 14, 2008) (FWS Memorandum).

Exhibit C: *Supplemental Explanation for the Legal Basis of the Department's May 15, 2008 Determination of Threatened Status for Polar Bears* (Dec. 22, 2010) (Polar Bear Listing Memorandum).

Exhibit A: Supporting Analysis Re: Request to Revoke Memoranda and Regulations Regarding Consideration of Greenhouse Emissions under the Endangered Species Act by Harvard Law School's Animal Law and Policy Clinic

The U.S. Department of Interior (DOI) should rescind the 2008 “Bernhardt Memorandum,” as well as the 2010 Polar Bear Listing Memorandum. Likewise, DOI should rescind amended Section 7 regulations promulgated by the Trump Administration in 2019. In addition to rescinding these policies, all federal agencies should be directed to actively consider the impact of all of their actions on climate change, in keeping with their additional *affirmative* obligation under Section 7 to “utilize” their authorities “in furtherance of the purposes” of the ESA. 16 U.S.C. § 1536(a)(1). Considering climate change and its effects on listed species is both necessary and vital to enforcing the Endangered Species Act (ESA) according to Congress’ overriding concern—expressed over forty years ago—that “endangered species . . . be afforded the highest of priorities.” *Tenn. Valley Auth. v. Hill*, 437 U.S. 153, 174 (1978) (emphasis added).

I. The DOI Should Rescind the 2008 Bernhardt Memorandum.

On October 3, 2008, David Bernhardt, then Solicitor of DOI, issued a memorandum purporting to “clarify” DOI’s obligation to consider climate change effects in the Section 7 context. U.S. Dep’t of the Interior, Office of the Solicitor, *Guidance on the Applicability of the Endangered Species Act’s Consultation Requirements to Proposed Actions Involving the Emissions of Greenhouse Gases* (Oct. 3, 2008) (Bernhardt Memorandum). Section 7 requires all agencies to “consult” with either the Fish and Wildlife Service (FWS) (for terrestrial species) or the National Marine Fisheries Service (NMFS) (for marine species) to “insure” that their actions are “not likely to jeopardize the continued existence” of any species listed as either endangered or threatened under the Act. 16 U.S.C. § 1536(a)(2). This duty to consult is triggered whenever a federal action “may affect” a listed species. 50 C.F.R. § 402.14. Courts have held that this sets an extremely “low” bar for initiation of consultation. *W. Watersheds Project v. Kraayenbrink*, 632 F.3d 472, 481, 496 (9th Cir. 2011); *see also* 51 Fed. Reg. 19,926, 19,949 (June 3, 1986) (explaining that “[a]ny possible effect, whether beneficial, benign, adverse or of an undetermined character, triggers the formal consultation requirement”).

Nonetheless, the Bernhardt Memorandum adopted language from an earlier memorandum from the Director of the Fish and Wildlife Service, which stated that “the Service does not anticipate that the mere fact that a Federal agency authorizes a project that is likely to emit [greenhouse gases (GHG)] will require the initiation of section 7 consultation.” *Expectations for Consultations on Actions that Would Emit Greenhouse Gases* (May 14, 2008) (FWS Memorandum), 1. The FWS Memorandum asserted that there was no definitive evidence “establish[ing]” that emission of greenhouse gases (GHGs) “cause[s] an indirect effect to listed species or critical habitat,” and that without “sufficient data to establish the required causal connection . . . between a new facility’s GHG emissions and impacts to listed species or critical habitat, section 7 consultation would not be required to address impacts of a facility’s GHG emissions.” *Id.* at 1–2. The Bernhardt Memorandum concluded that greenhouse gas emissions or the effects of climate change “cannot pass the ‘may affect’ test” and are therefore “not subject to consultation under the ESA.” Bernhardt Memorandum at 2. However, this directive does not comport with the mandates of the ESA, as it directs federal agencies to exclude from their analyses a critical factor that has affected, and will continue to negatively affect, listed species.

The Bernhardt Memorandum was incorrect in its assessment that considering greenhouse gas emissions and their effects on climate change at the outset is impossible because of the many

contributing factors to climate change. The memorandum reasons that emissions of greenhouse gases, insofar as they contribute to climate change, are not to be considered “direct” or “indirect effects” of an agency action, because climate change is not conclusively “caused by” any individual action, and hence the effects are not “reasonably certain to occur.” Bernhardt Memorandum at 5–6. The Bernhardt Memorandum’s assertions that scientific research had “not yet developed tools specifically intended for evaluating or quantifying end-point impacts attributable to the emissions of GHGs from a single source,” and that “requisite causal connections cannot be made between the emissions of GHGs from a proposed agency action and specific localized climate change as it impacts listed species or critical habitat,” Bernhardt Memorandum at 5–6, were at the time, and continue to be, both scientifically and legally incorrect.

It is beyond dispute that emissions of greenhouse gases significantly contribute to global climate change and are causing widespread and intensifying harms.³ Moreover, the fact that there are many sources of greenhouse gas emissions does not mean that federal agencies and the Services are free to ignore the negative impacts of *additional* greenhouse gas emissions. In other words, while the Bernhardt Memorandum asserted that it was impossible to “quantify[] end-point impacts attributable to” a single source, agencies nevertheless have a statutory obligation to take incremental steps towards furthering their mandate to conserve endangered species. See *Massachusetts v. EPA*, 549 U.S. 497, 499 (2007) (“[a]gencies, like legislatures, do not generally resolve massive problems in one fell regulatory swoop . . . They instead whittle away at them over time.”); see also *Am. Fuel & Petrochemical Mfrs. v. EPA*, 937 F.3d 559, 598 (D.C. Cir. 2019) (“EPA[‘s] conclu[sion] that it is impossible to know whether the . . . Rule will affect listed species or critical habitat . . . is not the same as determining that the 2018 Rule ‘will not’ affect them”).

The law has additionally developed mechanisms by which the “end-point impacts” of a particular action can be identified and analyzed. Most notably, in *Massachusetts v. EPA*, the Supreme Court employed a “meaningful contribution” standard to determine and attribute a contributor’s emissions to their effects on climate change. 549 U.S. at 523–25 (determining that domestic motor-vehicles make a “meaningful contribution” to GHG concentrations at 6% of global carbon dioxide emissions, thus establishing sufficient causation for standing).

³ See, e.g., Intergovernmental Panel on Climate Change, *Climate Change 2014 Synthesis Report Summary for Policymakers*, https://www.ipcc.ch/site/assets/uploads/2018/02/AR5_SYR_FINAL_SPM.pdf (“Human influence on the climate system is clear, and recent anthropogenic emissions of greenhouse gases are the highest in history. Recent climate changes have had widespread impacts on human and natural systems.”); U.S. Global Change Research Program, *Impacts, Risks, and Adaptation in the United States*, Fourth National Climate Assessment, Volume II (2018), <https://nca2018.globalchange.gov/> (“It concludes that the evidence of human-caused climate change is overwhelming and continues to strengthen, that the impacts of climate change are intensifying across the country, and that climate-related threats to Americans’ physical, social, and economic well-being are rising”; “fossil fuel combustion accounts for approximately 85 percent of total U.S. greenhouse gas emissions” which is “driving an increase in global surface temperatures and other widespread changes in Earth’s climate that are unprecedented in the history of modern civilization.”); Anna Moritz, Kassie Siegel, Brendan Cummings, and William Rodgers, Jr., *Biodiversity: Baking and Boiling, Endangered Species Act Turning Down the Heat*, 44 *Tulsa L. Rev.* 205, 222 (2008), <https://digitalcommons.law.uw.edu/faculty-articles/240> (“The notion that there is no causal connection between greenhouse gas emissions and the decline of the polar bear (or other species) is demonstrably incorrect.”).

Similarly, both FWS and NMFS have considered climate change impacts once the Section 7 consultation process has been initiated for reasons unrelated to climate change—thus, the action agencies, the Services, and the courts that may review any determinations resulting from the consultation are all capable of making assessments about causation and attribution in the context of climate change.⁴ Indeed, courts have already been requiring the federal government to assess the effects of climate change, including its additive harm, under these standards. *E.g.*, *Nat'l Wildlife Federation v. Nat'l Marine Fisheries Serv.*, 184 F. Supp. 3d 861, 917 (D. Ore. 2016) (finding a biological opinion did not “properly analyze the effects of climate change, including its *additive harm*, how it may reduce the effectiveness of [mitigating] actions, particularly habitat actions that are not expected to achieve full benefits for ‘decades,’ and how it increases the chances of a catastrophic event.”) (emphasis added)⁵; *Nat. Resources Defense Council v. Kempthorne*, 506 F. Supp. 2d 322, 370 (E.D. Cal. 2007) (granting summary judgment to plaintiffs because the “absence of *any* discussion in the BiOp of how to deal with any climate change is a failure to analyze a potentially ‘important aspect of the problem.’”) (emphasis in original); *South Yuba River Citizens League v. Nat'l Marine Fisheries Serv.*, 723 F. Supp. 2d 1247, 1273–74 (E.D. Cal. 2010) (“The court cannot conclude that global warming’s potential impacts are so slight that NMFS could ignore them without discussion.”).

For the foregoing reasons, it is clear that the Bernhardt Memorandum, insofar as it directs the Services not to consider greenhouse gas emissions or the effects of climate change on listed species when determining whether to initiate the Section 7 consultation process, is neither scientifically nor legally sound. Accordingly, the Biden Administration should revoke it, and the 2008 FWS Memorandum on which it relies, as soon as possible, and direct federal agencies to fully comply with the ESA by considering the greenhouse pollution and climate impacts of all federal actions, and to conduct the analysis with the care and urgency required by the dire nature of the climate crisis.

II. The DOI Should Rescind the 2010 Polar Bear Listing Memorandum.

In December 2010, FWS also published a memorandum severely limiting the extent to which climate change should factor into determinations as to when a species should be listed under the ESA as “endangered,” defined by the Act as “in danger of extinction.” 16 U.S.C. § 1532(6).

⁴ Under a Section 7 consultation, the Services must analyze: (1) “the current status and environmental baseline of the listed species or critical habitat;” and (2) “the effects of the action and cumulative effects on the listed species or critical habitat,” adding them together to determine “whether the action is likely to jeopardize the continued existence of the listed species or result in the destruction or adverse modification of critical habitat.” 50 C.F.R. § 402.14(g); *see also* 50 C.F.R. § 402.14(h) (listing requirements for biological opinions).

⁵ The court in *National Wildlife Federation* listed various reasons the biological opinion failed to adequately consider climate change, including assuming climate conditions would remain the same in the future, lack of quantitative analysis, and failure to use the best available scientific information to estimate impacts of climate change. *Id.* at 917–923. If courts see value in addressing climate change at the consultation process, and actually are able to assess climate change and its effects at the consultation stage, why should the Services arbitrarily exclude considerations of climate change at the initial step of determining whether or not to initiate the Section 7 consultation process?

Until a species is listed as either endangered or threatened, it receives no protection at all under the statute.⁶

In May 2008, against the urging of conservationists that the polar bear should be listed as “endangered” under the Act due to declining global sea ice, upon which the polar bear depends for all of its essential life functions, FWS listed the polar bear as only “threatened,” 73 Fed. Reg. 28,212 (2008)—a determination that was upheld by the courts. 818 F. Supp. 2d 214 (D.D.C. 2011) (*affirmed* 720 F.3d 354 (D.C. Cir. 2013)). During the course of that litigation, at the request of the district court judge, FWS issued a memorandum clarifying that “in danger of extinction” means “*currently* on the brink of extinction in the wild[.]” *Supplemental Explanation for the Legal Basis of the Department’s May 15, 2008 Determination of Threatened Status for Polar Bears* (Dec. 22, 2010) (“Polar Bear Listing Memo”).

This interpretation—essentially requiring that a species’ extinction be imminent, certain, and currently looming—represents a dramatic and unnecessary narrowing of the circumstances under which a species can be classified as endangered. It also severely undermines the efficacy of the ESA, a statute whose purpose is to provide a program for the survival and *recovery* of endangered and threatened species. 16 U.S.C. § 1531(b); 16 U.S.C. § 1532(3). If a species cannot be afforded the life-saving protections associated with being listed as endangered until its populations are so far gone that recovery is an all but impossible task, then one of the ESA’s primary purposes would effectively be undone.

As part of its reasoning for why the polar bear did not meet this new standard, FWS found that climate change, and the resulting loss of sea ice habitat, would be “incremental,” thereby decreasing the “polar bear’s ability to sustain itself . . . over time,” but that polar bear populations did not *currently* suffer to the point where they could be considered “on the brink of extinction.” Polar Bear Listing Memorandum 17–18.

This interpretation of the role of climate change in the listing context is both scientifically unsupported and legally insufficient. The ESA requires the Services to rely on the “best available scientific and commercial data available” in making a listing determination. 16 U.S.C. § 1533(b)(1). Scientific data clearly support that climate change creates both an *acute* and *current* threat, as well as an accelerating and rapidly growing threat that will only worsen with time. *See* National Climate Assessment, *Climate Change Impacts in the United States* (2014), <https://nca2014.globalchange.gov/>; The Intergovernmental Panel on Climate Change, *Global Warming of 1.5°C* (2018), <https://www.ipcc.ch/sr15/download/#chapter>. Dismissing the effects of climate change as too distant or geographically remote necessarily ignores the best available science.⁷

Therefore, the Biden Administration should also rescind the Polar Bear Listing Memo, consistent with the mandates of the ESA and the best available science.

⁶ A “threatened” species is one that is one that is “likely to become endangered in the foreseeable future.” 16 U.S.C. § 1532(20).

⁷ The Services’ narrow interpretation of “endangered” in the Polar Bear Listing Memorandum is additionally inconsistent with the statute’s requirement that the Services consider “the present *or threatened* destruction, modification, or curtailment of [the species’] habitat or range,” and “*manmade factors* affecting [the species’] continued existence” as part of the listing determination, clearly including climate change. 16 U.S.C. § 1533(a)(1)(A) and (E) (emphasis added).

III. The Services Should Rescind the 2019 Section 7 Regulations.

In 2019, the Trump Administration amended regulations pertaining to Section 7 consultations. Endangered and Threatened Wildlife and Plants; Regulations for Interagency Cooperation, 84 Fed. Reg. 44976 (Aug. 27, 2019) (codified at 50 C.F.R. § 402). The new regulations amended the definition of “effects of the action” that the action agency and Services must consider when engaging in Section 7 consultation, *see* 50 C.F.R. § 402.14(a)), by adding a restrictive “but for” requirement: “A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur.” 50 C.F.R. § 402.02(d). The 2019 amendments to the regulations also added § 402.17, which defines “activities that are reasonably certain to occur” and “consequences caused by the proposed action,” both of which are terms used to determine the scope of effects that must be considered during consultation to “insure” that agency actions are not likely to jeopardize any listed species. 50 C.F.R. § 402.17.⁸

Although the regulations provide that “[e]ffects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action,” 50 C.F.R. § 402.2(d)—thus potentially encompassing climate change-related impacts—the amendments may be construed and implemented by agencies in a manner that undermines their ability to meaningfully evaluate climate-change related injuries that federal agencies must consider during consultation.

The Biden Administration should thus rescind these recently promulgated regulations.⁹

IV. Federal Agencies Should Be Directed to Take Climate Change Into Account in Complying with Their Affirmative Obligation to Promote Conservation Under the ESA.

DOI and the Services should not only rescind these harmful policies, but the new Administration should go a step further and make clear to all federal agencies that they must take affirmative actions to ameliorate the adverse effects of climate change whenever possible. Such a directive would be entirely consistent with the ESA’s requirement that all federal agencies, in consultation with the Services “utilize their authorities in furtherance of the purposes of” the ESA, namely “conservation of endangered species.” 16 U.S.C. § 1536(a)(1).

Therefore, it is clear that every agency, as part of this affirmative duty, should be *required* to consider—and reduce, whenever possible—the effects of climate change on endangered or threatened species. *See Tenn. Valley Authority v. Hill*, 437 U.S. at 185 (“the legislative history

⁸ The latter definition includes specific types of harms *not* caused by the proposed agency action: (1) when “the consequence is so remote in time from the action under consultation that it is not reasonably certain to occur;” (2) when “the consequence is so geographically remote from the immediate area involved in the action that it is not reasonably certain to occur;” or (3) when “the consequence is only reached through a lengthy causal chain that involves so many steps as to make the consequence not reasonably certain to occur.” *Id.*

⁹ These regulations are currently being challenged in court. Complaint for Declaratory and Injunctive Relief, *Ctr. for Biological Diversity v. Bernhardt*, No. 3:19-cv-05206 (N.D. Cal. Aug. 21, 2019).

undergirding § 7 reveals an explicit congressional decision to require agencies to afford first priority to the declared national policy of saving endangered species. . . over the ‘primary missions’ of federal agencies.”). Climate change has negative impacts on countless threatened and endangered species. At this juncture, it is simply not possible in most instances to promote “conservation” of listed species, which requires the use of “*all* methods and procedures which are necessary” to recover species to the point where they no longer need the protections of the Act, without considering climate change. 16 U.S.C. § 1532(c).

V. Conclusion

For all of the foregoing reasons, rescinding the guidance memoranda and 2019 Endangered Species Regulations will greatly assist federal agencies in considering the effects of climate change on endangered species, and in carrying out your excellent broader mandate “to require any federal permitting decisio

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Tuesday, January 19, 2021 2:09 PM PST
To: Sonley, Jessica <sonley@law.ucla.edu>
Subject: news and form
Attachment(s): "Carlson S2021.xlsx"

Hi Jessica, so it is now official that I'll be taking a leave from UCLA to serve as Chief Counsel of the National Highway Transportation Safety Administration for the Biden Administration. I get sworn in tomorrow! It's all been a whirlwind to say the least. I'll be working remotely from L.A. for awhile until it's safe to go back into offices and then moving temporarily to DC while I serve in the administration. Very excited!

Can I get you to add my signature to this form that formalizes my leave?

Thanks much!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Warren, James <WARRENJ@law.ucla.edu>
Sent: Tuesday, January 19, 2021 1:40 PM
To: Carlson, Ann <carlson@law.ucla.edu>
Cc: Parr, Tracey <PARR@law.ucla.edu>
Subject: RE: Me

Thanks Ann,

APO confirms we should just set up through June 30 for now and extend as necessary. If you can email me the completed form we'll get Jennifer's sign-off and forward to APO for approval.

Thanks!
James

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Tuesday, January 19, 2021 11:39 AM
To: Warren, James <WARRENJ@law.ucla.edu>
Cc: Parr, Tracey <PARR@law.ucla.edu>
Subject: Re: Me

Happy to do whatever is easiest. Thanks!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Warren, James <WARRENJ@law.ucla.edu>
Sent: Tuesday, January 19, 2021 11:38 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Cc: Parr, Tracey <PARR@law.ucla.edu>
Subject: RE: Me

Hi Ann,

We can ask for that stretch and see, though I vaguely recall some preference from the center for setting these up on the AY calendars. Presuming it's okay with you I can check with the director there (Erika Chau) and see which approach is cleaner, two years up front or year by year.

Best,
James

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Tuesday, January 19, 2021 11:30 AM
To: Warren, James <WARRENJ@law.ucla.edu>
Cc: Parr, Tracey <PARR@law.ucla.edu>
Subject: Re: Me

It's definitely extended -- my guess is two years? Does it make sense to extend for two years?

Ann Carlson

Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Warren, James <WARRENJ@law.ucla.edu>
Sent: Tuesday, January 19, 2021 10:55 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Cc: Parr, Tracey <PARR@law.ucla.edu>
Subject: RE: Me

Presuming it's an extended leave we could conceivably set through the end of this AY (June 30) and work from there. I've set the attached form as such.

APO might also ask us the amount of compensation from the feds. If you happen to know you can just add to the second part of section A in the attached.

If that all sounds good you can finish with an e-signature at the bottom and we'll forward to Jennifer and then APO for approval. In an ideal world we can get the leave in by tomorrow sometime just to get ahead of pay compute for this month. Not a huge issue if we don't, but the sooner we can get everything set up the more likely it will be that Path can adjust your January earnings accordingly and avoid any overpayment.

Let me know if anything else!
James

-----Original Message-----

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Tuesday, January 19, 2021 10:32 AM
To: Warren, James <WARRENJ@law.ucla.edu>
Cc: Parr, Tracey <PARR@law.ucla.edu>
Subject: Re: Me

I don't know how long the leave will be. Is that ok? And thank you!

> On Jan 19, 2021, at 10:23 AM, Warren, James <WARRENJ@law.ucla.edu> wrote:

>

> Hi Ann,

>

> Wow, congrats! We'll get a leave form together. Do you know how long the leave is likely to last? Health benefits should continue through January.

>

> Best,

> James

>

> -----Original Message-----

> From: Carlson, Ann <carlson@law.ucla.edu>

> Sent: Monday, January 18, 2021 4:06 PM

> To: Warren, James <WARRENJ@law.ucla.edu>

> Cc: Parr, Tracey <PARR@law.ucla.edu>

> Subject: Me

>

> So, you are probably aware that my life has taken a mysterious turn and I'm ready to update you on it and get the appropriate paperwork in motion. I have been appointed by the Biden administration to serve as the chief counsel for the National Highway Traffic Safety Administration. The agency is in charge of climate standards for cars and trucks, which is why they have recruited me for the position. The job starts Wednesday, believe it or not. I was just offered a job yesterday although this has been in the works for a few weeks.

>

> So, I will be taking a leave from UCLA and need to get the appropriate paperwork in motion. I will also need to carry my UCLA health insurance through the end of January since I won't get onto federal benefits until then. Thank you! Let me know what else I need to do.

>

> I will begin to send emails to people tomorrow and Wednesday letting them know about my new position so if you could keep this somewhat under wraps I would appreciate it.

From: John Boesel <jboesel@calstart.org>
Sent: Thursday, January 21, 2021 9:16 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: NHSTA?

Ann,
Greetings. I hope 2021 is treating you well so far.
Are you the Ann Carlson that was appointed to be Chief Counsel at NHTSA?
John

John Boesel
President and CEO
CALSTART
jboesel@calstart.org
www.calstart.org
Offices in New York, Michigan, Colorado, and California
Phone: +1 (626) 744-5607 (O)
Pronouns: he/him

From: Carlson, Ann
Sent: Saturday, January 16, 2021 11:04 AM PST
To: Allie Panther <apanther@jbrpt.org>
Subject: Nhtsa art

I would love to be connected to the person who reviewed NHTSA during the transition process. I'm guessing Steve would too and I can ask him when we talk this weekend

Thank you!

From: Melissa Powers <powers@lclark.edu>
Sent: Thursday, January 21, 2021 9:00 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: NHTSA congratulations!

Dear Ann,

I just read that you're heading to NHTSA. I'm SO excited that you'll be in that role. Many, many congratulations, and thanks for stepping up like that.

Best,
Melissa

--

Melissa Powers
Jeffrey Bain Faculty Scholar & Professor of Law
Faculty Director, Green Energy Institute
Lewis & Clark Law School
10101 S Terwilliger Blvd.
Portland, OR 97219
(503) 768-6727
(503) 768-6671 (fax)
powers@lclark.edu



From: Maxine Joselow <mjoselow@eenews.net>

Sent: Thursday, January 21, 2021 8:03 AM PST

To: Carlson, Ann <carlson@law.ucla.edu>

Subject: NHTSA general counsel

Hi Ann,

Congratulations on being named as President Biden's general counsel at the National Highway Traffic Safety Administration! I was hoping you could confirm that you were sworn in this morning and provide an emailed quote about your vision for the role, including whether you hope to focus on environmental/climate issues.

Thanks,

Maxine

--

Maxine Joselow

E&E News reporter

603-851-0347

[E&E NEWS](#)

122 C Street NW 7th Floor Washington, DC 20001

www.eenews.net | [@EENewsUpdates](#)

Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

From: Thomson, Katie <kathomso@amazon.com>

Sent: Thursday, January 21, 2021 10:11 AM PST

To: Carlson, Ann <carlson@law.ucla.edu>

Subject: NHTSA

Ann, congratulations again on your new role at NHTSA! I think you know that I led the DOT team through multiple rounds of fuel economy/GHG standards setting for motor vehicles and was involved in most of DOT's sustainability efforts during my 7+ years at DOT. If you would like to chat at any time about DOT's experiences engaging with the White House, EPA, other federal agencies and a diverse group of stakeholders to achieve our objectives, I'd be happy to talk. No Amazon agenda, just an opportunity to share my DOT experiences and lessons learned. Regardless, you're going to be great in this role.

All the best,

Katie

Kathryn B. Thomson

VP & Associate General Counsel, WW Transportation & Sustainability

Amazon

2021 7th Avenue

Seattle, WA 98121

kathomso@amazon.com

Work: 206.646.6335

amazon

Work hard. Have fun. Make history.

From: Joe Hilberman [REDACTED]
Sent: Wednesday, January 27, 2021 3:31 PM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: NHTSA

Congratulations! It is a wonderful honor and probably a very exciting time to be in DC and the Biden administration. If you ever need someone to test drive a Porsche to see if it is safe, feel free to call upon me.

Stay well and safe.

Joe

Hon. Joe W Hilberman, Ret.
LA Daily Journal Top Neutrals
ABOTA Jurist of the Year, 2008.
View Judge Hilberman's biography at:
<http://www.adrservices.com/neutrals/hilberman-joe/>

From: Melling, Daniel <melling@law.ucla.edu>
Sent: Monday, November 09, 2020 9:29 AM PST
To: Hecht, Sean <hecht@law.ucla.edu>; Horowitz, Cara <HOROWITZ@law.ucla.edu>; Carlson, Ann <carlson@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>
Subject: NPR Sacramento interview today - CA enviro policies go to Washington

See below – Ezra at Capital Radio News, the NPR affiliate in Sacramento, is looking for a 20 min interview this morning or early afternoon on how CA enviro policies/practices could influence Biden administration policymaking. This would probably be edited down to a shorter segment to air later this week (I can double check).

Would anyone be interested and have availability to take this today? Daniel

From: Romero, Ezra <ezra.romero@capradio.org>
Sent: Monday, November 9, 2020 9:18 AM
To: Melling, Daniel <melling@law.ucla.edu>
Subject: NPR Sacramento interview

Hey Daniel, I hope you're week is starting off well. Ezra Romero here with CapRadio, I cover environment for the station. We worked on a story last week with getting Cara Horowitz on. I'm writing a story today about how under Biden California policies, practices and forward thinking around the environment and climate change could take center stage nationally.

Do you have a thought on who could be good for an interview on this, perhaps this morning or early afternoon? Thought it could be about state policies becoming national policies, reversing Trump orders that limited Ca, and even his cabinet.

Should last about 20 mins.

Thanks!

Ezra

2021 Form OR-W-4

Page 1 of 1, 150-101-402 (Rev. 08-14-20, ver. 01)

Oregon Department of Revenue



Office use only

Oregon Employee's Withholding Statement and Exemption Certificate

Form fields for employee information: First name, Initial, Last name, Social Security number (SSN), Redetermination, Address, City, State, ZIP code

Note: Your eligibility to claim a certain number of allowances or an exemption from withholding may be subject to review by the Oregon Department of Revenue. Your employer may be required to send a copy of this form to the department for review.

1. Select one: [] Single [] Married [] Married, but withholding at the higher single rate.

Note: Check the "Single" box if you're married and you're legally separated or if your spouse is a nonresident alien.

2. Allowances. Total number of allowances you're claiming on line A4, B15, or C5. If you meet a qualification to skip the worksheets and you aren't exempt, enter 02. []

3. Additional amount, if any, you want withheld from each paycheck..... 3. [] .00

4. Exemption from withholding. I certify that my wages are exempt from withholding and I meet the conditions for exemption as stated on page 2 of the instructions. Complete both lines below:
• Enter the corresponding exemption code. (See instructions)..... 4a. []
• Write "Exempt"..... 4b. []

Sign here. Under penalty of false swearing, I declare that the information provided is true, correct, and complete.

Employee's signature (This form isn't valid unless signed.) and Date fields

Employer use only.

Employer information fields: Employer's name, Federal employer identification number (FEIN), Employer's address, City, State, ZIP code

- Provide this form to your employer -

From: Chandler Randol <randol@eli.org>
Sent: Wednesday, December 16, 2020 9:26 AM PST
To: John C. Cruden (JCruden@bdlaw.com) <JCruden@bdlaw.com>; Jim McElfish <mcelfish@eli.org>; Jacobson, Rachel <Rachel.Jacobson@wilmerhale.com>; Carlson, Ann <carlson@law.ucla.edu>; Leopold, Matt <MLEopold@hunton.com>; Julia Olson <julia@ourchildrenstrust.org>
CC: Susan Carey <susan@ourchildrenstrust.org>
Subject: Planning Call Notes - ELI Breaking News Webinar
Attachment(s): "image001.jpg"

Good afternoon,

I hope this finds you well! We are so thrilled to have such an outstanding group of panelists and we are so looking forward to you sharing your thoughts during this Webinar. **Please note since we last spoke we have added another fantastic panelist, Julia Olson, Executive Director & Chief Legal Counsel, with Our Children's Trust.** We are so thrilled to include Julia, cc'd above, on the panel and I am updating the speaking order below.

As a reminder, the program will take place on GoToWebinar on **December 17 from 12:00 PM to 1:30 PM ET.** You will receive an auto-generated email from GoTo Webinar with instructions for logging in. **Please join the webinar by 11:45 AM ET** and please use a computer with webcam enabled. If you are using a Mac computer, you will need to download the GoToWebinar application. If you are using a PC, you may run GoToWebinar in your web browser. If you have any questions or concerns about using GoToWebinar, please do not hesitate to ask.

As a brief recap so you can have this on hand:

Format (approximate):

- Chandler ~ 1-2 minutes
- Jim ~ 3-5 minutes
- Matt ~ 5-8 minutes
- Ann ~ 5-8 minutes
- Rachel ~ 5-8 minutes
- Julia ~ 5-8 minutes
- John ~ 5-8 minutes
- Q&A ~ 30-45 minutes (depending on time remaining)

Content (general guidelines, please feel free to amend / correct this in a reply-all):

Chandler:

- Brief opening / welcoming remarks
- Introduce Jim

Jim:

- Introduce Matt, Ann, Rachel, Julia, and John
- Introduction to the panel discussion
 - Policy Reversals
 - Affirmative policy
 - Litigation

Matt:

- Where things stand at EPA at the time of transition
- Likely rules, regulations, and policy reversals the Biden administration will implement
 - Rules/regs/policy unlikely to change (PFAS)

Ann:

- Climate through the Clean Air Act
- All agency approach
- California as a potential model for the federal government
 - Environmental justice and climate change

Rachel:

- Public lands and climate change under the Biden administration
 - NEPA regulations
- Expand upon "all agency approach"
 - Interior
 - Defense

Julia:

- Update on ongoing climate litigation
- Impact of the Biden administration on ongoing litigation

John:

- Wrap up; synthesis of discussion
- Broad overview of potential litigation issues

Q&A

- *Jim will facilitate the Q&A and direct questions to specific panelists or the panel at large*
- **Please send any questions you think would be particularly fruitful ahead of time, thank you!**

Should you need anything before the webinar, please feel free to contact me. Additionally, please feel most welcome to reach me on my cell phone at [REDACTED]

You are all such outstanding leaders, and our participants will be so appreciative of the opportunity to learn from you. We are so grateful to you all for lending your expertise and leadership to this program.

Thank you so much!



Chandler Randol
Manager of Educational Programs
Environmental Law Institute
1730 M Street NW, Suite 700
Washington, DC 20036
randol@eli.org | Tel: (202) 939-3836
<https://www.eli.org>

From: Carlson, Ann
Sent: Saturday, February 06, 2021 6:21 PM PST
To: Carlson, Ann (NHTSA) <ann.carlson@dot.gov>
Subject: ports section
Attachment(s): "The Ports.docx"

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Doug Obey <dobey@iwpnews.com>
Sent: Thursday, November 12, 2020 1:10 PM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Query re independent EPA authority

Greetings:

I was looking through the Climate 21 project's recommendations to the Biden administration (for EPA and other agencies), and came across language hedging on whether EPA should "decouple" it's activity from DOT on vehicle standards. The recommendations tee up the idea but then seem to cite pending litigation as a potential reason not to.

Any sense of what is driving this discussion? What do you think they should or will do? Open to chat by phone or email?

Ground rules flexible.

Thanks.

Doug Obey
Senior Editor
Inside EPA -- Climate
703-416-8575

From: Ben Geman <ben@axios.com>
Sent: Monday, November 16, 2020 7:41 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: question about state/city cases against big oil

Hi professor,

Thanks again for speaking with me about ACB the other week.

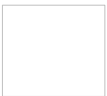
I have a question about the various city and state cases against oil companies, and forgive my ignorance (evergreen statement): do DOJ and or the Biden administration have a role here? And has the Trump administration weighed in?

I'm wondering if the Trump administration has been trying to thwart the cases and if a Biden administration might change course, and if so, how.

Thanks!

--

Thanks,

	<p>Ben Geman ENERGY REPORTER</p> <p>ben@axios.com 202.271.4190</p>
--	--

From: Carlson, Ann

Sent: Friday, October 30, 2020 12:16 PM PDT

To: Wyer, Kathy <WYER@law.ucla.edu>; Melling, Daniel <melling@law.ucla.edu>; Horowitz, Cara <HOROWITZ@law.ucla.edu>; Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>

Subject: Quoted in this

Because of our legal planet post, which Daniel promoted. Thanks, Daniel!

<https://earth.gizmodo.com/how-a-biden-administration-could-fight-climate-change-w-1845530895>

From: Beth Deane <Beth.Deane@FIRSTSOLAR.COM>
Sent: Thursday, January 21, 2021 9:21 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: [External] Some news about me, thank you to all of you

Ann,
Very exciting to see the changes being implemented so quickly – NHSTA is lucky to have you and we are lucky you are willing to serve in this way! Will miss hearing your perspective in ELI meetings – I really appreciated your contribution to the environmental justice discussions.
Warmly,
Beth

First Solar Proprietary & Confidential - Tax/Legal

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:18 AM
To: Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com>
Cc: amurgier@beccarvarela.com; Beth Deane <Beth.Deane@FIRSTSOLAR.COM>; bobperciasepe@c2es.org; bmarten@martenlaw.com; Carlton.waterhouse@howard.edu; cjenks@mjbradley.com; christopher.reynolds@toyota.com; gffleming@vnf.com; Rachel.Jacobson@wilmerhale.com; jcolopy@fbm.com; jcannon@law.virginia.edu; kathomso@amazon.com; kpoloncarz@cov.com; lg@nijmanfranzetti.com; john.lovenburg@bnsf.com; Marisa.Blackshire@bloomenergy.com; mmarrapese@wileyrein.com; Mason.Emnett@exeloncorp.com; Michael.G.Mahoney@pfizer.com; nadira.clarke@bakerbotts.com; nrobinson@law.pace.edu; pam.giblin@bakerbotts.com; Paul.Davies@lw.com; peggy.otum@wilmerhale.com; rludwiszewski@gibsondunn.com; Richard.Leahy@walmartlegal.com; rob.kirsch@wilmerhale.com; roger.martella@ge.com; Sally.Fisk@pfizer.com; Stacey J. Halliday <SHalliday@bdlaw.com>; stephen.rahaim@dupont.com; hilary.tompkins@hoganlovells.com; vpatton@edf.org; Wang, Alex <alex.wang@law.ucla.edu>; kevin.wei@bayeco.cn; Jay Pendergrass <pendergrass@eli.org>; Loretta Reinersmann <reinersmann@eli.org>; Melodie DeMulling <demulling@eli.org>
Subject: [External] Some news about me, thank you to all of you

External Email - If suspicious, please report using the Report Message button on your toolbar above. For all concerns or questions regarding Information Security, please use our [Cybersecurity Yammer Group](#).

Dear colleagues,

I am writing to let you know that I am taking on a new role and, as a result, will have to resign from the ELI Board. Yesterday, I was sworn in as Chief Counsel of NHTSA. As you of course know, NHTSA plays a key role in reducing carbon emissions from the transportation sector and my appointment is, I think, an indication that President Biden is serious about a "whole government" approach to climate change.

I'm incredibly excited about my new role but very sad that I will no longer be able to serve on the ELI board. Serving with all of you has been a remarkably enriching experience and seeing ELI's influence and effectiveness grow under Scott's leadership has been so rewarding. I will miss all of you, though can perhaps see more of some of you once I move east when the pandemic recedes and the Department of Transportation brings more of its workforce back into the building. For now I'll remain in L.A. working remotely.

Thank you all for your friendship, environmental commitment and work for ELI. Let's remain in touch.

All best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, December 03, 2020 8:54 AM PST
To: Andrew Lootens-White <alootenswhite@hlcommission.org>
Subject: Re: A (re)Invitation to HLC's Annual Conference lineup

Hi Andrew,

Happy to participate. thanks for the invite and I hope you're well.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Andrew Lootens-White <alootenswhite@hlcommission.org>
Sent: Monday, November 30, 2020 12:53 PM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: A (re)Invitation to HLC's Annual Conference lineup

Hi Ann -

I hope you and your family are safe and healthy in what has been an extremely challenging year.

I want to thank you for agreeing to be a featured speaker last year at the Higher Learning Commission's (HLC's) Annual Conference last year. You'll recall that due to the pandemic, HLC unfortunately had no choice but to cancel the conference out of safety concerns.

Well, HLC's Conference is back and this spring it will be 100% virtual, held April 5-9, 2021. I'm reaching out to see if you would have interest in doing a featured/invited session this year. We have a good deal of flexibility on the nuance of such a session which we imagine would be substantially based on the intersections of climate change and higher education, including topics such as preparing for climate change, college and university divestment from carbon-heavy energy, policy and activism issues and priorities (*particularly* in light of the Biden administration's arrival), and so forth.

Given the adjusted format and virtual nature of the event which would not require any travel, we are able to offer a \$1500 honorarium and complimentary registration to the general program if you wish. The session could be your preference of either live or pre-recorded, and we would work with you to construct the online format of the session so as to encourage audience engagement. For example, if any component is pre-recorded, we could still do a live Q&A. Similarly, we've had other featured presenters ask for a format that is divided into thirds and includes a short presentation, a conversation with a facilitator or panel, then ending with audience Q&A.

This year's theme is aptly named, "Crisis and Community" which would lend itself very well to the topic of your session. Although typically our registration is above 4,000, we are learning that online events of this nature can easily exceed normal attendance levels. More information can be found here: <https://www.hlcommission.org/Programs-Events/conference.html>

We would be extremely happy to include you on the program this year, but we also understand that everyone's life has been altered a bit this past year, so if this is not a good year, we would be disappointed but certainly understand. Thanks for considering our request; let us know what you think or questions you may have.

-andy

Andrew Lootens-White, Ph.D.
Vice President of Accreditation Relations
Higher Learning Commission
800.621.7440 x105 | www.hlcommission.org

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From: Carlson, Ann
Sent: Thursday, January 21, 2021 3:38 PM PST
To: Revesz, Richard <Revesz@exchange.law.nyu.edu>
Subject: Re: A huge congratulations

Thanks so much, Ricky. It's definitely gonna be a wild ride. But I'm up for a new challenge and really want to be a part of the Biden team.

I will definitely reach out for your wisdom and knowledge. The battles will undoubtedly be fierce!

All the best,

Ann

On Jan 21, 2021, at 2:35 PM, Revesz, Richard <Revesz@exchange.law.nyu.edu> wrote:

Dear Ann:

Congratulations on taking a position in the Biden Administration. And it's so wonderful that you'll be the Chief Counsel at NHTSA. I know that you'll be able to do a lot to change the historical perspective of the agency.

I'm very happy for you, because it will be such an amazing experience, and for our country, because I know that you will make an enormous positive difference on the issues we care about.

I'll be delighted, of course, to help you in any way I can. Please reach out anytime.

Warm regards,

Ricky

From: Ben Ryan [REDACTED]
Sent: Wednesday, December 09, 2020 11:00 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: AB 617, The Nation magazine

Hello,

That's a start, but much of both sentences are made up of facts that the article already states. So I don't want to use up more of my word count in a quote that recapitulates facts I've already stated. What's important to hear from you are not the facts, but the implication of the facts. The questions are:

- Should AB 617 inspire the Biden admin to recapitulate it or to use it as an inspiration for nationwide action?
- Given Nichols' experience overseeing AB 617's rollout, how do you think that experience will inform her work at the helm of the EPA (this is assuming that she gets the nod) with regard to fighting air pollution hotspots?

Many thanks,

Ben

Ben Ryan
benryan.net
(917) 697-5773
Follow on:
[Facebook](#)
[Twitter](#)

On Dec 9, 2020, at 1:07 PM, Carlson, Ann <carlson@law.ucla.edu> wrote:

thanks, Ben. Glad you're writing about it.

How is this for a quote:

[REDACTED]

Happy to have you edit a bit or make suggestions.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Ben Ryan [REDACTED]
Sent: Wednesday, December 9, 2020 9:08 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: AB 617, The Nation magazine

Dear Dr. Carlson,

I just read your terrific [article on AB 617 on LegalPlanet](#). I am actually in the process of finishing a similar article for The Nation which mirrors your own arguments. I base many of my own on recent research by Jonathan London at UC Davis and a team at Berkeley that wrote a recent policy paper on AB 617 published by the Brookings Institute.

The plan is to run my article as soon as the EPA pick is announced. And if it's Mary Nichols, that'll make the article a much bigger deal.

Would you care to send me a quote for my article succinctly summing up your point about why AB 617 can and should inspire the Biden administration?

Could you also perhaps write a second version of the quote that I would only use if Nichols is nominated for EPA and that would acknowledge this fact and reflect on how her becoming the head of EPA might inform the use of AB 617 as a model?

Thanks so much, and I'm glad that we're on the same page about this matter. It gives me confidence that I'm not going out on any kind of a limb with my article!

Best,

Ben

Ben Ryan

benryan.net

(917) 697-5773

Follow on:

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[Twitter](#)

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Wednesday, December 09, 2020 10:07 AM PST
To: Ben Ryan [REDACTED]
Subject: Re: AB 617, The Nation magazine

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How is this for a quote:

[REDACTED]

Happy to have you edit a bit or make suggestions.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Ben Ryan [REDACTED]
Sent: Wednesday, December 9, 2020 9:08 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: AB 617, The Nation magazine

Dear Dr. Carlson,

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The plan is to run my article as soon as the EPA pick is announced. And if it's Mary Nichols, that'll make the article a much bigger deal.

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Best,

Ben

Ben Ryan
benryan.net
(917) 697-5773
Follow on:
[Facebook](#)
[Twitter](#)

From: Carlson, Ann
Sent: Wednesday, January 27, 2021 12:50 PM PST
To: Mark Bernstein <mark@earthshot.us>
Subject: Re: Agenda and Attachments

Hi Mark - as I let Bob know, I'm going to have to resign from the board as I've been appointed by the Biden Administration to serve as NHTSA Chief Counsel.

Good luck with everything!

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Hi All! Please see attached an agenda for our meeting and some attachments. Looking forward to 'seeing' you all next week.

Thanks
Mark

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Mark Bernstein
President

mark@earthshot.us

310.200.4741

<https://www.earthshot.us/>

<https://www.linkedin.com/in/mabernst/>

<Glen Trotiner .pdf>

<Agenda Earthshot Feb 2 20201 Board Mtg.pdf>

<Earthshot Board Minutes Jun 24 2020-1.pdf>

From: carlson@law.ucla.edu <carlson@law.ucla.edu>

Sent: Wednesday, January 27, 2021 12:50 PM PST

To: Mark Bernstein <mark@earthshot.us>

Subject: Re: Agenda and Attachments

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(310) 206-9496

From: Allie Panther <apanther@jbrpt.org>
Sent: Monday, January 11, 2021 5:46 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: Ann Carlson, Welcome to the Team!

Hi Ann,

I hope you had a nice weekend. I'm going to be initiating the onboarding process with DOT for a new group of appointees today, so I wanted to see if you'd be able to fill out the [DOT Appointees Intake Form](#) in order to be included with this group? If you need more time for whatever reason, just let me know.

Thank you!
Allie

On Wed, Jan 6, 2021 at 9:43 PM Allie Panther <apanther@jbrpt.org> wrote:

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Sincerely,

The Biden-Harris Transition Team

From: Allie Panther <apanther@jbrpt.org>
Sent: Monday, January 11, 2021 11:02 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: Ann Carlson, Welcome to the Team!

Great - thanks for working through everything so quickly!

On Mon, Jan 11, 2021 at 2:01 PM Carlson, Ann <carlson@law.ucla.edu> wrote:

No it was my bad! didn't go through on my end for some reason.

Just an FYI, I'm pretty close to finishing my tasks -- one more training video and working my way through the security checklist, which is a bit daunting. I'll watch the video today.

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From: Allie Panther <apanther@jbrpt.org>
Sent: Monday, January 11, 2021 10:59 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: Ann Carlson, Welcome to the Team!

Ope I see your form now! Sorry it must have just taken a moment to come through. Thank you!

On Mon, Jan 11, 2021 at 1:58 PM Allie Panther <apanther@jbrpt.org> wrote:

Hi Ann,

I actually do not see that the form was submitted on the back end, so could you try submitting it? Or feel free to give me a call at [REDACTED] if you have any questions about how to do so.

The transition is starting to wind down their hiring process, but once the Presidential Personnel Office is up and running after 1/20 I can definitely send in your recommended names to them.

Thank you,
Allie

On Mon, Jan 11, 2021 at 1:44 PM Carlson, Ann <carlson@law.ucla.edu> wrote:

I think I just succeeded in uploading it. If not can you please let me know? Thanks!

On a different note, I worked with a youngish attorney several years ago who is now in the California AG's office and has worked extensively on defending California's car rules and waiver. She is interested in being considered by the Biden team but doesn't know how to get into the system. She's fantastic. Is there a way for me to refer her to the transition team - she'd be great in any number of places so not suggesting anything specific.

Thanks!

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From: Allie Panther <apanther@jbrpt.org>
Sent: Monday, January 11, 2021 9:39 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: Ann Carlson, Welcome to the Team!

Hi Ann,

Great - thanks! Yes, you should upload the version of your resume you'd like DOT to use in the salary evaluation.

The intake form is not the agency specific HR requirements mentioned in Greenhouse. You will get those agency specific HR forms from DOT after submitting this intake form.

I haven't heard back from the DOT Ethics office yet on the book you're writing, but I will ping them on it today.

Thank you,
Allie

On Mon, Jan 11, 2021 at 11:59 AM Carlson, Ann <carlson@law.ucla.edu> wrote:
Hi Allie,

I'll upload shortly. Should I have the more detailed resume uploaded (as described in the onboarding info?).

And is this the "agency specific HR requirement" info I'm supposed to complete on the greenhouse checklist?

Finally, any more info about my questions about the book I'm writing?

Thanks so much.

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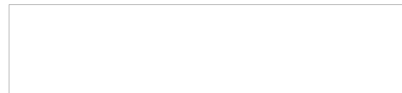
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From: Tarak Shah <tshah@jbrpt.org>
Sent: Wednesday, January 06, 2021 3:37 PM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: Ann Carlson, Welcome to the Team!

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Sent: Wednesday, January 06, 2021 6:04 PM PST
To: Carlson, Ann <carlson@law.ucla.edu>
CC: tshah@jbrpt.org <tshah@jbrpt.org>; sshulman@jbrpt.org <sshulman@jbrpt.org>; jmarootian@jbrpt.org <jmarootian@jbrpt.org>; process@jbrpt.org <process@jbrpt.org>; apantner@jbrpt.org <apantner@jbrpt.org>
Subject: Re: Ann Carlson, Welcome to the Team!

Dear Ann,

Thank you so much for your prompt response, and congratulations again! In the coming days, you will receive an email from our onboarding system, called Greenhouse Onboarding (GHO), which will come to you from this address: [no-reply@mail.onboarding.greenhouse.io](mailto:reply@mail.onboarding.greenhouse.io). Please consider adding this email to your contacts, or checking your spam folder, if you have strict permissions that may screen out incoming mail.

As part of the onboarding process, you will be asked to prepare and submit personal information as part of the background investigation and vetting process. We strongly encourage you to begin collecting this information immediately. You can learn more about the information you may be asked to provide in financial disclosure forms [here](#), and information you may be requested to provide for your background investigation forms [here](#). The onboarding system and your liaison will also offer additional guidance on the process for your position.

If you may have any initial questions please contact your liaison. We are excited that your onboarding has begun. Once again, welcome to the Biden-Harris Team!

Sincerely,
Biden-Harris Transition Team

On Wed, Jan 6, 2021 at 5:31 PM Carlson, Ann <carlson@law.ucla.edu> wrote:

Dear Transition team members,

I'm writing to accept the conditional offer. I am thrilled and honored to serve and to help the Biden Administration address climate change and other issues that arise within the purview of NHTSA.

Strange day to be doing so as I watch the images of the occupied capitol.

I hope you are all well and safe.

Best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Keigo O'Haru <koharu@jbrpt.org>
Sent: Tuesday, January 5, 2021 8:34 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Cc: tshah@jbrpt.org <tshah@jbrpt.org>; sshulman@jbrpt.org <sshulman@jbrpt.org>; jmarootian@jbrpt.org <jmarootian@jbrpt.org>; process@jbrpt.org <process@jbrpt.org>; apantner@jbrpt.org <apantner@jbrpt.org>
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We look forward to hearing from you. Congratulations again!

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The Biden-Harris Transition Team

From: Allie Panther <apanther@jbrpt.org>
Sent: Wednesday, January 06, 2021 6:43 PM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: Ann Carlson, Welcome to the Team!

Hi Ann,

Thanks for chatting the other day, and we're thrilled that you've accepted the conditional offer! Below are the next steps in the process. Please feel free to reach out with any questions as you work through these.

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Thanks so much and please feel free to reach out with any questions!
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Sent: Tuesday, January 5, 2021 8:34 AM

To: Carlson, Ann <carlson@law.ucla.edu>

Cc: tshah@jbrpt.org <tshah@jbrpt.org>; sshulman@jbrpt.org <sshulman@jbrpt.org>; jmarootian@jbrpt.org <jmarootian@jbrpt.org>; process@jbrpt.org <process@jbrpt.org>; apanther@jbrpt.org <apanther@jbrpt.org>

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Sent: Monday, January 11, 2021 8:59 AM PST

To: Allie Panther <apanther@jbrpt.org>

Subject: Re: Ann Carlson, Welcome to the Team!

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From: Allie Panther <apanther@jbrpt.org>
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Subject: Re: Ann Carlson, Welcome to the Team!

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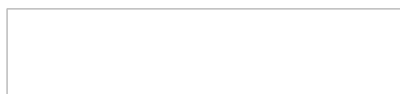
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Sent: Monday, January 11, 2021 10:44 AM PST

To: Allie Panther <apanther@jbrpt.org>

Subject: Re: Ann Carlson, Welcome to the Team!

I think I just succeeded in uploading it. If not can you please let me know? Thanks!

On a different note, I worked with a youngish attorney several years ago who is now in the California AG's office and has worked extensively on defending California's car rules and waiver. She is interested in being considered by the Biden team but doesn't know how to get into the system. She's fantastic. Is there a way for me to refer her to the transition team - she'd be great in any number of places so not suggesting anything specific.

Thanks!

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Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Allie Panther <apanther@jbrpt.org>

Sent: Monday, January 11, 2021 9:39 AM

To: Carlson, Ann <carlson@law.ucla.edu>

Subject: Re: Ann Carlson, Welcome to the Team!

Hi Ann,

Great - thanks! Yes, you should upload the version of your resume you'd like DOT to use in the salary evaluation.

The intake form is not the agency specific HR requirements mentioned in Greenhouse. You will get those agency specific HR forms from DOT after submitting this intake form.

I haven't heard back from the DOT Ethics office yet on the book you're writing, but I will ping them on it today.

Thank you,
Allie

On Mon, Jan 11, 2021 at 11:59 AM Carlson, Ann <carlson@law.ucla.edu> wrote:

Hi Allie,

I'll upload shortly. Should I have the more detailed resume uploaded (as described in the onboarding info?).

And is this the "agency specific HR requirement" info I'm supposed to complete on the greenhouse checklist?

Finally, any more info about my questions about the book I'm writing?

Thanks so much.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Allie Panther <apanther@jbrpt.org>

Sent: Monday, January 11, 2021 5:46 AM

To: Carlson, Ann <carlson@law.ucla.edu>

Subject: Re: Ann Carlson, Welcome to the Team!

Hi Ann,

I hope you had a nice weekend. I'm going to be initiating the onboarding process with DOT for a new group of appointees today, so I wanted to see if you'd be able to fill out the [DOT Appointees Intake Form](#) in order to be included with this group? If you need more time for whatever reason, just let me know.

Thank you!
Allie

On Wed, Jan 6, 2021 at 9:43 PM Allie Panther <apanther@jbrpt.org> wrote:

Hi Ann,

Thanks for chatting the other day, and we're thrilled that you've accepted the conditional offer! Below are the next steps in the process. Please feel free to reach out with any questions as you work through these.

1. You will get an email from Greenhouse in the next couple of days that will prompt you to create a profile and start working on your list of tasks.
2. Look out for an email from me shortly with information about upcoming trainings for appointees. These are all optional but encouraged and recordings will be sent around after if you can't join live.
3. Please complete this [DOT Appointees Intake Form](#) with your personal information. Additionally, I will need your Social Security Number to provide to DOT but for security we want to take that over the phone, so please call me with that at your convenience. My cell number is [REDACTED]
4. The DOT Appointees Intake Form above will ask you to upload a resume. The version of your resume you submit will be used by DOT in the salary determination process, so we want to make sure it reflects the full scope and impact of your previous work experience. There is a task in Greenhouse related to refreshing your resume, and I've copied the details below for your reference so you can get started with that.

Refreshing your resume

Your previous work experience, the scope and impact of your previous work, and your salary history will all be taken into consideration when the agency HR team sets your salary. Therefore, we recommend that you consider reviewing and possibly refreshing your resume before you share it with your liaison, who will provide it to the agency HR team.

Consider the following information as you review your resume:

- **Clarity:** Be sure to provide enough detail about your previous roles to ensure that readers clearly understand what your job was, and what you accomplished. Consider providing a more robust picture of the job than a standard 1-2 bullet points.
- **Impact:** what did you accomplish during your previous work experiences that benefited your organization? (Achievements, revenue generated, etc.)
- **Scope:** as much as possible, provide concrete examples of the scope of your work (for example: "I was responsible for covering xyz% of my company's global footprint")
- **Management experience:** where possible, be sure to highlight your previous management experience and provide an indication of how many people you managed
- **Budget experience:** where possible, provide information on any experiences preparing an organization's budget.
- **Essential:** consider highlighting important functions you were responsible for within your organization
- **Length:** While traditional resumes are often 1 page, a government resume can be multiple pages.

Thanks so much and please feel free to reach out with any questions!
Allie

On Wed, Jan 6, 2021 at 5:31 PM Carlson, Ann <carlson@law.ucla.edu> wrote:

Dear Transition team members,

I'm writing to accept the conditional offer. I am thrilled and honored to serve and to help the Biden Administration address climate change and other issues that arise within the purview of NHTSA.

Strange day to be doing so as I watch the images of the occupied capitol.

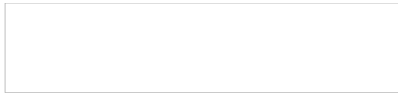
I hope you are all well and safe.

Best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Keigo O'Haru <koharu@jbrpt.org>
Sent: Tuesday, January 5, 2021 8:34 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Cc: tshah@jbrpt.org <tshah@jbrpt.org>; sshulman@jbrpt.org <sshulman@jbrpt.org>; jmarootian@jbrpt.org <jmarootian@jbrpt.org>; process@jbrpt.org <process@jbrpt.org>; apanther@jbrpt.org <apanther@jbrpt.org>
Subject: Ann Carlson, Welcome to the Team!



Dear Ann Carlson,

Congratulations! On behalf of the Biden-Harris Transition team, I am pleased to conditionally offer you the position of Chief Counsel, serving at the Department of Transportation (DOT), National Highway Traffic Safety Administration in Washington DC beginning on or shortly after January 20, 2021.

Your formal job offer, with additional details regarding salary and benefits, will be issued by the DOT, and is conditional on the completion of a number of forms required by your agency — that may include ethics, conflicts of interest, financial disclosures, and security clearance paperwork — in a timely fashion. We reserve the right to rescind this conditional offer if an issue arises during this process. I am connecting you here with Allison Panther, your Liaison, to help answer your questions and guide you through the process.

As we noted during the interview phase, our personnel process is confidential. Until you have received and accepted the formal offer we respectfully request that you keep this news confidential and do not share it widely, including on social media. Should an issue emerge during your paperwork or clearance process that prevents you from serving, your discretion will also protect your privacy. Finally, we recommend that you do not quit your current job without first having a conversation with Allison.

Please respond to this email no later than Friday, 1/8/2021 with your decision.

Our nation is grappling with a pandemic, an economic crisis, urgent calls for racial justice, and the existential threat of climate change. But, for all the hardship we are experiencing, there is nothing Americans cannot accomplish if we do it together.

We look forward to hearing from you. Congratulations again!

Sincerely,

The Biden-Harris Transition Team

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:00 PM PST
To: Oh, Jason <OH@law.ucla.edu>
Subject: Re: Ann Carlson

Thanks, Jason. I'm very excited!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Oh, Jason <OH@law.ucla.edu>
Sent: Thursday, January 21, 2021 10:18 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Fwd: Ann Carlson

What fantastic news! Congrats!!

Sent from my iPhone

Begin forwarded message:

From: "Mnookin, Jennifer" <MNOOKIN@law.ucla.edu>
Date: January 21, 2021 at 8:48:08 AM PST
To: "Mnookin, Jennifer" <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

Dear Colleagues,

I am writing to let you know that Ann Carlson will be taking a leave from the law school to begin serving in the Biden-Harris Administration effective yesterday, January 20. President Biden has appointed Ann to serve as Chief Counsel of the National Highway Traffic Safety Administration. NHTSA has joint responsibility, together with EPA, for regulating greenhouse gases/fuel economy from the transportation sector, and she is part of the Biden-Harris "whole agency" approach to addressing climate change. She will remain in Los Angeles working remotely in the immediate term but will move to Washington, D.C. when the pandemic eases.

Although we will miss her very much, I admire Ann for her willingness to serve in the new Administration to address climate change. Her new position continues the work she has done for many years on the issue our new President calls "the number one threat to humanity." Please join me in congratulating Ann on her new appointment.

All best,

Jennifer

--

Jennifer L. Mnookin

Dean and Ralph and Shirley Shapiro Professor of Law
Co-Director, PULSE@UCLA Law
(310) 825-8202

<image001.png>

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:04 PM PST
To: Ziccardi, Camille <ZICCARDI@law.ucla.edu>
Subject: Re: Ann Carlson

Thanks, Camille!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Ziccardi, Camille <ZICCARDI@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:05 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: Ann Carlson

Hello Ann,

Congratulations to you, this is great news! I know you will be able to improve the health of our environment in your new appointment!

Stay well and best wishes!

Sincerely,

Camille

UCLA School of Law
Admissions

From: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:48 AM
To: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

Dear Colleagues,

I am writing to let you know that Ann Carlson will be taking a leave from the law school to begin serving in the Biden-Harris Administration effective yesterday, January 20. President Biden has appointed Ann to serve as Chief Counsel of the National Highway Traffic Safety Administration. NHTSA has joint responsibility, together with EPA, for regulating greenhouse gases/fuel economy from the transportation sector, and she is part of the Biden-Harris "whole agency" approach to addressing climate change. She will remain in Los Angeles working remotely in the immediate term but will move to Washington, D.C. when the pandemic eases.

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All best,

Jennifer

--
Jennifer L. Mnookin

Dean and Ralph and Shirley Shapiro Professor of Law
Co-Director, PULSE@UCLA Law
(310) 825-8202



From: Anderson, Alison <Anderson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:10 PM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: Ann Carlson

Yesterday was a great day, I'm glad you will be part of it all.

Sent from my iPhone

On Jan 21, 2021, at 8:58 PM, Carlson, Ann <carlson@law.ucla.edu> wrote:

Thanks, Alison. I'm really excited! Hope you're well.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Anderson, Alison <Anderson@law.ucla.edu>
Sent: Thursday, January 21, 2021 12:07 PM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Fwd: Ann Carlson

Congratulations Ann, that's great! Alison

Sent from my iPhone

Begin forwarded message:

From: "Mnookin, Jennifer" <MNOOKIN@law.ucla.edu>
Date: January 21, 2021 at 8:47:31 AM PST
To: "Mnookin, Jennifer" <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

Dear Colleagues,

I am writing to let you know that Ann Carlson will be taking a leave from the law school to begin serving in the Biden-Harris Administration effective yesterday, January 20. President Biden has appointed Ann to serve as Chief Counsel of the National Highway Traffic Safety Administration. NHTSA has joint responsibility, together with EPA, for regulating greenhouse gases/fuel economy from the transportation sector, and she is part of the Biden-Harris "whole agency" approach to addressing climate change. She will remain in Los Angeles working remotely in the immediate term but will move to Washington, D.C. when the pandemic eases.

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All best,

Jennifer

--

Jennifer L. Mnookin

Dean and Ralph and Shirley Shapiro Professor of Law
Co-Director, PULSE@UCLA Law
(310) 825-8202

<image001.png>

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:04 PM PST
To: Bussel, Daniel <bussel@law.ucla.edu>
CC: Raquelle de la Rocha [REDACTED]
Subject: Re: Ann Carlson

Thanks, Dan (and Raquelle!)

It'll be a wild ride for sure. Hope you guys are hanging in.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Bussel, Daniel <bussel@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:57 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Cc: Raquelle de la Rocha [REDACTED]
Subject: FW: Ann Carlson

Ann this is terrific! I'm jealous! Good luck with this exciting new set of responsibilities. Dan

From: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:48 AM
To: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

Dear Colleagues,

I am writing to let you know that Ann Carlson will be taking a leave from the law school to begin serving in the Biden-Harris Administration effective yesterday, January 20. President Biden has appointed Ann to serve as Chief Counsel of the National Highway Traffic Safety Administration. NHTSA has joint responsibility, together with EPA, for regulating greenhouse gases/fuel economy from the transportation sector, and she is part of the Biden-Harris "whole agency" approach to addressing climate change. She will remain in Los Angeles working remotely in the immediate term but will move to Washington, D.C. when the pandemic eases.

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All best,

Jennifer

--
Jennifer L. Mnookin

Dean and Ralph and Shirley Shapiro Professor of Law
Co-Director, PULSE@UCLA Law
(310) 825-8202



From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:58 PM PST
To: Stemple, Lara <STEMPLE@law.ucla.edu>
Subject: Re: Ann Carlson

I'm SO glad you love the stairwalks. That Happy Valley one is really odd -- I almost found it a bit scary since I hiked it alone. Beachwood Canyon is still my favorite, especially combined with the hike down to Lake Hollywood and the reservoir.

Thanks so much -- it'll be an intense and amazing experience, I think. Hope you're hanging in.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Stemple, Lara <STEMPLE@law.ucla.edu>
Sent: Thursday, January 21, 2021 2:43 PM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: FW: Ann Carlson

Hi Ann, congrats! What exciting news. I've been thinking of you lots lately because I've started the walks in the Secret Stairs book you recommended on Facebook a while ago. The east side one through Happy Valley with all the roosters is insane! I felt like I was in another country. I'm sure you don't have time to reminisce about stairs right now, but I wanted to be sure to THANK YOU for the suggestion. Perfect covid activity. Best of luck with the new position, you'll be amazing I'm sure! xo
Lara

Lara Stemple
Assistant Dean of Graduate Studies &
International Student Programs

 UCLA School of Law

From: "Mnookin, Jennifer" <MNOOKIN@law.ucla.edu>
Date: Thursday, January 21, 2021 at 8:48 AM
To: "Mnookin, Jennifer" <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

Dear Colleagues,

I am writing to let you know that Ann Carlson will be taking a leave from the law school to begin serving in the Biden-Harris Administration effective yesterday, January 20. President Biden has appointed Ann to serve as Chief Counsel of the National Highway Traffic Safety Administration. NHTSA has joint responsibility, together with EPA, for regulating greenhouse gases/fuel economy from the transportation sector, and she is part of the Biden-Harris "whole agency" approach to addressing climate change. She will remain in Los Angeles working remotely in the immediate term but will move to Washington, D.C. when the pandemic eases.

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All best,

Jennifer

--
Jennifer L. Mnookin

Dean and Ralph and Shirley Shapiro Professor of Law
Co-Director, PULSE@UCLA Law
(310) 825-8202

 UCLA School of Law

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:03 PM PST
To: Treacy, Sean Pine <SEAN@law.ucla.edu>
Subject: Re: Ann Carlson

Thanks, Sean. I'll miss you but don't worry, I'll be back! Take care.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Treacy, Sean Pine <SEAN@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:11 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: FW: Ann Carlson

Dear Ann,

Congratulations! I'm thrilled to see that the Biden-Harris Administration is starting off with making great decisions about who to have on their team to address climate change! I know you will be amazing in this role.

I will miss seeing you around the law school, although none of us have done much "seeing" of each other for some time.

Take care and go do great things for our planet ☺
Sean

From: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:48 AM
To: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

Dear Colleagues,

I am writing to let you know that Ann Carlson will be taking a leave from the law school to begin serving in the Biden-Harris Administration effective yesterday, January 20. President Biden has appointed Ann to serve as Chief Counsel of the National Highway Traffic Safety Administration. NHTSA has joint responsibility, together with EPA, for regulating greenhouse gases/fuel economy from the transportation sector, and she is part of the Biden-Harris "whole agency" approach to addressing climate change. She will remain in Los Angeles working remotely in the immediate term but will move to Washington, D.C. when the pandemic eases.

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All best,

Jennifer

--
Jennifer L. Mnookin

Dean and Ralph and Shirley Shapiro Professor of Law
Co-Director, PULSE@UCLA Law
(310) 825-8202



From: Schwartz, Joanna <SCHWARTZ@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:09 PM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: Ann Carlson
Attachment(s): "image001.png"

I bet!!!

On Jan 21, 2021, at 9:07 PM, Carlson, Ann <carlson@law.ucla.edu> wrote:

Thank you! I'll be here for awhile but right now the fire hose has definitely been turned on....

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Schwartz, Joanna <SCHWARTZ@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:50 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Fw: Ann Carlson

It's official! Congratulations! I'm so proud of you and so happy for us as a country!

Joanna C. Schwartz
Professor of Law
UCLA School of Law
Box 951476
Los Angeles CA 90095-1476
310-206-4032
schwartz@law.ucla.edu

View my research at: <http://ssrn.com/author=146350>

From: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:47 AM
To: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

Dear Colleagues,

I am writing to let you know that Ann Carlson will be taking a leave from the law school to begin serving in the Biden-Harris Administration effective yesterday, January 20. President Biden has appointed Ann to serve as Chief Counsel of the National Highway Traffic Safety Administration. NHTSA has joint responsibility, together with EPA, for regulating greenhouse gases/fuel economy from the transportation sector, and she is part of the Biden-Harris "whole agency" approach to addressing climate change. She will remain in Los Angeles working remotely in the immediate term but will move to Washington, D.C. when the pandemic eases.

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All best,

Jennifer

--
Jennifer L. Mnookin

Dean and Ralph and Shirley Shapiro Professor of Law
Co-Director, PULSE@UCLA Law
(310) 825-8202

<image001.png>

From: Carlson, Ann
Sent: Saturday, January 23, 2021 9:19 AM PST
To: Power, John <power@law.ucla.edu>
Subject: Re: Ann Carlson
Attachment(s): "image001.png"

Thanks, John! I'm really excited about it.

Hope you are well!

On Jan 22, 2021, at 8:32 PM, Power, John <power@law.ucla.edu> wrote:

Dear Chief Counsel,

Congratulations! What an honor. And such an important thing to be doing. Climate change has been on my mind increasingly the past two years since my grandson was born. On behalf of him and his generation, thanks for helping to address this critical situation. (I'm trying to not think too much about the lost four years of the Trump Administration.)

The Dodgers win the World Series, your book is coming together, and now this appointment. You seem to be on a roll!

Again, congratulations.

John

From: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:48 AM
To: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

Dear Colleagues,

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All best,

Jennifer

--

Jennifer L. Mnookin

Dean and Ralph and Shirley Shapiro Professor of Law
Co-Director, PULSE@UCLA Law
(310) 825-8202

<image001.png>

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:02 PM PST
To: Mackintosh, Kate <mackintosh@law.ucla.edu>
Subject: Re: Ann Carlson

Thanks, Kate. Sure to be a wild ride...

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Mackintosh, Kate <mackintosh@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:15 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: FW: Ann Carlson

Amazing news Ann, huge congratulations!

From: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Date: Thursday, January 21, 2021 at 8:48 AM
To: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

Dear Colleagues,

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All best,

Jennifer

--
Jennifer L. Mnookin

Dean and Ralph and Shirley Shapiro Professor of Law
Co-Director, PULSE@UCLA Law
(310) 825-8202



From: Power, John <power@law.ucla.edu>
Sent: Friday, January 22, 2021 8:32 PM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: Ann Carlson

Dear Chief Counsel,

Congratulations! What an honor. And such an important thing to be doing. Climate change has been on my mind increasingly the past two years since my grandson was born. On behalf of him and his generation, thanks for helping to address this critical situation. (I'm trying to not think too much about the lost four years of the Trump Administration.)

The Dodgers win the World Series, your book is coming together, and now this appointment. You seem to be on a roll!

Again, congratulations.

John

From: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:48 AM
To: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

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All best,

Jennifer

--

Jennifer L. Mnookin

Dean and Ralph and Shirley Shapiro Professor of Law
Co-Director, PULSE@UCLA Law
(310) 825-8202



From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:56 PM PST
To: Gomez, Laura <GOMEZ@law.ucla.edu>
Subject: Re: Ann Carlson

Thanks, Laura. Will be an intense but amazing experience judging from the first two days!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Gomez, Laura <GOMEZ@law.ucla.edu>
Sent: Thursday, January 21, 2021 4:28 PM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Fwd: Ann Carlson

Congratulations, Ann! How exciting for you and wonderful for the nation!

Best, Laura

Get [Outlook for Android](#)

From: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:47:31 AM
To: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

Dear Colleagues,

I am writing to let you know that Ann Carlson will be taking a leave from the law school to begin serving in the Biden-Harris Administration effective yesterday, January 20. President Biden has appointed Ann to serve as Chief Counsel of the National Highway Traffic Safety Administration. NHTSA has joint responsibility, together with EPA, for regulating greenhouse gases/fuel economy from the transportation sector, and she is part of the Biden-Harris "whole agency" approach to addressing climate change. She will remain in Los Angeles working remotely in the immediate term but will move to Washington, D.C. when the pandemic eases.

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All best,

Jennifer

--

Jennifer L. Mnookin

Dean and Ralph and Shirley Shapiro Professor of Law
Co-Director, PULSE@UCLA Law
(310) 825-8202



From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:02 PM PST
To: Munzer, Stephen <munzer@law.ucla.edu>
Subject: Re: Ann Carlson

Thanks, Steve. It will be a wild ride, for sure. Hope you're well.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Munzer, Stephen <munzer@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:22 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: FW: Ann Carlson

Dear Ann,

Hearty congratulations on your new position! I hope you'll enjoy the work and find this new direction in your career to be interesting.

All the best,

Steve

From: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:48 AM
To: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

Dear Colleagues,

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All best,

Jennifer

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Jennifer L. Mnookin

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Co-Director, PULSE@UCLA Law
(310) 825-8202



From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:08 PM PST
To: Sweetser, Catherine <sweetser@law.ucla.edu>
Subject: Re: Ann Carlson

Thank you!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Sweetser, Catherine <sweetser@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:49 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: Ann Carlson

Congratulations!!!!!! This is such wonderful news. Thank you for serving our country!

From: [Mnookin, Jennifer](#)
Sent: Thursday, January 21, 2021 8:48 AM
To: [Mnookin, Jennifer](#)
Subject: Ann Carlson

Dear Colleagues,

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All best,

Jennifer

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Jennifer L. Mnookin

Dean and Ralph and Shirley Shapiro Professor of Law
Co-Director, PULSE@UCLA Law
(310) 825-8202



From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:08 PM PST
To: Conron, Kerith <conron@law.ucla.edu>
Subject: Re: Ann Carlson

Thanks, Kerith. So happy to see what the administration is already doing on so many important issues.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Conron, Kerith <conron@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:49 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: FW: Ann Carlson

Congrats Ann!!
Thanks for taking this on!
Kerith
Williams Institute

From: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Sent: Thursday, January 21, 2021 11:48 AM
To: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

Dear Colleagues,

I am writing to let you know that Ann Carlson will be taking a leave from the law school to begin serving in the Biden-Harris Administration effective yesterday, January 20. President Biden has appointed Ann to serve as Chief Counsel of the National Highway Traffic Safety Administration. NHTSA has joint responsibility, together with EPA, for regulating greenhouse gases/fuel economy from the transportation sector, and she is part of the Biden-Harris "whole agency" approach to addressing climate change. She will remain in Los Angeles working remotely in the immediate term but will move to Washington, D.C. when the pandemic eases.

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All best,

Jennifer

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Jennifer L. Mnookin

Dean and Ralph and Shirley Shapiro Professor of Law
Co-Director, PULSE@UCLA Law
(310) 825-8202



From: Ziccardi, Camille <ZICCARDI@law.ucla.edu>

Sent: Thursday, January 21, 2021 9:05 AM PST

To: Carlson, Ann <carlson@law.ucla.edu>

Subject: RE: Ann Carlson

Hello Ann,

Congratulations to you, this is great news! I know you will be able to improve the health of our environment in your new appointment!

Stay well and best wishes!

Sincerely,

Camille

UCLA School of Law
Admissions

From: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>

Sent: Thursday, January 21, 2021 8:48 AM

To: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>

Subject: Ann Carlson

Dear Colleagues,

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All best,

Jennifer

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Jennifer L. Mnookin

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Co-Director, PULSE@UCLA Law
(310) 825-8202



From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:02 PM PST
To: Wilson, Bianca <WILSONB@law.ucla.edu>
Subject: Re: Ann Carlson

Thanks so much, Bianca. It'll be a wild ride for sure. Hope you're well!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Wilson, Bianca <WILSONB@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:26 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: FW: Ann Carlson

This is fantastic, Ann- For you and the country!

I will miss serving with you on the search committee but wish you well in your new role.

Warm regards,

Bianca

=====
Bianca D.M. Wilson, Ph.D.
Rabbi Barbara Zacky Senior Scholar of Public Policy
Pronouns: She/Her

The Williams Institute | UCLA School of Law
1060 Veteran Ave., Suite 134
Box 957092
Los Angeles, CA 90095-7092
=====

From: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:48 AM
To: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

Dear Colleagues,

I am writing to let you know that Ann Carlson will be taking a leave from the law school to begin serving in the Biden-Harris Administration effective yesterday, January 20. President Biden has appointed Ann to serve as Chief Counsel of the National Highway Traffic Safety Administration. NHTSA has joint responsibility, together with EPA, for regulating greenhouse gases/fuel economy from the transportation sector, and she is part of the Biden-Harris "whole agency" approach to addressing climate change. She will remain in Los Angeles working remotely in the immediate term but will move to Washington, D.C. when the pandemic eases.

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All best,

Jennifer

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Jennifer L. Mnookin

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From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:01 PM PST
To: Winkler, Adam <winkler@law.ucla.edu>
Subject: Re: Ann Carlson

probably not, though I did finish a draft. But there will be some limits on what I can do with it, I'm afraid. Thanks!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Winkler, Adam <winkler@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:59 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Fwd: Ann Carlson

Awesome news! Congratulations. Although I don't imagine this is good for the book in the short term!

Begin forwarded message:

From: "Mnookin, Jennifer" <MNOOKIN@law.ucla.edu>
Date: January 21, 2021 at 8:48:09 AM PST
To: "Mnookin, Jennifer" <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

Dear Colleagues,

I am writing to let you know that Ann Carlson will be taking a leave from the law school to begin serving in the Biden-Harris Administration effective yesterday, January 20. President Biden has appointed Ann to serve as Chief Counsel of the National Highway Traffic Safety Administration. NHTSA has joint responsibility, together with EPA, for regulating greenhouse gases/fuel economy from the transportation sector, and she is part of the Biden-Harris "whole agency" approach to addressing climate change. She will remain in Los Angeles working remotely in the immediate term but will move to Washington, D.C. when the pandemic eases.

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All best,

Jennifer

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Jennifer L. Mnookin

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Co-Director, PULSE@UCLA Law
(310) 825-8202



From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:05 PM PST
To: Abrams, Norman <abrams@law.ucla.edu>
Subject: Re: Ann Carlson

Thanks, Norm. No question that the Biden team is very serious about climate. Hope you're well!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Abrams, Norman <abrams@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:56 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Fwd: Ann Carlson

Hi Ann,

Wonderful news. Congratulations!

Tells me the new Administration is really serious about their climate goals and are choosing the very best people.

Best,

Norm

Begin forwarded message:

From: "Mnookin, Jennifer" <MNOOKIN@law.ucla.edu>
Date: January 21, 2021 at 8:48:08 AM PST
To: "Mnookin, Jennifer" <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

Dear Colleagues,

I am writing to let you know that Ann Carlson will be taking a leave from the law school to begin serving in the Biden-Harris Administration effective yesterday, January 20. President Biden has appointed Ann to serve as Chief Counsel of the National Highway Traffic Safety Administration. NHTSA has joint responsibility, together with EPA, for regulating greenhouse gases/fuel economy from the transportation sector, and she is part of the Biden-Harris "whole agency" approach to addressing climate change. She will remain in Los Angeles working remotely in the immediate term but will move to Washington, D.C. when the pandemic eases.

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All best,

Jennifer

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Jennifer L. Mnookin

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From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:00 PM PST
To: Moeller, Beth <moeller@law.ucla.edu>
CC: John DeGolyer <john@sailsolar.com>
Subject: Re: Ann Carlson

Thanks, Beth (and hi John!) What a great message. It'll be a wild ride, for sure. And someday we'll hike again....

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Moeller, Beth <moeller@law.ucla.edu>
Sent: Thursday, January 21, 2021 10:06 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Cc: John DeGolyer <john@sailsolar.com>
Subject: FW: Ann Carlson

Wow, just wow! I've always been a member of the very large Ann Carlson fan club and I'm delighted to see that our new President is as well.

I couldn't be happier for you, Ann, and I'm grateful that all of us will benefit from your wisdom, expertise, and amazing work in the Biden-Harris Administration. Congratulations and well-deserved! We will miss you at UCLA, but look forward to hearing about it and celebrating your successes. Hopefully we can reunite our Emmett climate hike team sometime in the not too far future too.

Congrats again!
Beth

From: "Mnookin, Jennifer" <MNOOKIN@law.ucla.edu>
Date: Thursday, January 21, 2021 at 8:48 AM
To: "Mnookin, Jennifer" <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

Dear Colleagues,

I am writing to let you know that Ann Carlson will be taking a leave from the law school to begin serving in the Biden-Harris Administration effective yesterday, January 20. President Biden has appointed Ann to serve as Chief Counsel of the National Highway Traffic Safety Administration. NHTSA has joint responsibility, together with EPA, for regulating greenhouse gases/fuel economy from the transportation sector, and she is part of the Biden-Harris "whole agency" approach to addressing climate change. She will remain in Los Angeles working remotely in the immediate term but will move to Washington, D.C. when the pandemic eases.

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All best,

Jennifer

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Jennifer L. Mnookin

Dean and Ralph and Shirley Shapiro Professor of Law
Co-Director, PULSE@UCLA Law
(310) 825-8202



From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:05 PM PST
To: Glater, Jonathan <glater@law.ucla.edu>
Subject: Re: Ann Carlson

Thanks, Jonathan. I'm sorry we haven't been able to get together since you arrived. Hopefully one of these days...

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Glater, Jonathan <glater@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:54 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Fw: Ann Carlson

Dear Ann,

Congratulations! I am sad that I've only just gotten e-here, at least, getting to know great colleagues like you has been undermined by the pandemic, and now you are off, but I hope we can correct that in the future. Best of luck, this is such an urgent challenge. Thank you.

Best,
Jonathan

From: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:47 AM
To: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

Dear Colleagues,

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All best,

Jennifer

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Co-Director, PULSE@UCLA Law
(310) 825-8202



From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:06 PM PST
To: Berkowitz, Nancy <berkowitz@law.ucla.edu>
Subject: Re: Ann Carlson

Aww, thanks Nancy. I'm really excited about it.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Berkowitz, Nancy <berkowitz@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:51 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: FW: Ann Carlson

Wow, wow wow that is amazing! I am so excited for you. Congrats, Ann. They are making a great choice with this appointment.

From: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:48 AM
To: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

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All best,

Jennifer

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Jennifer L. Mnookin

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Co-Director, PULSE@UCLA Law
(310) 825-8202



From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:59 PM PST
To: Kim, Sung Hui <SUNG.KIM@law.ucla.edu>
Subject: Re: Ann Carlson

Thanks, Sung. It'll be intense but fascinating, I think. Hope you're well.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Kim, Sung Hui <SUNG.KIM@law.ucla.edu>
Sent: Thursday, January 21, 2021 10:32 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: FW: Ann Carlson

Congratulations, Ann! So wonderful that you are addressing the biggest challenge of our era!

Best regards,
Sung Hui Kim

From: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:48 AM
To: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

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All best,

Jennifer

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Jennifer L. Mnookin

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(310) 825-8202



From: Berkowitz, Nancy <berkowitz@law.ucla.edu>
Sent: Friday, January 22, 2021 8:28 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: Ann Carlson

J

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:06 PM
To: Berkowitz, Nancy <berkowitz@law.ucla.edu>
Subject: Re: Ann Carlson

Aww, thanks Nancy. I'm really excited about it.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
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(310) 206-9496

From: Berkowitz, Nancy <berkowitz@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:51 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: FW: Ann Carlson

Wow, wow wow that is amazing! I am so excited for you. Congrats, Ann. They are making a great choice with this appointment.

From: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:48 AM
To: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

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All best,

Jennifer

--
Jennifer L. Mnookin

Dean and Ralph and Shirley Shapiro Professor of Law
Co-Director, PULSE@UCLA Law
(310) 825-8202



From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:07 PM PST
To: Goldberg, Carole <goldberg@law.ucla.edu>
Subject: Re: Ann Carlson

Thanks, Carole. It's already a fire hose but super interesting!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Goldberg, Carole <goldberg@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:49 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Fw: Ann Carlson

Dear Ann,

How fabulous that you will be in this role. We are blessed by your service. Thank you!

Take special care,

Carole

From: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:47 AM
To: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

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All best,

Jennifer

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Co-Director, PULSE@UCLA Law
(310) 825-8202



From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:06 PM PST
To: Mallory, Christy <mallory@law.ucla.edu>
Subject: Re: Ann Carlson

Thanks, Christy. It's been a whirlwind of a month. Hope you're hanging in.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Mallory, Christy <mallory@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:50 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: Ann Carlson

Ann! This is such wonderful news! Congratulations. I can't wait to follow you in your new role. I hope you and your family are doing well.

Take care,
Christy

From: "Mnookin, Jennifer" <MNOOKIN@law.ucla.edu>
Date: Thursday, January 21, 2021 at 8:48 AM
To: "Mnookin, Jennifer" <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

Dear Colleagues,

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Although we will miss her very much, I admire Ann for her willingness to serve in the new Administration to address climate change. Her new position continues the work she has done for many years on the issue our new President calls "the number one threat to humanity." Please join me in congratulating Ann on her new appointment.

All best,

Jennifer

--
Jennifer L. Mnookin

Dean and Ralph and Shirley Shapiro Professor of Law
Co-Director, PULSE@UCLA Law
(310) 825-8202



From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:59 PM PST
To: Dolovich, Sharon <Dolovich@law.ucla.edu>
Subject: Re: Ann Carlson

Thanks, Sharon. It'll be a wild ride, I'm sure. Hope you're well.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Dolovich, Sharon <Dolovich@law.ucla.edu>
Sent: Thursday, January 21, 2021 11:15 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Fwd: Ann Carlson

Ann, this is such exciting news! Many congratulations and thank you for going to Washington to help save the world!

Sharon Dolovich
Professor of Law
Director, UCLA Covid-19 Behind Bars Data Project
Director, Prison Law and Policy Program
UCLA School of Law
385 Charles E. Young Drive East
[Los Angeles, CA 90095-1476](http://www.ucla.edu/los-angeles)
[\(310\) 206-5568](tel:3102065568)
ssrn page: http://papers.ssrn.com/sol3/cf_dev/AbsByAuth.cfm?per_id=95087

Begin forwarded message:

From: "Mnookin, Jennifer" <MNOOKIN@law.ucla.edu>
Date: January 21, 2021 at 8:48:08 AM PST
To: "Mnookin, Jennifer" <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

Dear Colleagues,

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All best,

Jennifer

--
Jennifer L. Mnookin

Dean and Ralph and Shirley Shapiro Professor of Law
Co-Director, PULSE@UCLA Law
(310) 825-8202

<image001.png>

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:58 PM PST
To: Anderson, Alison <Anderson@law.ucla.edu>
Subject: Re: Ann Carlson

Thanks, Alison. I'm really excited! Hope you're well.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Anderson, Alison <Anderson@law.ucla.edu>
Sent: Thursday, January 21, 2021 12:07 PM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Fwd: Ann Carlson

Congratulations Ann, that's great! Alison

Sent from my iPhone

Begin forwarded message:

From: "Mnookin, Jennifer" <MNOOKIN@law.ucla.edu>
Date: January 21, 2021 at 8:47:31 AM PST
To: "Mnookin, Jennifer" <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

Dear Colleagues,

I am writing to let you know that Ann Carlson will be taking a leave from the law school to begin serving in the Biden-Harris Administration effective yesterday, January 20. President Biden has appointed Ann to serve as Chief Counsel of the National Highway Traffic Safety Administration. NHTSA has joint responsibility, together with EPA, for regulating greenhouse gases/fuel economy from the transportation sector, and she is part of the Biden-Harris "whole agency" approach to addressing climate change. She will remain in Los Angeles working remotely in the immediate term but will move to Washington, D.C. when the pandemic eases.

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All best,

Jennifer

--

Jennifer L. Mnookin

Dean and Ralph and Shirley Shapiro Professor of Law
Co-Director, PULSE@UCLA Law
(310) 825-8202

<image001.png>

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:03 PM PST
To: Gardbaum, Stephen <gardbaum@law.ucla.edu>
Subject: Re: Ann Carlson

Thanks, Stephen. Gonna be intense but fascinating.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Gardbaum, Stephen <gardbaum@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:15 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Ann Carlson

Many, many congratulations, Ann. That's fabulous.

It's of course for the greater/greatest good, but we'll miss you.

Warmly,
Stephen

From: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:48 AM
To: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

Dear Colleagues,

I am writing to let you know that Ann Carlson will be taking a leave from the law school to begin serving in the Biden-Harris Administration effective yesterday, January 20. President Biden has appointed Ann to serve as Chief Counsel of the National Highway Traffic Safety Administration. NHTSA has joint responsibility, together with EPA, for regulating greenhouse gases/fuel economy from the transportation sector, and she is part of the Biden-Harris "whole agency" approach to addressing climate change. She will remain in Los Angeles working remotely in the immediate term but will move to Washington, D.C. when the pandemic eases.

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All best,

Jennifer

--

Jennifer L. Mnookin

Dean and Ralph and Shirley Shapiro Professor of Law
Co-Director, PULSE@UCLA Law
(310) 825-8202



From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:56 PM PST
To: Sears, Brad <sears@law.ucla.edu>
Subject: Re: Ann Carlson

Thanks, Brad!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Sears, Brad <sears@law.ucla.edu>
Sent: Thursday, January 21, 2021 7:52 PM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: FW: Ann Carlson

Congratulations Ann! Very exciting. Best, Brad

From: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:48 AM
To: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

Dear Colleagues,

I am writing to let you know that Ann Carlson will be taking a leave from the law school to begin serving in the Biden-Harris Administration effective yesterday, January 20. President Biden has appointed Ann to serve as Chief Counsel of the National Highway Traffic Safety Administration. NHTSA has joint responsibility, together with EPA, for regulating greenhouse gases/fuel economy from the transportation sector, and she is part of the Biden-Harris "whole agency" approach to addressing climate change. She will remain in Los Angeles working remotely in the immediate term but will move to Washington, D.C. when the pandemic eases.

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All best,

Jennifer

--
Jennifer L. Mnookin

Dean and Ralph and Shirley Shapiro Professor of Law
Co-Director, PULSE@UCLA Law
(310) 825-8202



From: Mallory, Christy <mallory@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:50 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: Ann Carlson

Ann! This is such wonderful news! Congratulations. I can't wait to follow you in your new role. I hope you and your family are doing well.

Take care,
Christy

From: "Mnookin, Jennifer" <MNOOKIN@law.ucla.edu>
Date: Thursday, January 21, 2021 at 8:48 AM
To: "Mnookin, Jennifer" <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

Dear Colleagues,

I am writing to let you know that Ann Carlson will be taking a leave from the law school to begin serving in the Biden-Harris Administration effective yesterday, January 20. President Biden has appointed Ann to serve as Chief Counsel of the National Highway Traffic Safety Administration. NHTSA has joint responsibility, together with EPA, for regulating greenhouse gases/fuel economy from the transportation sector, and she is part of the Biden-Harris "whole agency" approach to addressing climate change. She will remain in Los Angeles working remotely in the immediate term but will move to Washington, D.C. when the pandemic eases.

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All best,

Jennifer

--

Jennifer L. Mnookin

Dean and Ralph and Shirley Shapiro Professor of Law
Co-Director, PULSE@UCLA Law
(310) 825-8202



From: Stemple, Lara <STEMPLE@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:49 PM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: Ann Carlson

Good to know, I'll be sure to try that one.

I remember Jody saying her time in government felt like dog years: it was only a year but it seemed like seven. :) Intense and amazing seems certain. We will all be cheering for you!

From: "Carlson, Ann" <carlson@law.ucla.edu>
Date: Thursday, January 21, 2021 at 8:58 PM
To: "Stemple, Lara" <STEMPLE@law.ucla.edu>
Subject: Re: Ann Carlson

I'm SO glad you love the stairwalks. That Happy Valley one is really odd -- I almost found it a bit scary since I hiked it alone. Beachwood Canyon is still my favorite, especially combined with the hike down to Lake Hollywood and the reservoir.

Thanks so much -- it'll be an intense and amazing experience, I think. Hope you're hanging in.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Stemple, Lara <STEMPLE@law.ucla.edu>
Sent: Thursday, January 21, 2021 2:43 PM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: FW: Ann Carlson

Hi Ann, congrats! What exciting news. I've been thinking of you lots lately because I've started the walks in the Secret Stairs book you recommended on Facebook a while ago. The east side one through Happy Valley with all the roosters is insane! I felt like I was in another country. I'm sure you don't have time to reminisce about stairs right now, but I wanted to be sure to THANK YOU for the suggestion. Perfect covid activity. Best of luck with the new position, you'll be amazing I'm sure! xo
Lara

Lara Stemple
Assistant Dean of Graduate Studies &
International Student Programs

 UCLA School of Law

From: "Mnookin, Jennifer" <MNOOKIN@law.ucla.edu>
Date: Thursday, January 21, 2021 at 8:48 AM
To: "Mnookin, Jennifer" <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

Dear Colleagues,

I am writing to let you know that Ann Carlson will be taking a leave from the law school to begin serving in the Biden-Harris Administration effective yesterday, January 20. President Biden has appointed Ann to serve as Chief Counsel of the National Highway Traffic Safety Administration. NHTSA has joint responsibility, together with EPA, for regulating greenhouse gases/fuel economy from the transportation sector, and she is part of the Biden-Harris "whole agency" approach to addressing climate change. She will remain in Los Angeles working remotely in the immediate term but will move to Washington, D.C. when the pandemic eases.

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All best,

Jennifer

--
Jennifer L. Mnookin

Dean and Ralph and Shirley Shapiro Professor of Law

Co-Director, PULSE@UCLA Law
(310) 825-8202



From: Sweetser, Catherine <sweetser@law.ucla.edu>

Sent: Thursday, January 21, 2021 8:49 AM PST

To: Carlson, Ann <carlson@law.ucla.edu>

Subject: RE: Ann Carlson

Congratulations!!!!!! This is such wonderful news. Thank you for serving our country!

From: [Mnookin, Jennifer](#)

Sent: Thursday, January 21, 2021 8:48 AM

To: [Mnookin, Jennifer](#)

Subject: Ann Carlson

Dear Colleagues,

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All best,

Jennifer

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Jennifer L. Mnookin

Dean and Ralph and Shirley Shapiro Professor of Law
Co-Director, PULSE@UCLA Law
(310) 825-8202



From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:58 PM PST
To: Biagioli, Mario <biagioli@law.ucla.edu>
Subject: Re: Ann Carlson

Thanks, Mario. I'll try not to turn into a swamp creature!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Biagioli, Mario <biagioli@law.ucla.edu>
Sent: Thursday, January 21, 2021 12:21 PM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Fw: Ann Carlson

Congratulations, Ann!!

Sorry to see you go for a while, but it is wonderful that you are doing this.

Best of luck "in the swamp"!

Mario

Mario Biagioli
Distinguished Professor, School of Law and Department of Communication, UCLA

New books:

- *Gaming the Metrics: Misconduct and Manipulation in Academic Research* (MIT Press, 2020)
<https://mitpress.mit.edu/books/gaming-metrics>

From: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:47 AM
To: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

Dear Colleagues,

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All best,

Jennifer

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Jennifer L. Mnookin

Dean and Ralph and Shirley Shapiro Professor of Law
Co-Director, PULSE@UCLA Law
(310) 825-8202



From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:47 AM PST
To: Spillenger, Clyde <SPILLENG@law.ucla.edu>
Subject: Re: Ann Carlson

Thank you, Clyde. It'll be a wild ride, I'm sure. I'm super excited.

Hope you're hanging in

xo

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Spillenger, Clyde <SPILLENG@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:45 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: FW: Ann Carlson

Hi Ann,

This is such fantastic news. I'm sorry you'll be on leave but thrilled for you and reassured that NHTSA policy will be guided by you. I hope it's a rewarding experience for you.

Warmly,

Clyde

From: "Mnookin, Jennifer" <MNOOKIN@law.ucla.edu>
Date: Thursday, January 21, 2021 at 8:48 AM
To: "Mnookin, Jennifer" <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

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All best,

Jennifer

--

Jennifer L. Mnookin

Dean and Ralph and Shirley Shapiro Professor of Law
Co-Director, PULSE@UCLA Law
(310) 825-8202



From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:07 PM PST
To: Schwartz, Joanna <SCHWARTZ@law.ucla.edu>
Subject: Re: Ann Carlson

Thank you! I'll be here for awhile but right now the fire hose has definitely been turned on....

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Schwartz, Joanna <SCHWARTZ@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:50 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Fw: Ann Carlson

It's official! Congratulations! I'm so proud of you and so happy for us as a country!

Joanna C. Schwartz
Professor of Law
UCLA School of Law
Box 951476
Los Angeles CA 90095-1476
310-206-4032
schwartz@law.ucla.edu

View my research at: <http://ssrn.com/author=146350>

From: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:47 AM
To: Mnookin, Jennifer <MNOOKIN@law.ucla.edu>
Subject: Ann Carlson

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All best,

Jennifer

--
Jennifer L. Mnookin

Dean and Ralph and Shirley Shapiro Professor of Law
Co-Director, PULSE@UCLA Law
(310) 825-8202



From: Melling, Daniel <melling@law.ucla.edu>
Sent: Thursday, January 21, 2021 8:26 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: Announcement tomorrow
Attachment(s): "Carlson Joins NHTSA as Chief Counsel.jr.docx"

Hi Ann – attaching Josh Rich’s draft release for your new role at NHTSA. This would go up on the UCLA Law site.

FYI Politico reporter Alex Guillen did a tweet and story (paywalled) on your appointment:
<https://twitter.com/alexcguillen/status/1352280334201573379>

Can you take a look at the release and let me know if/when you’d be comfortable with UCLA Law posting this? I haven’t seen an official DOT announcement so obviously don’t want to get ahead of them.

Daniel Melling
Communications Manager

UCLA School of Law | Emmett Institute on Climate Change and the Environment

Office (310) 206-7974
Mobile (310) 408-9417

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Tuesday, January 19, 2021 3:51 PM
To: Melling, Daniel <melling@law.ucla.edu>
Subject: Re: Announcement tomorrow

I don’t think you should do that yet. Let’s wait until I hear more about what DOT is doing. Thanks! All a bit up in the air at this point

On Jan 19, 2021, at 3:16 PM, Melling, Daniel <melling@law.ucla.edu> wrote:

Hi Ann – I was planning to work w/ Josh Rich to publish a short article on the UCLA Law site tomorrow to announce the news of your appointment – just wanted to give you a heads up. We will send a draft later today.

Daniel Melling
Communications Manager

UCLA School of Law | Emmett Institute on Climate Change and the Environment

Office (310) 206-7974
Mobile (310) 408-9417

From: Melling, Daniel <melling@law.ucla.edu>
Sent: Tuesday, January 19, 2021 11:58 AM
To: Horowitz, Cara <HOROWITZ@law.ucla.edu>; Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>; Carlson, Ann <carlson@law.ucla.edu>; Emmett Institute Faculty & Staff <EmmettInstituteFaculty&Staff@law.ucla.edu>
Subject: RE: sharing some news

Ann, I will be assembling a task force of faculty to take up all the media requests that you’ve previously handled!

We will miss you tremendously but it’s both exciting and reassuring to know that you will be helping NHTSA move towards a more climate-friendly agenda alongside Mayor Pete and many others.

Look forward to keeping in touch and congratulations again on this appointment, I’ll be tuning in tomorrow. Daniel

PS – DOT/NHTSA is right by Nats Park, so expecting updates on Dodgers away performance if/when you move to the district.

Daniel Melling
Communications Manager

UCLA School of Law | Emmett Institute on Climate Change and the Environment

Office (310) 206-7974
Mobile (310) 408-9417

From: Horowitz, Cara <HOROWITZ@law.ucla.edu>
Sent: Tuesday, January 19, 2021 11:34 AM

To: Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>; Carlson, Ann <carlson@law.ucla.edu>; Emmett Institute Faculty & Staff <EmmettInstituteFaculty&Staff@law.ucla.edu>
Subject: Re: sharing some news

Ditto to all of this, with one friendly amendment: I refuse to think of this as Ann's "departure." "Leave of absence" is a much friendlier phrase. Ann, the country is lucky to have you working directly on its behalf, and I know you'll find new and high-leverage ways to make the world a better place from within the Biden camp.

(And this is a minor request in the grand scheme of things, but: please collect some fun gossip for us, too.)

Cara Horowitz
Andrew Sabin Family Foundation Co-Executive Director
Emmett Institute on Climate Change and the Environment
UCLA School of Law

From: Hecht, Sean <hecht@law.ucla.edu>
Sent: Tuesday, January 19, 2021 11:27 AM
To: Parson, Edward <PARSON@law.ucla.edu>; Carlson, Ann <carlson@law.ucla.edu>; Emmett Institute Faculty & Staff <EmmettInstituteFaculty&Staff@law.ucla.edu>
Subject: Re: sharing some news

Thanks, Ted. I echo everything you say here.

Ann: The Emmett Institute owes its existence to you and your leadership. I can't express enough how grateful I am to you for your role in what we've built here. Your departure will leave a big gap, but at the same time, we now have built something enduring. With the leadership of Ted along with the rest of our amazing faculty, I'm confident that our team will continue to grow and contribute, in a new environment where the possibilities are greater.

I'm sorry we can't give you the send-off you deserve, both because of the pace of your transition and because of COVID limitations.

The country is lucky to have you in your new role, and I hope you're able to enjoy it.

All my best,
Sean

From: Parson, Edward <PARSON@law.ucla.edu>
Sent: Tuesday, January 19, 2021 11:03 AM
To: Carlson, Ann <carlson@law.ucla.edu>; Emmett Institute Faculty & Staff <EmmettInstituteFaculty&Staff@law.ucla.edu>
Subject: RE: sharing some news

Congratulations, Ann!

What good judgment on their part, and how exciting for you to get to be at the center of this work.

We wish you all success, and hope to be able to engage you as your duties allow in thinking through how Emmett can best contribute.

All best wishes, Ted

Edward A. Parson
Dan and Rae Emmett Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
Director, AI Pulse Program (<https://aipulse.org>)
Room 3456 | UCLA School of Law
parson@law.ucla.edu
Phone, academic year 2020-2021 (250) 886-1299
<https://www.law.ucla.edu/faculty/faculty-profiles/edward-a-parson>

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Tuesday, January 19, 2021 10:58 AM
To: Emmett Institute Faculty & Staff <EmmettInstituteFaculty&Staff@law.ucla.edu>
Subject: sharing some news

Hi all,

I am writing to let you know that the Biden-Harris team has appointed me to serve as the Chief Counsel of the

National Highway Traffic Safety Administration. NHTSA, as you know, has joint authority with EPA over the car and truck GHG standards and as a result the early political appointments will for the first time have strong climate experience. I'll be sworn in tomorrow as part of a large group of "first day appointees." I'm telling a few folks now but ask that you keep the news confidential until late tomorrow.

I'm incredibly excited about the opportunity but it of course this means that I will be taking a leave from UCLA for the near future. You will be in terrific hands with Cara, Sean, and Ted and I will look forward to seeing all of Emmett's terrific work from a bit of a distance. I'll be here in L.A. for now working remotely until I'm told I need to move east.

I'll miss you all but don't be strangers!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>

Sent: Thursday, November 12, 2020 8:09 PM PST

To: Marc Fisher <marcfisher@berkeley.edu>

Subject: Re: Cabinet Post

Hi Marc,

You are so kind to think of me. I assume you mean a political appointment, not a Cabinet position ☐

I think I'm interested. I've been nominated by others but I think the more nominations the better and your perspective is really helpful and different from others who have put my name in. So yes, thank you!

Hope you are well under the circumstances....

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Marc Fisher <marcfisher@berkeley.edu>

Sent: Thursday, November 12, 2020 5:38 PM

To: Carlson, Ann <carlson@law.ucla.edu>

Subject: Cabinet Post

Ann,

Would you be interested in a Cabinet Post in the Biden administration? The request for nominations is out there and you came to mind. Let me know if you would be comfortable with my making this recommendation.

Marc

Sent from my iPad

From: Marc Fisher <marcfisher@berkeley.edu>
Sent: Thursday, November 12, 2020 8:47 PM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: Cabinet Post

You are correct - I will put you forward!

Marc

Sent from my iPhone

On Nov 12, 2020, at 8:09 PM, Carlson, Ann <carlson@law.ucla.edu> wrote:

Hi Marc,

You are so kind to think of me. I assume you mean a political appointment, not a Cabinet position ☐

I think I'm interested. I've been nominated by others but I think the more nominations the better and your perspective is really helpful and different from others who have put my name in. So yes, thank you!

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Marc

Sent from my iPad

From: Benjamin Z. Houlton <bzhoulton@cornell.edu>
Sent: Monday, January 25, 2021 9:12 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>; Lifang Chiang <Lifang.Chiang@ucop.edu>
CC: Theresa Maldonado <Theresa.Maldonado@ucop.edu>
Subject: RE: CA-NY Climate Change Collaboration: Meeting Agenda

Ann, amazing congratulations! Ben

Benjamin Z. Houlton, Ph.D.
The Ronald P. Lynch Dean
260 Roberts Hall

Professor
Department of Ecology and Evolutionary Biology
Department of Global Development

College of Agriculture and Life Sciences
Cornell University
607.255.2241
bzhoulton@cornell.edu | cals.cornell.edu



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Diversity and Inclusion are a part of Cornell University's heritage. We're a recognized employer and educator valuing AA/EEO, Protected Veterans, and Individuals with Disabilities.

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Monday, January 25, 2021 12:03 PM
To: Lifang Chiang <Lifang.Chiang@ucop.edu>
Cc: Benjamin Z. Houlton <bzhoulton@cornell.edu>; Theresa Maldonado <Theresa.Maldonado@ucop.edu>
Subject: Re: CA-NY Climate Change Collaboration: Meeting Agenda

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Hope you are all well!

On Jan 25, 2021, at 8:44 AM, Lifang Chiang <Lifang.Chiang@ucop.edu> wrote:

Dear Ann,

As your schedule allows, please join this afternoon's meeting on the California-New York Climate Change collaboration, 3 PM Pacific.

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Best regards,
Lifang

Lifang Chiang, PhD, MPH | STRATEGY & PORTOFLIO MANAGER | [RESEARCH AND INNOVATION](#) | UNIVERSITY OF CALIFORNIA | OFFICE OF THE PRESIDENT
1111 Franklin Street | Oakland, CA 94607
<image001.png>
<https://uckeepresearching.org>

From: CALS Dean's Office <calsdean@cornell.edu>
Sent: Monday, January 25, 2021 6:34 AM
To: aines1@llnl.gov; Ariel Ortiz Bobea <ao332@cornell.edu>; Office of the Dean of Engineering <engineering_dean@cornell.edu>; Shorna Broussard Allred <srb237@cornell.edu>; Natalie M. Mahowald <mahowald@cornell.edu>; pramod.khargonekar@uci.edu; tosborne@ucmerced.edu; David M. Lodge <dml356@cornell.edu>; Benjamin Z. Houlton <bzhoulton@cornell.edu>; Theresa Maldonado <Theresa.Maldonado@ucop.edu>
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<Tisa.Gilyard@ucop.edu>; vramanathan@ucsd.edu

Subject: CA-NY Climate Change Collaboration: Meeting Agenda

Good morning,

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Password:

Please let me know if you have any questions.

Best wishes,

Marianne

Marianne Ridley

Assistant to Dean Benjamin Z. Houlton

Assistant to Associate Dean Chelsea Specht

College of Agriculture and Life Sciences

Cornell University

260 Roberts Hall

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Ithaca, NY 14853

(607) 255-2241

mer12@cornell.edu | cals.cornell.edu

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From: carlson@law.ucla.edu <carlson@law.ucla.edu>
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To: Lifang Chiang <Lifang.Chiang@ucop.edu>
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Sent: Monday, January 25, 2021 8:09 PM PST
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CC: Benjamin Z. Houlton <bzhoulton@cornell.edu>
Subject: RE: CA-NY Climate Change Collaboration: Meeting Agenda
Outstanding! Great news, Ann! Congratulations!! I hope to meet you soon. Theresa

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Sent: Monday, January 25, 2021 9:03 AM
To: Lifang Chiang <Lifang.Chiang@ucop.edu>
Cc: Benjamin Z. Houlton <bzhoulton@cornell.edu>; Theresa Maldonado <Theresa.Maldonado@ucop.edu>
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From: Lifang Chiang <Lifang.Chiang@ucop.edu>
Sent: Monday, January 25, 2021 9:05 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
CC: Benjamin Z. Houlton <bzhoulton@cornell.edu>; Theresa Maldonado <Theresa.Maldonado@ucop.edu>
Subject: RE: CA-NY Climate Change Collaboration: Meeting Agenda

Wonderful news, Ann, and a very important appointment. Happy to keep you posted, but won't expect you to take an active role this year in the CA-NY Steering Committee, at least not while you're away. We look forward to staying in touch!

Congratulations and best wishes!
Lifang

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Attachment(s): "image001.png"

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From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>

Sent: Monday, November 09, 2020 12:06 PM PST

To: Julia Forgie [REDACTED]

Subject: Re: Career chat

would love to chat. How's your Wednesday? Hope you're well and hanging in!

Ann Carlson

Shirley Shapiro Professor of Environmental Law

Faculty Co-Director, Emmett Institute on Climate Change and the Environment

UCLA School of Law

(310) 206-9496

From: Julia Forgie [REDACTED]

Sent: Friday, November 6, 2020 8:07 PM

To: Carlson, Ann <carlson@law.ucla.edu>

Subject: Career chat

Hi Ann,

I hope you're holding up alright! What a week - but I got teary eyed listening to Joe talk now, so I'd say it was a successful one.

This election has made me resurface with respect to my job and to think about other opportunities to fight climate change. I was wondering if you might have a few minutes to talk about possible opportunities to get involved in the Biden administration or otherwise put myself in a position to really effectively fight climate change.

Thanks!

Julia

--

Julia Forgie

Ph: [REDACTED]

From: Carlson, Ann
Sent: Wednesday, January 20, 2021 2:33 PM PST
To: Julia Forgie [REDACTED] >
Subject: Re: Career chat

Yikes! How are you hearing this? I'll follow up when I can breathe!

On Jan 20, 2021, at 2:27 PM, Julia Forgie [REDACTED] wrote:

Hi Ann,

Just a quick follow up because I'm hearing exciting rumors today that you are going to be the general counsel at NHTSA! I didn't realize you were thinking about joining the administration. But that is wonderful news for the country - congratulations! And of course if there are any opportunities to work for you, I'd be thrilled to be considered.

Congrats again!
Julia

Le lun. 18 janv. 2021 à 17:15, Julia Forgie [REDACTED] a écrit :

Hi Ann,

Apologies for the slow response - your question forced me to take a step back for a moment. My top priority is to contribute to tackling climate change. I've enjoyed litigating and would be happy to continue on that path (there's a US DOJ ENRD position that I may apply to), but I think I'd really like to be at the intersection of policymaking/regulatory development and litigation, strategizing about effective regulatory efforts to fight climate change that will also stand up in court and, ideally, avoid Supreme Court review. With increasing frequency, I've found myself wishing that I'd been able to be part of the conversation developing the regulations or the policy that the litigation is addressing at the backend. So I guess I'd like to be in a position of taking more affirmative climate action rather than just defending existing regs or fighting against backsliding. I'm not sure if that is a helpful answer or is too theoretical.

I heard back from David Hayes, who said that they were fully staffed up but that I should be looking at the various agencies. EPA would be the most obvious fit, but I would think DOI, DOT, DOE, and agencies under them would have some roles focused on climate work. I'm not sure how big a staff CEQ typically has, but that might be interesting. I've been on the team challenging the new CEQ NEPA regs, so I know the new CEQ will have its work cut out for itself in revamping them.

Thanks again,
Julia

Le jeu. 14 janv. 2021 à 09:45, Carlson, Ann <carlson@law.ucla.edu> a écrit :
Do you have any preferences for the kind of work you'd like to do?

On Jan 14, 2021, at 9:35 AM, Julia Forgie [REDACTED] wrote:

Hi Ann,

Thank you! That would be wonderful. I am attaching my resume.

I also just sent my resume to David Hayes after seeing that he was appointed as special assistant to the president for climate policy. I honestly don't understand the differences in these titles - WH advisor vs. special assistant to the president. But I'm glad to see so many big names focused on climate.

Thanks again,
Julia

Le lun. 11 janv. 2021 à 11:00, Carlson, Ann <carlson@law.ucla.edu> a écrit :

Hi Julia,

I can submit your resume to the presidential personnel office after January 20. Can you send it to me?

Ann Carlson
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Faculty Co-Director, Emmett Institute on Climate Change and the Environment
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From: Julia Forgie [REDACTED]
Sent: Monday, January 11, 2021 10:37 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: Career chat

Hi Ann,

Now that the dust from the holidays has settled (and our democracy is in the midst of crumbling), I thought I'd reach back out to see if you have a few minutes to chat about careers. I just sent off my resume to a friend who knows Ali Zaidi, so maybe that will lead to something. But I'd love to get your thoughts on any other avenues I might pursue.

Thanks!
Julia

Le lun. 9 nov. 2020 à 20:49, Julia Forgie [REDACTED] a écrit :

Thanks! My Wednesday is wide open, so whatever works best for you.
Thanks,
Julia

Sent from my iPhone

On Nov 9, 2020, at 12:06 PM, Carlson, Ann <carlson@law.ucla.edu> wrote:

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--
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Ph: [REDACTED]
[REDACTED]
<Forgie_Resume_Jan2021_4.pdf>

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Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Julia Forgie [REDACTED]
Sent: Monday, January 11, 2021 10:37 AM
To: Carlson, Ann <carlson@law.ucla.edu>

Subject: Re: Career chat

Hi Ann,

Now that the dust from the holidays has settled (and our democracy is in the midst of crumbling), I thought I'd reach back out to see if you have a few minutes to chat about careers. I just sent off my resume to a friend who knows Ali Zaidi, so maybe that will lead to something. But I'd love to get your thoughts on any other avenues I might pursue.

Thanks!
Julia

Le lun. 9 nov. 2020 à 20:49, Julia Forgie [REDACTED] a écrit :

Thanks! My Wednesday is wide open, so whatever works best for you.
Thanks,
Julia

Sent from my iPhone

On Nov 9, 2020, at 12:06 PM, Carlson, Ann <carlson@law.ucla.edu> wrote:

would love to chat. How's your Wednesday? Hope you're well and hanging in!

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From: Julia Forgie [REDACTED]
Sent: Friday, November 6, 2020 8:07 PM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Career chat

Hi Ann,

I hope you're holding up alright! What a week - but I got teary eyed listening to Joe talk now, so I'd say it was a successful one.

This election has made me resurface with respect to my job and to think about other opportunities to fight climate change. I was wondering if you might have a few minutes to talk about possible opportunities to get involved in the Biden administration or otherwise put myself in a position to really effectively fight climate change.

Thanks!
Julia

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Julia Forgie
Ph: [REDACTED]

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Julia Forgie
Ph: [REDACTED]

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Julia Forgie
Ph: [REDACTED]
<Forgie_Resume_Jan2021_4.pdf>

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Julia Forgie

Ph: [REDACTED]

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Julia Forgie

Ph: [REDACTED]

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Sent: Thursday, January 21, 2021 5:44 PM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: Congrats and Potential Fellowship Opportunities

Professor Carlson,

Thank you and best wishes with all your amazing work!

[REDACTED]

On Thursday, January 21, 2021, Carlson, Ann <carlson@law.ucla.edu> wrote:

Thank you, [REDACTED] And if I hear of any opportunities I will definitely keep you in mind and let you know.

On Jan 21, 2021, at 1:59 PM, [REDACTED] wrote:

Hi Professor Carlson,

Congratulations on your appointment as the new General Counsel for NHTSA! I am extremely excited to see the work that the office will do in relation to auto emissions and CAFE standards.

I have been applying to post grad jobs related to clean energy, a just transition, and climate change in government and non profit settings. Although I am continuing the job search, I am starting to think about potential fellowship host organizations, in case I apply for the UCLA Law internal funded public service fellowships later this spring.

If you hear of any potential opportunities within the General Counsel's office for post grad positions or fellowship placements, or this spring externships/ law student volunteers, I would be extremely interested to be involved in whatever way is needed. I would greatly enjoy building off of the work that I have done at the California AG-Environment Section and Earthjustice.

I apologize for bothering you, I just am extremely excited for the work that the Administration is going to do over the next few years to address our climate crisis, and it would be a dream to be involved in any way, paid or unpaid, in this world changing work. I just wanted to express my interest and volunteer my legal services if helpful or needed.

Thank you,

[REDACTED]

UCLA Law 2021
[REDACTED]
[REDACTED]

From: Carlson, Ann
Sent: Thursday, January 21, 2021 5:08 PM PST
To: [REDACTED]
Subject: Re: Congrats and Potential Fellowship Opportunities

Thank you, [REDACTED] And if I hear of any opportunities I will definitely keep you in mind and let you know.

On Jan 21, 2021, at 1:59 PM, [REDACTED] wrote:

Hi Professor Carlson,

Congratulations on your appointment as the new General Counsel for NHTSA! I am extremely excited to see the work that the office will do in relation to auto emissions and CAFE standards.

I have been applying to post grad jobs related to clean energy, a just transition, and climate change in government and non profit settings. Although I am continuing the job search, I am starting to think about potential fellowship host organizations, in case I apply for the UCLA Law internal funded public service fellowships later this spring.

If you hear of any potential opportunities within the General Counsel's office for post grad positions or fellowship placements, or this spring externships/ law student volunteers, I would be extremely interested to be involved in whatever way is needed. I would greatly enjoy building off of the work that I have done at the California AG-Environment Section and Earthjustice.

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Thank you,

[REDACTED]

UCLA Law 2021

[REDACTED]

[REDACTED]

From: carlson@law.ucla.edu <carlson@law.ucla.edu>

Sent: Thursday, January 28, 2021 10:42 PM PST

To: Roth, Sammy <sammy.roth@latimes.com>

Subject: Re: Congrats on the appointment to NHTSA

Thanks, Sammy, it's a whirlwind for sure!

On Jan 28, 2021, at 11:16 AM, Roth, Sammy <sammy.roth@latimes.com> wrote:

Hey Ann, a bit belated but just saw the news. Hope all is well with you.

Best,
Sammy Roth

--

Sammy Roth
Energy Reporter
Los Angeles Times
[@Sammy_Roth](#)

Sign up for Boiling Point, my weekly newsletter on climate change, energy and the environment: [latimes.com/boilingpoint](https://www.latimes.com/boilingpoint)

From: Carlson, Ann
Sent: Thursday, January 28, 2021 10:43 PM PST
To: Roth, Sammy <sammy.roth@latimes.com>
Subject: Re: Congrats on the appointment to NHTSA

Thanks, Sammy, it's a whirlwind for sure!

On Jan 28, 2021, at 11:16 AM, Roth, Sammy <sammy.roth@latimes.com> wrote:

Hey Ann, a bit belated but just saw the news. Hope all is well with you.

Best,
Sammy Roth

--
Sammy Roth
Energy Reporter
Los Angeles Times
[@Sammy_Roth](#)

Sign up for Boiling Point, my weekly newsletter on climate change, energy and the environment: latimes.com/boilingpoint

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>

Sent: Thursday, January 21, 2021 9:11 PM PST

To: Michaels, Jon <MICHAELS@law.ucla.edu>

Subject: Re: CONGRATS!!!

Thanks, Jon! I'm really excited. Sure to learn a ton. It's already been fascinating and intense and we're only through two days!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Michaels, Jon <MICHAELS@law.ucla.edu>

Sent: Thursday, January 21, 2021 2:28 PM

To: Carlson, Ann <carlson@law.ucla.edu>

Subject: CONGRATS!!!

NHTSA is an amazing organization—and they do so much! So excited for you, for the environment, and for all of us who use the roads!

Jon

From: carlson@law.ucla.edu <carlson@law.ucla.edu>
Sent: Monday, January 25, 2021 8:09 PM PST
To: Jonathan B. Wiener, J.D. <wiener@law.duke.edu>
Subject: Re: congrats!!

Thank you so much, Jonathan. Great to hear from you!

On Jan 25, 2021, at 7:54 PM, Jonathan B. Wiener, J.D. <wiener@law.duke.edu> wrote:

Congrats Ann !!

I just saw you named chief counsel of NHTSA ! Terrific place to be to shape the transition to EVs, AVs, etc. Fantastic news.

Best wishes,
Jonathan

Jonathan B. Wiener
William R. & Thomas L. Perkins Professor of Law, and Professor of Environmental Policy & Public Policy
Law School, Nicholas School of the Environment, and Sanford School of Public Policy
Duke University | Email wiener@law.duke.edu | Web <https://law.duke.edu/fac/wiener/>

Co-Director, Duke Center on Risk, <https://scienceandsociety.duke.edu/research/center-on-risk/>
University Fellow, Resources for the Future (RFF), www.rff.org
Public Member, Administrative Conference of the United States (ACUS), www.acus.gov
Past President (2008), Society for Risk Analysis (SRA), www.sra.org ; Co-chair, 2012 World Congress on Risk, <http://sra.org/worldcongress2012>

From: Carlson, Ann
Sent: Monday, January 25, 2021 8:09 PM PST
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Jonathan B. Wiener
William R. & Thomas L. Perkins Professor of Law, and Professor of Environmental Policy & Public Policy
Law School, Nicholas School of the Environment, and Sanford School of Public Policy
Duke University | Email wiener@law.duke.edu | Web <https://law.duke.edu/fac/wiener/>

Co-Director, Duke Center on Risk, <https://scienceandsociety.duke.edu/research/center-on-risk/>
University Fellow, Resources for the Future (RFF), www.rff.org
Public Member, Administrative Conference of the United States (ACUS), www.acus.gov
Past President (2008), Society for Risk Analysis (SRA), www.sra.org ; Co-chair, 2012 World Congress on Risk, <http://sra.org/worldcongress2012>

From: carlson@law.ucla.edu <carlson@law.ucla.edu>

Sent: Friday, January 29, 2021 10:15 PM PST

To: Blumstein, Dan <marmots@ucla.edu>

Subject: Re: congrats!

Thanks so much, Dan!

On Jan 29, 2021, at 3:50 PM, Blumstein, Dan <marmots@ucla.edu> wrote:

Dear Ann,

Congrats on your appointment to the Biden administration!! How exciting! Such promise! Thrive!

Dan

Daniel T. Blumstein, Professor
Department of Ecology & Evolutionary Biology
Institute of the Environment & Sustainability
University of California Los Angeles

Board President and Research Scientist
The Rocky Mountain Biological Laboratory

O: (310) 267-4746

C: (310) 890-1455

W: [Blumstein Lab](#)

<NatureofFear_cover-SMALL.jpg>

Don't be afraid to check out my new popular book: *The Nature of Fear: Survival Lessons from the Wild* [[Harvard](#)]

From: Carlson, Ann
Sent: Friday, January 29, 2021 10:15 PM PST
To: Blumstein, Dan <marmots@ucla.edu>
Subject: Re: congrats!
Attachment(s): "NatureofFear_cover-SMALL.jpg"

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W: [Blumstein Lab](#)

<NatureofFear_cover-SMALL.jpg>

Don't be afraid to check out my new popular book: *The Nature of Fear: Survival Lessons from the Wild* [[Harvard](#)]

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:21 PM PST
To: Matt Petersen <matt@lincubator.org>
Subject: Re: Congrats!

Thanks, Matt. Go California! Hope you're hanging in.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Matt Petersen <matt@lincubator.org>
Sent: Thursday, January 21, 2021 12:13 PM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Congrats!

Dear Ann,

Just a quick note to say congratulations on your new post with NHTSA! Looking forward to seeing the great work you will do for President Biden and our nation. Excited you and Steve will be there. Please let us know if we can ever be of assistance in any way.

Warmest regards,
Matt

—
Matt Petersen, President & CEO
Los Angeles Cleantech Incubator (LACI)
www.laci.org

From: Matt Petersen <matt@lincubator.org>
Sent: Friday, January 22, 2021 9:26 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: Congrats!

Doing great all things considered! And indeed, go California!

Sent from my iPhone

On Jan 21, 2021, at 9:21 PM, Carlson, Ann <carlson@law.ucla.edu> wrote:

Thanks, Matt. Go California! Hope you're hanging in.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Matt Petersen <matt@lincubator.org>
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Warmest regards,
Matt

—

Matt Petersen, President & CEO
Los Angeles Cleantech Incubator (LACI)
www.laci.org

From: carlson@law.ucla.edu <carlson@law.ucla.edu>

Sent: Wednesday, January 27, 2021 10:52 AM PST

To: Jason Mark <jason.mark@sierraclub.org>

Subject: Re: Congrats!

Thanks, Jason!

On Jan 27, 2021, at 10:17 AM, Jason Mark <jason.mark@sierraclub.org> wrote:

Hey, Ann

I just saw the news that you've been appointed by the Biden Administration to serve as general counsel at NHTSA.

Congrats!

Keep up the great work. And keep in touch!

Jason

--

Editor, SIERRA

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From: Carlson, Ann
Sent: Wednesday, January 27, 2021 10:52 AM PST
To: Jason Mark <jason.mark@sierraclub.org>
Subject: Re: Congrats!

Thanks, Jason!

On Jan 27, 2021, at 10:17 AM, Jason Mark <jason.mark@sierraclub.org> wrote:

Hey, Ann

I just saw the news that you've been appointed by the Biden Administration to serve as general counsel at NHTSA.

Congrats!

Keep up the great work. And keep in touch!

Jason

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Editor, SIERRA

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From: carlson@law.ucla.edu <carlson@law.ucla.edu>

Sent: Sunday, January 31, 2021 5:48 PM PST

To: Behdad, Ali <behdad@humnet.ucla.edu>

Subject: Re: congrats

Thank you, Ali. It's gonna be a wild ride but so far it's been really interesting.

Hope you are all hanging in and well.

Best,

Ann

On Jan 31, 2021, at 4:56 PM, Behdad, Ali <behdad@humnet.ucla.edu> wrote:

Dear Ann,

I hope this email finds you well.

I am writing to congratulate you on your appointment as the Chief Counsel on NHTSA—we are very happy for you and grateful for the service you would be doing, albeit that we will miss you at UCLA.

Best wishes,
Ali

From: Behdad, Ali <behdad@humnet.ucla.edu>
Sent: Sunday, January 31, 2021 6:00 PM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: congrats

Good luck with it.

I was thinking of you as I was reading CAP files...

ali

From: "Carlson, Ann" <carlson@law.ucla.edu>
Date: Sunday, January 31, 2021 at 5:48 PM
To: "Behdad, Ali" <behdad@humnet.ucla.edu>
Subject: Re: congrats

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Best wishes,
Ali

From: carlson@law.ucla.edu <carlson@law.ucla.edu>

Sent: Thursday, January 28, 2021 7:04 PM PST

To: Patricia O'Toole [REDACTED]

Subject: Re: Congratulations

Thank you! Exciting times.

On Jan 28, 2021, at 11:29 AM, Patricia O'Toole [REDACTED] wrote:

Hi, Ann:

I heard about your appointment as Chief Counsel of the NHTSA. A well-deserved honor, and I wanted to add my congratulations to the many I'm sure you're receiving. It will undoubtedly be a challenge, and I hope a rewarding and fulfilling one. Congratulations!

Best regards,

Pat O'Toole

--

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Patricia M. O'Toole, Esq.
The O'Toole Law Firm
(213) 630-4220

From: Carlson, Ann
Sent: Thursday, January 28, 2021 7:04 PM PST
To: Patricia O'Toole [REDACTED]
Subject: Re: Congratulations

Thank you! Exciting times.

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To comply with IRS regulations, we advise you that any discussion of Federal tax issues in this e-mail was not intended or written to be used, and cannot be used by you, (i) to avoid any penalties imposed under the Internal Revenue Code or (ii) to promote, market or recommend to another party any transaction or matter addressed herein.

Patricia M. O'Toole, Esq.
The O'Toole Law Firm
(213) 630-4220

From: Block, Gene [REDACTED]
Sent: Friday, January 22, 2021 10:40 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: Congratulations

Ann, keep in touch and PLEASE return! It was a great day that leaves me much more optimistic.
Stay well,
Best,
Gene

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 10:31 PM
To: Block, Gene [REDACTED]
Subject: Re: Congratulations

Thank you so much! What a lovely message. I'm really excited, though can already tell it will be a very intense experience.

What a great day yesterday was, right?

Thanks again, Gene. Hope you and Carol are well and hanging in.

All best,

Ann

On Jan 21, 2021, at 9:39 PM, Block, Gene [REDACTED] wrote:

Dear Ann,
I learned through my special sources up in Eugene, Oregon that you have been appointed as Chief Counsel at NHTSA. My most sincere congratulations. I know you will add greatly to the quality of this governmental organization. I am still celebrating the regime change on Wednesday!
Best,
Gene

*Gene D. Block
UCLA Chancellor
Box 951405, 2147 Murphy Hall
Los Angeles, California 90095-1405
Phone: (310) 825-2151
Fax: (310) 206-6030*

From: Carlson, Ann
Sent: Thursday, January 21, 2021 10:30 PM PST
To: Block, Gene [REDACTED]
Subject: Re: Congratulations

Thank you so much! What a lovely message. I'm really excited, though can already tell it will be a very intense experience.

What a great day yesterday was, right?

Thanks again, Gene. Hope you and Carol are well and hanging in.

All best,

Ann

On Jan 21, 2021, at 9:39 PM, Block, Gene [REDACTED] wrote:

Dear Ann,

I learned through my special sources up in Eugene, Oregon that you have been appointed as Chief Counsel at NHTSA. My most sincere congratulations. I know you will add greatly to the quality of this governmental organization. I am still celebrating the regime change on Wednesday!

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Gene

*Gene D. Block
UCLA Chancellor
Box 951405, 2147 Murphy Hall
Los Angeles, California 90095-1405
Phone: (310) 825-2151
Fax: (310) 206-6030*

From: Carlson, Ann
Sent: Friday, February 05, 2021 10:12 PM PST
To: [REDACTED]
Subject: Re: Congratulations

Thanks, [REDACTED] Where are you these days?

On Feb 5, 2021, at 10:59 AM, [REDACTED] wrote:

Hi Professor Carlson,

Just wanted to say congratulations on your position as Chief Counsel at NHTSA! I'm honored to have taken Property Law with you.

Hope you and friends and family are doing well.

[REDACTED]

--

[REDACTED]
UCLA School of Law
[REDACTED]

From: carlson@law.ucla.edu <carlson@law.ucla.edu>

Sent: Friday, February 05, 2021 10:12 PM PST

To: [REDACTED]

Subject: Re: Congratulations

Thanks, [REDACTED] Where are you these days?

On Feb 5, 2021, at 10:59 AM, [REDACTED] wrote:

Hi Professor Carlson,

Just wanted to say congratulations on your position as Chief Counsel at NHTSA! I'm honored to have taken Property Law with you.

Hope you and friends and family are doing well.

[REDACTED]

--

[REDACTED]

UCLA School of Law

[REDACTED]

From: Carlson, Ann
Sent: Thursday, January 21, 2021 5:09 PM PST
To: Foldy, Ben <ben.foldy@wsj.com>
Subject: Re: Congratulations

Thank you, Ben. I'll look forward to a conversation once things have settled down a bit. My new contact information is ann.carlson@dot.gov

Best,

Ann

On Jan 21, 2021, at 1:44 PM, Foldy, Ben <ben.foldy@wsj.com> wrote:

Hi Ann,

My name's Ben Foldy and I'm a reporter at the Wall Street Journal, where I cover the auto industry with a particular focus on EVs and federal policy. Along with my colleague Tim Puko who covers the EPA, I've spearheaded most of the paper's coverage of CAFE/SAFE/CARB since I started at the paper in June '19, including breaking the Trump administration's investigation into the 4 OEMs that signed on with CARB.

I genuinely *love* covering NHTSA from both an environmental and safety policy perspective and would love to connect at your convenience to introduce myself and chat about your vision for the agency. Not looking to write a story or anything like that, just a completely on background, getting to know you kind of call.

I imagine you're very busy, so please reach out at your convenience. I'm at 313-330-4323 [oben.foldy@wsj.com](mailto:ben.foldy@wsj.com). I hope you and yours are healthy and well and look forward to connecting soon.

Many thanks,
Ben

--

Ben Foldy

Autos Reporter, The Wall Street Journal

He/his

Mobile/Signal/WhatsApp: +1-313-330-4323 (Use the Signal app for secure calls/texts)

E: ben.foldy@wsj.com T: @benfoldy P: ben.foldy@protonmail.com

From: carlson@law.ucla.edu <carlson@law.ucla.edu>
Sent: Wednesday, January 27, 2021 5:35 PM PST
To: Hewitt, Alison <ahewitt@stratcomm.ucla.edu>
Subject: Re: Congratulations on the appointment!

Thanks Alison,
That's so kind of you! I'd love a UCLA mug to take with me to DC. My address is [REDACTED].

Thanks so much.

Ann

On Jan 27, 2021, at 3:15 PM, Hewitt, Alison <ahewitt@stratcomm.ucla.edu> wrote:

Hi Ann,

I wanted to send my heartfelt congratulations to you on your appointment as chief counsel of NHTSA! I'm so disappointed that you won't still be at UCLA, but absolutely thrilled to know that we'll have someone so smart and good-hearted working at a national level. I'll sleep better at night knowing you're working on emissions policies from the top.

My office would like to send you a UCLA mug as a small token of congratulations and a reminder of how glad we were to have you here (and how glad we'll be if you come back). Would you mind sharing your address so we can send that to you?

Congratulations again.

Best,
Alison

Alison Hewitt
Senior Media Relations Officer
UCLA Strategic Communications | Office of Media Relations
ahewitt@stratcomm.ucla.edu
c 818-521-3175
she/her/hers

From: Carlson, Ann
Sent: Wednesday, January 27, 2021 5:35 PM PST
To: Mo, Angela (ENRD) <Angela.Mo@usdoj.gov>
Subject: Re: Congratulations on your new appointment

Thanks, Angela. Maybe we can get together when I finally move east.

On Jan 27, 2021, at 4:27 PM, Mo, Angela (ENRD) <Angela.Mo@usdoj.gov> wrote:

Dear Ann,

I just saw the good and exciting news about your new appointment at NHTSA. Congratulations and I hope it's a rewarding experience.

Also, a belated thank you for again extending an invitation to the last ELI annual dinner. Unfortunately I had a scheduling conflict, but I appreciate the invitation nonetheless.

All the best,
Angela

Angela Mo
Senior Counsel
Environmental Enforcement Section
U.S. Department of Justice
(202) 514-1707
Express mail: 4 Constitution Square, 150 M Street, N.E., Room 2.900, Washington, D.C. 20002
Regular mail: Ben Franklin Station, P.O. Box 7611, Washington, D.C. 20044-7611

From: carlson@law.ucla.edu <carlson@law.ucla.edu>
Sent: Wednesday, January 27, 2021 5:33 PM PST
To: Mo, Angela (ENRD) <Angela.Mo@usdoj.gov>
Subject: Re: Congratulations on your new appointment

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On Jan 27, 2021, at 4:27 PM, Mo, Angela (ENRD) <Angela.Mo@usdoj.gov> wrote:

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Express mail: 4 Constitution Square, 150 M Street, N.E., Room 2.900, Washington, D.C. 20002
Regular mail: Ben Franklin Station, P.O. Box 7611, Washington, D.C. 20044-7611

From: Mo, Angela (ENRD) <Angela.Mo@usdoj.gov>
Sent: Thursday, January 28, 2021 7:16 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: Congratulations on your new appointment

Definitely. Good luck with the move.

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Wednesday, January 27, 2021 8:36 PM
To: Mo, Angela (ENRD) <AMo@ENRD.USDOJ.GOV>
Subject: Re: Congratulations on your new appointment

Thanks, Angela. Maybe we can get together when I finally move east.

On Jan 27, 2021, at 4:27 PM, Mo, Angela (ENRD) <Angela.Mo@usdoj.gov> wrote:

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Express mail: 4 Constitution Square, 150 M Street, N.E., Room 2.900, Washington, D.C. 20002
Regular mail: Ben Franklin Station, P.O. Box 7611, Washington, D.C. 20044-7611

From: Carlson, Ann
Sent: Thursday, January 21, 2021 9:21 PM PST
To: Ruben Aronin <ruben@betterworldgroup.com>
Subject: Re: Congratulations on your NHTSA appointment

Thanks, Ruben. So nice of you to reach out.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Ruben Aronin <ruben@betterworldgroup.com>
Sent: Thursday, January 21, 2021 10:48 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Congratulations on your NHTSA appointment

Hi Ann,

Congratulations on your appointment as head legal counsel for NHTSA. That's so exciting and so fortuitous for aggressively moving forward on clean vehicle standards at last for a change.

All my best,

Ruben

PS. So glad to see Steve Cliff is heading there with you.

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:21 PM PST
To: Ruben Aronin <ruben@betterworldgroup.com>
Subject: Re: Congratulations on your NHTSA appointment

From: Ruben Aronin <ruben@betterworldgroup.com>
Sent: Thursday, January 21, 2021 10:48 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Congratulations on your NHTSA appointment

Hi Ann,

Congratulations on your appointment as head legal counsel for NHTSA. That's so exciting and so fortuitous for aggressively moving forward on clean vehicle standards at last for a change.

All my best,

Ruben

PS. So glad to see Steve Cliff is heading there with you.

From: Carlson, Ann
Sent: Friday, January 22, 2021 6:27 PM PST
To: Nicholas van Aelstyn <NvanAelstyn@sheppardmullin.com>
Subject: Re: Congratulations!

Thanks, Nick. I really appreciate the words of support.

On Jan 22, 2021, at 5:59 PM, Nicholas van Aelstyn <NvanAelstyn@sheppardmullin.com> wrote:

Hi Ann,

I just read that you've been nominated to serve as General Counsel to NHTSA. And that you'll be serving along with Steve Cliff from ARB. That's fantastic news! Both for our country and you. Congratulations! The only downside is that we'll lose a calm and cogent voice on IEMAC and Legal Planet. Best of luck to you!

Warm regards,

Nico

Nicholas W. van Aelstyn | Partner
+1 415-774-2970 | direct
+1 415-265-2495 | mobile

NvanAelstyn@sheppardmullin.com | [Bio](#)

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www.sheppardmullin.com | [LinkedIn](#) | [Twitter](#)

Attention: This message is sent by a law firm and may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete the message and any attachments.

From: carlson@law.ucla.edu <carlson@law.ucla.edu>

Sent: Friday, January 29, 2021 9:58 PM PST

To: Connie Kasari <kasari@gseis.ucla.edu>

Subject: Re: congratulations!

Thank you so much! It's going to be a very intense but exciting experience. Hope you're well!

On Jan 29, 2021, at 3:35 PM, Connie Kasari <kasari@gseis.ucla.edu> wrote:

Ann...

Seriously you are a rock star! Congrats on your new appointment in the Biden administration....and to think "I knew you when",.....

enjoy, hope you are surviving the crazy pandemic!

Best and Happy 2021 (new administration, new hope!)

Connie

Connie Kasari, PhD
Distinguished Professor
Human Development & Psychology
GSE&IS
Center for Autism Research & Treatment
Semel Institute
UCLA

kasari@gseis.ucla.edu

From: Carlson, Ann
Sent: Friday, January 29, 2021 9:58 PM PST
To: Connie Kasari <kasari@gseis.ucla.edu>
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Connie Kasari, PhD
Distinguished Professor
Human Development & Psychology
GSE&IS
Center for Autism Research & Treatment
Semel Institute
UCLA

kasari@gseis.ucla.edu

From: carlson@law.ucla.edu <carlson@law.ucla.edu>

Sent: Wednesday, January 27, 2021 6:59 PM PST

To: Ethan Elkind <elkind@berkeley.edu>

Subject: Re: Congratulations!

Thanks so much, Ethan! It is going to be a wild ride for sure. And yeah, bummed about Mary. But I'm impressed with a Biden Administration's commitment to climate. It really seems real. Take care and thanks again.

On Jan 21, 2021, at 12:03 PM, Ethan Elkind <elkind@berkeley.edu> wrote:

Hi Ann,

I just wanted to follow up with a separate note of congratulations -- it's a well-deserved honor, and we're very lucky to have you working on these crucial transportation issues at the federal level!

I'm still bummed that Mary got passed over at EPA for such unfortunate and unfair reasons, but this helps make up for it!

If I can do anything to help you in your new role, please don't hesitate to let me know.

Best,
Ethan

----- Forwarded Message -----

Subject: Congratulations!

Date: Thu, 21 Jan 2021 10:06:39 -0800

From: H. Jordan Diamond <jdiamond@law.berkeley.edu>

Reply-To: jdiamond@law.berkeley.edu

To: Carlson, Ann (carlson@law.ucla.edu) <carlson@law.ucla.edu>

CC: Daniel FARBER <dfarber@law.berkeley.edu>, Holly Doremus <hdoremus@law.berkeley.edu>, Ted Lamm <tlamm@law.berkeley.edu>, Ken Alex <ken.alex@berkeley.edu>, Eric Biber <ebiber@law.berkeley.edu>, Ethan Elkind <elkind@law.berkeley.edu>, Claudia Polsky <cpolsky@law.berkeley.edu>

Ann,

We just learned of your appointment as Chief Counsel of NHTSA, and simply wanted to send a note of heartfelt excitement and congratulations from all of your Berkeley E&E colleagues. We will miss having you "next door" but the administration is immensely lucky to get your expertise and dedication, and we can't wait to see the changes you drive.

Congratulations, Ann!

All the best,
Dan, Holly, Eric, Claudia, Ken, Ethan, Ted, and Jordan

H. Jordan Diamond (she/her/hers)
Executive Director, Center for Law, Energy & the Environment
School of Law, University of California, Berkeley
clee.berkeley.edu

From: Carlson, Ann
Sent: Friday, January 22, 2021 5:59 PM PST
To: Jonathan Rosenbloom <jrosenbloom@vermontlaw.edu>
Subject: Re: Congratulations!

Thank you, Jonathan. It'll be a wild ride for sure.

On Jan 22, 2021, at 5:29 AM, Jonathan Rosenbloom <jrosenbloom@vermontlaw.edu> wrote:

Good morning Ann,

Congratulations! I am so excited for you to take such an important role with the Biden Administration. What a wonderful opportunity in which you are going to shine. Give em' hell!

Good luck!
Jonathan

Jonathan Rosenbloom
Professor of Law, Vermont Law School
Executive Director, [Sustainable Development Code](#)
Office: 802-831-1215

[Remarkable Cities and the Fight Against Climate Change](#)

[Articles on SSRN](#)

From: Jonathan Rosenbloom
Sent: Friday, January 15, 2021 10:34 PM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: workshop invitation

Thanks again for this opportunity Ann,

I hope all is well with you. I'll miss you in the class, but it just means I'll have to invite myself back when you return and COVID is under control so I can enjoy the warm sun of LA in winter.

Take care and have a good weekend!
Jonathan

Jonathan Rosenbloom
Professor of Law, Vermont Law School
Executive Director, [Sustainable Development Code](#)
Office: 802.831.1215

[Remarkable Cities and the Fight Against Climate Change](#)

[Articles on SSRN](#)

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 14, 2021 1:36 PM
To: Jonathan Rosenbloom <jrosenbloom@vermontlaw.edu>
Cc: Boyd, William <BOYD@law.ucla.edu>
Subject: Re: workshop invitation

Great, Jonathan. Thank you! I do need to share some news with you -- it turns out that I'll be taking a leave this semester and William Boyd will be teaching in my place. All is well with me but my plans have changed. William has co-taught the class with me in a previous year. I've cc'd him here.

Here is the way the class typically works. You should plan to speak for only 10 minutes or so. The students will, of course, have read the paper and will have questions for you. For your remarks, you might want to (but need not) address the following:

- 1) how did you come to write about the topic?
- 2) what are you struggling with/could use additional help on?
- 3) how early or late in the project are you -- that can help students assess how open you are to major changes
- 4) who is your audience? Is your audience the general public, environmentalists, or whom?
- 5) how does this fit in with your other work (only if you think it'd help students situate the project.)

Many of the students have background in environmental policy or law but not all. They're a great group of students.

Half the students will have written reaction papers to your paper and William will send them to you before you speak to the students. It's a fun experience!

Thanks so much.

Best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Jonathan Rosenbloom <rosenbloom@vermontlaw.edu>

Sent: Thursday, January 14, 2021 10:30 AM

To: Carlson, Ann <carlson@law.ucla.edu>

Subject: RE: workshop invitation

Hi Ann,

I would be honored to join you all on February 11th! I'll circulate the paper in about two weeks. Just a heads up, it is not going to be pretty! That said, I have a few significant questions that I welcome thoughts on, as well as any other points the students may raise. In an earlier email you mentioned that you have some suggestions for me to set forth a few comments about the draft. I'll keep an eye out for those as well.

How long is ideal for the presentation? I'm really looking forward to the feedback, comments, and discussion.

Thanks for this opportunity!

Sincerely,
Jonathan

Jonathan Rosenbloom
Professor of Law, Vermont Law School
Executive Director, [Sustainable Development Code](#)
Office: 802.831.1215

[Remarkable Cities and the Fight Against Climate Change](#)
[Articles on SSRN](#)

From: Carlson, Ann <carlson@law.ucla.edu>

Sent: Thursday, January 14, 2021 12:22 PM

To: Jonathan Rosenbloom <rosenbloom@vermontlaw.edu>

Subject: Re: workshop invitation

So would Feb 11 work for you?

On Jan 14, 2021, at 8:04 AM, Carlson, Ann <carlson@law.ucla.edu> wrote:

Hi Jonathan - the class goes for an hour and a half. Most of that is in conversation with the students. The paper can be in a very early stage so long as there's enough there to engage the students.

On Jan 14, 2021, at 5:11 AM, Jonathan Rosenbloom <rosenbloom@vermontlaw.edu> wrote:

Good morning Ann,
I hope you too are doing well given the current state of US affairs.
Thanks for following up on this. When does the class conclude on Thursdays? And how developed should the paper be?
Sincerely,
Jonathan

Jonathan Rosenbloom
Professor of Law, Vermont Law School
Executive Director, Sustainable Development Code
Office: 802.831.1215

On Jan 12, 2021, at 8:01 PM, Carlson, Ann <carlson@law.ucla.edu> wrote:

Hi Jonathan,

Following up about the workshop this spring and including William Boyd, who will be part of the teaching team. As I mentioned previously, the course meets on several Thursdays at 6:00 pst (for the speaker). Any chance you can make it Feb 11? We will need the paper two weeks before that in order to circulate to students and have them write response papers. We can probably make other dates work if the 11th won't.

Thanks and I hope you're hanging in during the all the tumult.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Jonathan Rosenbloom <rosenbloom@vermontlaw.edu>
Sent: Tuesday, August 11, 2020 10:49 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: workshop invitation

Hi Ann,

That is fabulous! The paper will be in much better shape and I'll likely be able to engage on a deeper level. Thursdays will not be an issue in the Spring.

Thanks again for letting me participate. I'm really looking forward to it. When you have the spring date(s), please let me know.

Sincerely,
Jonathan

Jonathan Rosenbloom
Professor of Law, Vermont Law School
Executive Director, [Sustainable Development Code](#)
Office: 802-831-1215

New Book: [Remarkable Cities and the Fight Against Climate Change](#)

[Articles on SSRN](#)

From: Carlson, Ann [<mailto:carlson@law.ucla.edu>]
Sent: Tuesday, August 11, 2020 1:46 PM
To: Jonathan Rosenbloom <rosenbloom@vermontlaw.edu>
Subject: Re: workshop invitation

Hi Jonathan,

Turns out those dates are now booked. Two possibilities -- if you're ready, we can do an earlier time or if not, what about in the spring? no dates selected yet though the course will again be on a Thursday. There will be five or six dates to choose from. If possible, the course will be in person so it would involve travel but of course we have no idea yet what the future holds.

Let me know what you think. Thanks!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Jonathan Rosenbloom <rosenbloom@vermontlaw.edu>
Sent: Sunday, August 9, 2020 6:01 PM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: workshop invitation

Hi Ann,

Thanks for your willingness to work with me on this. How about slating me in for one of the later dates, preferably Nov. 12th or Oct 15, 29 (later better!). One more little, maybe big, obstacle, I teach twice on Thursdays 11:20am-12:35pm and 3:30pm-5pm (EDT). Does your class time conflict? I hope not and I'm really looking forward to it.

Sincerely,
Jonathan

Jonathan Rosenbloom
Professor of Law, Vermont Law School
Executive Director, [Sustainable Development Code](#)
Office: 802.831.1215

New Book: [Remarkable Cities and the Fight Against Climate Change](#)
[Articles on SSRN](#)

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Wednesday, August 5, 2020 1:47 PM
To: Jonathan Rosenbloom <jrosenbloom@vermontlaw.edu>
Subject: Re: workshop invitation

Hi Jonathan,

So sorry to be slow in responding. Yes, more time is fine (since I've already given it to you by my inaction!). Any update in your thinking? I'd love to have you share some of your work on planning/land use and environmental justice but the other articles sound good too.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Jonathan Rosenbloom <jrosenbloom@vermontlaw.edu>
Sent: Wednesday, July 29, 2020 6:56 PM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: workshop invitation

Hi Ann,
Wonderful to hear from you and similarly your Facebook posts are fantastic and it seems like you're enjoying the summer as much as we possibly can at this moment. Thanks so much for this invitation and I would love to participate. I suspect it would really help move my piece forward. Throughout the day I've been trying to think if I have a piece that fits the bill or, more conveniently, if the piece I'm working on would fit the class. And, unfortunately, I'm not sure it does. Can you give me a little bit more time to think about it? When do you need an answer?

The piece I'm working on is a local green infrastructure piece in the MS watershed and the ability of local governments to circumvent some state preemption around pesticide and fertilizer regulation. The piece I was going to work on after that takes a holistic look at local development and energy. But I'm not sure I can have something really useful for the class by October.

Anyhow, this is more information than you asked for. I look forward to hearing from you.

Sincerely,
Jonathan

Jonathan Rosenbloom
Professor of Law, Vermont Law School
Executive Director, Sustainable Development Code
Office: 802.831.1215

On Jul 29, 2020, at 12:56 PM, Carlson, Ann <carlson@law.ucla.edu> wrote:

Hi Jonathan,

Nice to see from FB that you and your family are enjoying Vermont.

So beautiful there. Hope you're hanging in during these crazy times. Looks like Vermont is at least in better shape than most other states.

I'm writing because I'm teaching a Climate and Energy workshop in the next academic year and I'm very much hoping you'd be willing to present a work in progress to my students via zoom. The workshop format involves submitting a draft to our students two weeks before you present; students then provide written responses to you a week prior to the workshop event. A week later, you then participate in a zoom session with students -- the idea is to have you set forth a few comments about the draft (I'll send you suggestions separately before you present) and then engage with the students, who will ask you questions and make comments on it. There will be about 16 students in the class. Normally, I'd have you come out in person but of course nothing is normal right now and at the rate we're going I don't think you want to fly into L.A. during the pandemic!

The course is taught over the entire academic year but we're looking to schedule our fall talks first. Any chance I could persuade you to come on any of the following dates?

Sept 17
October 1
Oct 15
Oct 29
Nov 12

If you're game, would you send us two or three dates that work for you and I'll accommodate one of them?

Thanks much! I'd love to have our students engage with your work.

Best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:22 PM PST
To: Emerson, Blake <Emerson@law.ucla.edu>
Subject: Re: congratulations!

Thanks, Blake, including for the offer! Hope you're well!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Emerson, Blake <Emerson@law.ucla.edu>
Sent: Thursday, January 21, 2021 10:40 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: congratulations!

Dear Ann,

Congratulations on your appointment as Chief Counsel of NHTSA. What a fitting honor and crucial role. If there are ever general administrative law questions that arise and you need a sounding board, please feel free to reach out.

All the best,
Blake

Blake Emerson
Assistant Professor of Law
UCLA School of Law
385 Charles E. Young Drive East, Room 2458
Los Angeles, CA 90095
Phone: (310) 825-4895
Email: emerson@law.ucla.edu

From: carlson@law.ucla.edu <carlson@law.ucla.edu>

Sent: Saturday, January 30, 2021 1:10 PM PST

To: Alexandra Klass <aklass@umn.edu>

Subject: Re: Congratulations!

Thanks, Alex! Kind of a crazy time but it's also exciting to be part of it. Hope you're well.

On Jan 30, 2021, at 11:29 AM, Alexandra Klass <aklass@umn.edu> wrote:

Dear Ann -- I am so excited about your position at NHTSA. What an accomplishment and so well deserved. I am looking forward to following your adventures and all the great things you will do (or at least try to do).

Best,

Alex

Alexandra B. Klass
Distinguished McKnight University Professor
University of Minnesota Law School
229-19th Avenue South
Minneapolis, MN 55455
aklass@umn.edu
612-625-0155
Bio: <https://www.law.umn.edu/profiles/alexandra-klass>

From: Carlson, Ann
Sent: Friday, January 22, 2021 6:08 AM PST
To: Denise Grab <dgrab@rmi.org>
Subject: Re: Congratulations!
Attachment(s): "image001.png", "image002.png"

Thank you, Denise!

On Jan 22, 2021, at 12:28 AM, Denise Grab <dgrab@rmi.org> wrote:

Hi Ann,
Congratulations on your appointment as NHTSA Chief Counsel! Our country is so lucky to have you bring your expertise and passion to this role. I genuinely can't think of a better person for the job and look forward to seeing what's next for NHTSA.

All best,
Denise

<image001.png>

Denise Grab
Manager, Carbon-Free Buildings Program
Pronouns: she/her/hers
Mobile +1 510.501.6380
1901 Harrison Street, Suite 200 | Oakland, CA | 94612
rmi.org | follow us

<image002.png>

Creating a clean, prosperous, and secure low-carbon energy future

From: Carlson, Ann
Sent: Wednesday, January 27, 2021 6:59 PM PST
To: Ethan Elkind <elkind@berkeley.edu>
Subject: Re: Congratulations!

Thanks so much, Ethan! It is going to be a wild ride for sure. And yeah, bummed about Mary. But I'm impressed with a Biden Administration's commitment to climate. It really seems real. Take care and thanks again.

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Hi Ann,

I just wanted to follow up with a separate note of congratulations -- it's a well-deserved honor, and we're very lucky to have you working on these crucial transportation issues at the federal level!

I'm still bummed that Mary got passed over at EPA for such unfortunate and unfair reasons, but this helps make up for it!

If I can do anything to help you in your new role, please don't hesitate to let me know.

Best,
Ethan

----- Forwarded Message -----

Subject: Congratulations!

Date: Thu, 21 Jan 2021 10:06:39 -0800

From: H. Jordan Diamond <jdiamond@law.berkeley.edu>

Reply-To: jdiamond@law.berkeley.edu

To: Carlson, Ann (carlson@law.ucla.edu) <carlson@law.ucla.edu>

CC: Daniel FARBER <dfarber@law.berkeley.edu>, Holly Doremus <hdoremus@law.berkeley.edu>, Ted Lamm <tlamm@law.berkeley.edu>, Ken Alex <ken.alex@berkeley.edu>, Eric Biber <ebiber@law.berkeley.edu>, Ethan Elkind <eelkind@law.berkeley.edu>, Claudia Polsky <cpolsky@law.berkeley.edu>

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Congratulations, Ann!

All the best,
Dan, Holly, Eric, Claudia, Ken, Ethan, Ted, and Jordan

H. Jordan Diamond (she/her/hers)
Executive Director, Center for Law, Energy & the Environment
School of Law, University of California, Berkeley
clee.berkeley.edu

From: carlson@law.ucla.edu <carlson@law.ucla.edu>

Sent: Monday, January 25, 2021 12:25 PM PST

To: Light, Sarah E <lightsa@wharton.upenn.edu>

Subject: Re: Congratulations!

Thank you, Sarah! It's gonna be a wild ride for sure.

On Jan 25, 2021, at 12:04 PM, Light, Sarah E <lightsa@wharton.upenn.edu> wrote:

Dear Ann --

Congratulations on your appointment at NHTSA! That is so terrific. Looking forward to your imprint on the agency.

Warmly,

Sarah

Sarah E. Light

Associate Professor of Legal Studies & Business Ethics

The Wharton School, University of Pennsylvania

<https://lgsst.wharton.upenn.edu/profile/lightsa/>

Faculty Co-Lead, Wharton Business, Climate, and Environment Lab

The Wharton Risk Center

<https://riskcenter.wharton.upenn.edu/business-climate-and-environment-lab/>

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>

Sent: Thursday, January 21, 2021 9:10 PM PST

To: Rechtschaffen, Cliff <Cliff.Rechtschaffen@cpuc.ca.gov>

Subject: Re: Congratulations!

Thanks, Cliff. Intense but exciting! Hope you're hanging in and enjoying the PUC. Great work to be doing.

Ann Carlson

Shirley Shapiro Professor of Environmental Law

Faculty Co-Director, Emmett Institute on Climate Change and the Environment

UCLA School of Law

(310) 206-9496

From: Rechtschaffen, Cliff <Cliff.Rechtschaffen@cpuc.ca.gov>

Sent: Thursday, January 21, 2021 4:20 PM

To: Carlson, Ann <carlson@law.ucla.edu>

Subject: Congratulations!

Hi Ann

Congrats on the NHTSA job—very very exciting! Lord knows we'll need a super knowledgeable & meticulous lawyer like you there to unwind the damage of the 4 years. Good luck & hope you enjoy it; you're there at a critically important juncture.

Best

Cliff

From: Carlson, Ann
Sent: Wednesday, January 27, 2021 6:01 PM PST
To: Jesse Lueders [REDACTED]
Subject: Re: Congratulations!

Thanks, Jesse. Very exciting. And intense! You must be thrilled with the changes at EPA.

Tell the region 9 alums thanks for me. And be well!

> On Jan 27, 2021, at 5:25 PM, Jesse Lueders [REDACTED] wrote:

>

> Hi Ann - I'm tremendously happy to hear about your appointment to NHTSA. Good for you, and great for the rest of us! You'll do some excellent work there.

>

> The other UCLA alums at EPA Region 9 share my enthusiasm—we've been emailing around today. Congratulations from all!

From: carlson@law.ucla.edu <carlson@law.ucla.edu>

Sent: Wednesday, January 27, 2021 6:01 PM PST

To: Jesse Lueders [REDACTED]

Subject: Re: Congratulations!

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From: Carlson, Ann
Sent: Monday, January 25, 2021 12:25 PM PST
To: Light, Sarah E <lightsa@wharton.upenn.edu>
Subject: Re: Congratulations!

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Warmly,
Sarah

Sarah E. Light
Associate Professor of Legal Studies & Business Ethics
The Wharton School, University of Pennsylvania
<https://lgst.wharton.upenn.edu/profile/lightsa/>

Faculty Co-Lead, Wharton Business, Climate, and Environment Lab
The Wharton Risk Center
<https://riskcenter.wharton.upenn.edu/business-climate-and-environment-lab/>

From: Carlson, Ann
Sent: Saturday, January 30, 2021 1:10 PM PST
To: Alexandra Klass <aklass@umn.edu>
Subject: Re: Congratulations!

Thanks, Alex! Kind of a crazy time but it's also exciting to be part of it. Hope you're well.

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Dear Ann -- I am so excited about your position at NHTSA. What an accomplishment and so well deserved. I am looking forward to following your adventures and all the great things you will do (or at least try to do).

Best,

Alex

Alexandra B. Klass
Distinguished McKnight University Professor
University of Minnesota Law School
229-19th Avenue South
Minneapolis, MN 55455
aklass@umn.edu
612-625-0155
Bio: <https://www.law.umn.edu/profiles/alexandra-klass>

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>

Sent: Thursday, January 21, 2021 9:19 PM PST

To: Richard Frank [REDACTED]

Subject: Re: Congratulations...

Thanks, Rick! will be a crazy time for sure.

Ann Carlson

Shirley Shapiro Professor of Environmental Law

Faculty Co-Director, Emmett Institute on Climate Change and the Environment

UCLA School of Law

(310) 206-9496

From: Richard Frank [REDACTED]

Sent: Thursday, January 21, 2021 12:42 PM

To: Carlson, Ann <carlson@law.ucla.edu>

Subject: Congratulations...

...on your new post in the Biden Administration!

Go do good and great things in D.C.

Rick

Sent from my iPad

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:20 PM PST
To: Ginsburg, David <GINSBURG@law.ucla.edu>
Subject: Re: Congratulations

Thanks, David! Hope you're well!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Ginsburg, David <GINSBURG@law.ucla.edu>
Sent: Thursday, January 21, 2021 12:29 PM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Congratulations

Very well done, Ann. I'm very excited for you, and the country.

All best,
David

DAVID R. GINSBURG (Retired)
Ziffren Center for Media, Entertainment, Technology and Sports Law
UCLA School of Law
385 Charles Young Drive East
Los Angeles, CA 90095
310 433-6366

From: Mnookin, Jennifer MNOOKIN@law.ucla.edu
Sent: January 21, 2021 8:48:10 AM
To: Mnookin, Jennifer MNOOKIN@law.ucla.edu
Subject: Ann Carlson

Dear Colleagues,

I am writing to let you know that Ann Carlson will be taking a leave from the law school to begin serving in the Biden-Harris Administration effective yesterday, January 20. President Biden has appointed Ann to serve as Chief Counsel of the National Highway Traffic Safety Administration. NHTSA has joint responsibility, together with EPA, for regulating greenhouse gases/fuel economy from the transportation sector, and she is part of the Biden-Harris "whole agency" approach to addressing climate change. She will remain in Los Angeles working remotely in the immediate term but will move to Washington, D.C. when the pandemic eases.

Although we will miss her very much, I admire Ann for her willingness to serve in the new Administration to address climate change. Her new position continues the work she has done for many years on the issue our new President calls "the number one threat to humanity." Please join me in congratulating Ann on her new appointment.

All best,

Jennifer

--
Jennifer L. Mnookin

Dean and Ralph and Shirley Shapiro Professor of Law
Co-Director, PULSE@UCLA Law
(310) 825-8202



From: Carlson, Ann
Sent: Sunday, January 24, 2021 5:29 PM PST
To: Eric Blau [REDACTED]
Subject: Re: congratulations

Thanks so much! Nice to hear from you. Almost exactly five years since our trip.

Hope you're both doing well under the circumstances....

> On Jan 24, 2021, at 4:28 PM, Eric Blau [REDACTED] wrote:

>

> Hi Ann,

>

> Our friend/neighbor Harry Litman alerted us to the great news---

>

> Congratulations on your new job with the NHTSA; seems we only write to acknowledge kudos for you!
Hope you and Pete B. can help make our transportation systems more efficient and environmentally friendly.

>

> Jullie Gollin

> Eric Blau

From: Eric Blau [REDACTED]
Sent: Sunday, January 24, 2021 7:53 PM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: congratulations

We are surviving COVID. Julie has been vaccinated as a front line healthcare worker dodging COVID. I've gone into semi-retirement and hardly work—when I do, it's remotely and thus have been in the last tier of healthcare workers to be vaccinated down here in beautiful San Diego. It's been a weird year: politically, medically, and socially, and I cannot wait for a return to some semblance of normalcy. Hopefully, you and the Biden administration will help usher that in. Maybe I'm just wishfully thinking, but I hope not.

How are you and Carl doing? Will you become a bicoastal couple, or?

Eric

> On Jan 24, 2021, at 5:29 PM, Carlson, Ann <carlson@law.ucla.edu> wrote:

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>

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>>

>> Jullie Gollin

>> Eric Blau

From: Horowitz, Cara <HOROWITZ@law.ucla.edu>
Sent: Tuesday, January 19, 2021 9:20 AM PST
To: Wang, Alex <alex.wang@law.ucla.edu>; Carlson, Ann <carlson@law.ucla.edu>
CC: Boyd, William <BOYD@law.ucla.edu>; Hecht, Sean <hecht@law.ucla.edu>; Stein, Julia <steinj@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>; James Salzman <salzman@bren.ucsb.edu>; Malloy, Timothy <malloy@law.ucla.edu>; Corbett, Charles <corbett@law.ucla.edu>
Subject: Re: DC Circuit Decision

I'm really thrilled! Adding Charlie to this thread because he was instrumental in pulling the brief together too. The decision is a lovely foundation for the Biden Administration's work to strengthen regulation in this sector.

Cara Horowitz
Andrew Sabin Family Foundation Co-Executive Director
Emmett Institute on Climate Change and the Environment
UCLA School of Law

From: Wang, Alex <alex.wang@law.ucla.edu>
Sent: Tuesday, January 19, 2021 8:45 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Cc: Boyd, William <BOYD@law.ucla.edu>; Horowitz, Cara <HOROWITZ@law.ucla.edu>; Hecht, Sean <hecht@law.ucla.edu>; Stein, Julia <steinj@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>; James Salzman <salzman@bren.ucsb.edu>; Malloy, Timothy <malloy@law.ucla.edu>
Subject: Re: DC Circuit Decision

Great! I'm reading the opinion now. Congrats to you all on your work. Good news.

Get [Outlook for iOS](#)

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Tuesday, January 19, 2021 8:43:05 AM
To: Wang, Alex <alex.wang@law.ucla.edu>
Cc: Boyd, William <BOYD@law.ucla.edu>; Horowitz, Cara <HOROWITZ@law.ucla.edu>; Hecht, Sean <hecht@law.ucla.edu>; Stein, Julia <steinj@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>; James Salzman <salzman@bren.ucsb.edu>; Malloy, Timothy <malloy@law.ucla.edu>
Subject: Re: DC Circuit Decision

Yes and the amicus brief we submitted for the grid experts is quoted more than once!

On Jan 19, 2021, at 8:42 AM, Wang, Alex <alex.wang@law.ucla.edu> wrote:

Assume you all have seen this. DC Circuit strikes down ACE rule.

[https://www.cadc.uscourts.gov/internet/opinions.nsf/6356486C5963F49185258662005677F6/\\$file/19-1140-1880546.pdf](https://www.cadc.uscourts.gov/internet/opinions.nsf/6356486C5963F49185258662005677F6/$file/19-1140-1880546.pdf)

Get [Outlook for iOS](#)
<19-1140-1880546.pdf>

From: carlson@law.ucla.edu <carlson@law.ucla.edu>

Sent: Wednesday, January 27, 2021 1:10 PM PST

To: Samantha Eley [REDACTED]

Subject: Re: DC

Hi Sam - I've been telling your parents for months that I have done a lot of work with UCS, including with Ken Kimmel, who is a graduate of UCLA law school. Such a great organization!

When I get to DC, let's definitely get together. I don't know yet when that will happen. I have a feeling it won't be for several months until the pandemic is under much better control. For now I'm working remotely. Ian is in DC working for a progressive communications firm, also doing a lot of work on environmental issues, especially transportation ones.

Great to hear from you!

> On Jan 27, 2021, at 12:49 PM, Samantha Eley [REDACTED] wrote:

>

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> Hi Ann,

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> I hope you're well! It was great to see all the Moors the other night! It was such a great way to honor MorMor and Lynn given our current restrictions. I wanted to congratulate you on your new job as NHTSA Chief Counsel! I had heard that Biden was putting people with environmental chops into key positions along with spreading climate change policy over all fed departments, so it's nice to see it's true.

>

> I'd love to grab a (socially distant) coffee with you once you're settled! Also, is Ian in DC? I thought I heard him say something about the inauguration over zoom. I've been in DC since 2017 and at my current job since late 2018. I'm at the Union of Concerned Scientists, a climate and energy NGO, doing legislative research, mostly around the food and agriculture space. I'm thinking about my next move and was hoping to get some advice from you.

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> Thank you, and congrats again!

>

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> Sam

From: carlson@law.ucla.edu <carlson@law.ucla.edu>

Sent: Thursday, January 28, 2021 2:23 PM PST

To: Benjamin F. Wilson <BWilson@bdlaw.com>

Subject: Re: ELI Presidential Search

Hi Ben - I've been meaning to write to thank you for your kind words of support for my NHTSA appointment . Also, I probably shouldn't be on this email since I had to resign from Eli's board. I hope you are well!

On Jan 28, 2021, at 2:03 PM, Benjamin F. Wilson <BWilson@bdlaw.com> wrote:

Dear All:

I write to each of you as Board members, but also to those of you who serve on our Presidential Search Committee, in particular, concerning our process for selecting Scott Fulton's successor. We all agree that Scott has done a stellar job as the President of ELI.

Now that Scott has made his decision to resign public, we are prepared to begin our search process for his successor in earnest. In that regard, as promised, I have reached out to our immediate past search consultant, Jamie Hechinger of Russell Reynolds. We will be speaking in the next week.

We are also identifying dates when members of our prior Search Committee can meet with members of our current Search Committee to share their insight.

Our current Search Committee members are:

Ann Carlson
Jim Colopy
Rachel Jacobson
Carrie Jenks
Rob Kirsch
Brad Marten
Katie Thompson

Those of you not on the Committee who may be interested are also welcome to join us. We are looking at the following dates/times:

Monday, February 22nd, any time between 12:00pm and 8:00pm;
Tuesday, February 23rd, any time between 5:00pm and 8:00pm;
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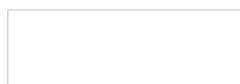
Recognizing we can never seize on a date/time that works for everyone, we will choose a date/time that works for most.

Thank you in advance for your work on behalf of and interest in ELI.

Sincerely,

Ben

Benjamin F. Wilson
Chairman



1900 N Street, NW, Suite 100 ~ Washington, DC 20036 ~ bdlaw.com
O +1.202.789.6023 ~ M +1.(202) 657-2534 ~ BWilson@bdlaw.com
>[vCard](#) >[Bio](#) >[LinkedIn](#)

***Note - Our DC office moved on December 19th. Our new address is 1900 N Street, NW, Suite 100, Washington, DC 20036.** Phone numbers and email addresses remain the same.

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From: Benjamin F. Wilson <BWilson@bdlaw.com>

Sent: Thursday, January 28, 2021 2:26 PM PST

To: Carlson, Ann <carlson@law.ucla.edu>

Subject: Re: ELI Presidential Search

Thanks Ann.

Wishing you all the and appreciative of your willingness to serve on this very special way.

Sincerely,

Ben

On Jan 28, 2021, at 5:23 PM, Carlson, Ann <carlson@law.ucla.edu> wrote:

Hi Ben - I've been meaning to write to thank you for your kind words of support for my NHTSA appointment . Also, I probably shouldn't be on this email since I had to resign from Eli's board. I hope you are well!

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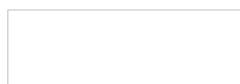
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From: Sonley, Jessica <sonley@law.ucla.edu>
Sent: Thursday, December 17, 2020 8:15 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: ELI Webinar - Participants List and GOL
Attachment(s): "GOL - Biden Administration & Climate.docx"

Hi Ann,

Please find the completed Grant of License attached.

Thanks!
Jessica

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, December 17, 2020 7:48 AM
To: Sonley, Jessica <sonley@law.ucla.edu>
Subject: Fwd: ELI Webinar - Participants List and GOL

Could you please fill out the licensing form for me? Thanks!

Begin forwarded message:

From: Chandler Randol <randol@eli.org>
Date: December 17, 2020 at 7:45:08 AM PST
To: Julia Olson <julia@ourchildrenstrust.org>, "John C. Cruden (JCruden@bdlaw.com)" <JCruden@bdlaw.com>, "Jacobson, Rachel" <Rachel.Jacobson@wilmerhale.com>, "Leopold, Matt" <MLEopold@hunton.com>, "Carlson, Ann" <carlson@law.ucla.edu>
Cc: Susan Carey <susan@ourchildrenstrust.org>
Subject: ELI Webinar - Participants List and GOL

Good morning,

I hope this finds you well! I so look forward to today's program. **As a reminder, please login to the webinar at 11:45 AM ET using a web-cam enabled computer.** I am including the RSVP list for this program as well as a grant of license.

GOL

Please review and sign the attached Grant of License and email it back to me when you have a chance. Electronic signature is fine.

Should you need anything before the webinar, you can reach me anytime on this email (randol@eli.org) or on my cell phone at [REDACTED]. We are so grateful to you for lending your expertise to this webinar. Thank you!

Sincerely,
Chandler

Chandler Randol
Manager of Educational Programs
Environmental Law Institute
1730 M Street NW, Suite 700
Washington, DC 20036
randol@eli.org | Tel: (202) 939-3836
<https://www.eli.org>

From: carlson@law.ucla.edu <carlson@law.ucla.edu>

Sent: Tuesday, January 26, 2021 9:19 PM PST

To: Murphy, Emily <murphyemily@uchastings.edu>

Subject: Re: Emmett Institute Fellowship applicant

Thanks so much, Emily. I have forwarded it to the folks are involved in the hiring. I'm really pretty much gone from UCLA for now and working remotely for NHTSA until I move to DC when they tell us it's time to do so.
Take care!

On Jan 26, 2021, at 2:49 PM, Murphy, Emily <murphyemily@uchastings.edu> wrote:

Dear Anne,

First, HUGE congratulations on your appointment AND THANKS for your service! We are all very lucky to have you – and really, our children are hopefully the true beneficiaries.

I just wanted to drop a quick note – not sure how involved you are in the fellowship selection process, especially given your new responsibilities, but I wanted to put in a very good word for Kristin Glover, my former student at Hastings and current clerk at the Alaska Supreme Court. Not only is she a ***very*** consistently good, creative, and unique thinker – she was the most consistently rigorous and thoughtful person in my behavioral science seminar, week after week, and with good clear writing too – she also developed a very unique research project. Hastings was lucky to keep her – she's a gem. Also a deeply interesting person, with law as her second career after documentary filmmaking. She's mature, extremely talented, and would absolutely make the most of the fellowship.

Good luck with the bicoastal life! And again, thank you. This gives me so much hope.

Best,
Emily

--

Emily R.D. Murphy, Ph.D., J.D. [she/her]
Associate Professor of Law
UC Hastings College of the Law
200 McAllister Street
San Francisco, CA 94131
[Schedule a meeting](#)

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Emily R.D. Murphy, Ph.D., J.D. [she/her]
Associate Professor of Law
UC Hastings College of the Law
200 McAllister Street
San Francisco, CA 94131
[Schedule a meeting](#)

From: Carlson, Ann
Sent: Wednesday, January 27, 2021 1:24 PM PST
To: Mark Gold [REDACTED]
Subject: Re: Finally some hope.

So you sent this right before I was sworn in as NHTSA Chief Counsel but before it was public and then I lost track of all the emails Iâ€™ve been getting. So thatâ€™s why Iâ€™m taking so long to get back to you. As you probably know I will be working with Steve Cliff, who will be the deputy administrator, although he hasnâ€™t started yet. After a week on the job it already seems fascinating and overwhelming. But Iâ€™m really excited to be doing the work. Hopeful that we can return to a normal work life sometime in the next few months but for now Iâ€™m working remotely. I agree with you about the grinding nature of it.

I loved having Jake in class and Iâ€™m sorry not to finish out the semester with him. Has anyone said he reminds them of you? ðŸ˜ƒðŸ˜ƒ

I hope youâ€™re hanging in. For the first time in a long time Iâ€™m starting to feel a little bit of optimism that the pandemic will actually end and that our country will get back on the right track, at least for a bit.

All best, Ann

> On Jan 20, 2021, at 3:54 PM, Mark Gold [REDACTED] wrote:
>
> i»;
> Ann - how are you doing? I hope all are well and safe.
>
> Are you helping out much with the Biden administration on climate?
>
> I am still so upset about the character assassination of Mary. So horrible. I hope EPA can still get turned around.
>
> The state job is fine. COVID world has made it a grind. Maybe things will turn around soon. I hope we can finally work with the Feds again. One of our own, Janea Scott, is now counselor for the Secretary of Interior - Deb Haaland.
>
> Talk to you soon.
>
> Mark

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To: Mark Gold [REDACTED]

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>

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>

> Mark

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Sent: Wednesday, January 27, 2021 2:27 PM PST

To: Mark Gold [REDACTED]

Subject: Re: Finally some hope.

I'll see what I can do about Alex but I've heard Gina's shop is full up. Does Alex have a resume I can send? Maybe EPA too.

The process of hiring was very strange. I've heard that once one agency got interested you were off-limits to others. NHTSA moved first and I had no way to see if EPA would've been interested. Super fast turn around too.

I think it's important that NHTSA has climate people - they never have before. And so far it's fascinating. And a wild ride

On Jan 27, 2021, at 1:57 PM, Mark Gold [REDACTED] wrote:

He hates sports!!
But is also a smart ass.

Thanks for serving during this critical time. We need you there. Frankly, I'd rather you were the AA on air at USEPA, but good to have you on transportation.

As an fyi - Alex Hall would like to do the same thing as a climate need minion working for Gina McCarthy. He is willing to take a leave as well.

If you have any ideas on making that happen, let me know. I did get a good friend to forward a package to Gina directly.

Good luck. Great climate announcements today. EOs are the new legislation!!

Mark

On Wed, Jan 27, 2021, 1:24 PM Carlson, Ann <carlson@law.ucla.edu> wrote:

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I hope you're hanging in. For the first time in a long time I'm starting to feel a little bit of optimism that the pandemic will actually end and that our country will get back on the right track, at least for a bit.

All best, Ann

> On Jan 20, 2021, at 3:54 PM, Mark Gold [REDACTED] wrote:

>

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> Ann - how are you doing? I hope all are well and safe.

>

> Are you helping out much with the Biden administration on climate?

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> Talk to you soon.

>

> Mark

From: Mark Gold [REDACTED]
Sent: Wednesday, January 27, 2021 1:56 PM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: Finally some hope.

He hates sports!!
But is also a smart ass.

Thanks for serving during this critical time. We need you there. Frankly, I'd rather you were the AA on air at USEPA, but good to have you on transportation.

As an fyi - Alex Hall would like to do the same thing as a climate need minion working for Gina McCarthy. He is willing to take a leave as well.

If you have any ideas on making that happen, let me know. I did get a good friend to forward a package to Gina directly.

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> Talk to you soon.

>

> Mark

From: Mark Gold [REDACTED]
Sent: Friday, January 29, 2021 4:07 PM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: Finally some hope.

Everything was sent to Gina.

I dont know what else Alex would be interested on. I will forward you his package.

Thanks.

And good luck!!!

On Wed, Jan 27, 2021, 2:27 PM Carlson, Ann <carlson@law.ucla.edu> wrote:

I'll see what I can do about Alex but I've heard Gina's shop is full up. Does Alex have a resume I can send? Maybe EPA too.

The process of hiring was very strange. I've heard that once one agency got interested you were off-limits to others. NHTSA moved first and I had no way to see if EPA would've been interested. Super fast turn around too.

I think it's important that NHTSA has climate people - they never have before. And so far it's fascinating. And a wild ride

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> Talk to you soon.

>

> Mark

From: Warren, James <WARRENJ@law.ucla.edu>
Sent: Wednesday, January 20, 2021 1:53 PM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: form

Thanks Ann!

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Wednesday, January 20, 2021 1:46 PM
To: Warren, James <WARRENJ@law.ucla.edu>
Subject: Re: form

ok I've filled in the form. Thanks!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Warren, James <WARRENJ@law.ucla.edu>
Sent: Wednesday, January 20, 2021 11:22 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: form

Hi Ann,

So what's most needed I think is the 'prior approval', which should apparently come up as part of adding a new outside activity to the year. There should be a walkthrough here: <https://info.ucoats.org/pages/faculty-adding-025>

It sounds like the VCAP will want this online step complete before signing off, so let me know if this does the trick, or if any other speed bumps.

Sorry as ever for the bureaucracy!

Best,
James

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Tuesday, January 19, 2021 5:32 PM
To: Warren, James <WARRENJ@law.ucla.edu>
Subject: Re: form

Hi James,

Not quite sure what form I am supposed to fill out. When I sign onto the website I get the outside activity report screen. Is that what I'm supposed to be filling out?

On Jan 19, 2021, at 4:20 PM, Warren, James <WARRENJ@law.ucla.edu> wrote:

Thanks Ann,

I think I follow – there's a limit on the federal side? I'll send this to Jennifer and go from there.

In the meantime, APO has also asked if you can file a prior approval request in OATS:<https://ucla.ucoats.org/>. I think for now it should just be for the same period as this form: 1/20/21 through 6/30/21. Let me know if any technical difficulties on this front.

Thanks much!
James

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Tuesday, January 19, 2021 4:15 PM
To: Warren, James <WARRENJ@law.ucla.edu>
Subject: Re: form

I can't make any more money than what they're paying me. Yes, a big cut. \$150k is annual.

Thanks for trying though!

Ann Carlson
Shirley Shapiro Professor of Environmental Law

Faculty Co-Director, Emmett Institute on Climate Change and the Environment
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From: Warren, James <WARRENJ@law.ucla.edu>
Sent: Tuesday, January 19, 2021 4:13 PM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: form

Thanks Ann,

I can plug in the amount. Not to complicate the case but is the 150K an annual rate? There may be space in policy for this to be a partial leave with pay if the government would be paying you less than your current annual base salary (352,000). It would I think require some additional levels of approval (possibly up to UCOP), but we could look into it if it does seem like there'd be a stark difference in pay.

Parallel to that though, I think we will have to suspend your admin stipend for the duration of the leave, and probably summer money too.

FYI I also just took off one signature in section C which actually is just for sabbatical leaves. Let me know if any other questions!

Best,
James

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Tuesday, January 19, 2021 3:57 PM
To: Warren, James <WARRENJ@law.ucla.edu>
Subject: form

Here's the signed form. The salary will be \$150,000. Can you add it to the form so I don't screw it up? is that everything you need?

Ann Carlson
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From: Warren, James <WARRENJ@law.ucla.edu>
Sent: Tuesday, January 19, 2021 1:40 PM
To: Carlson, Ann <carlson@law.ucla.edu>
Cc: Parr, Tracey <PARR@law.ucla.edu>
Subject: RE: Me

Thanks Ann,

APO confirms we should just set up through June 30 for now and extend as necessary. If you can email me the completed form we'll get Jennifer's sign-off and forward to APO for approval.

Thanks!
James

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Tuesday, January 19, 2021 11:39 AM
To: Warren, James <WARRENJ@law.ucla.edu>
Cc: Parr, Tracey <PARR@law.ucla.edu>
Subject: Re: Me

Happy to do whatever is easiest. Thanks!

Ann Carlson
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From: Warren, James <WARRENJ@law.ucla.edu>
Sent: Tuesday, January 19, 2021 11:38 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Cc: Parr, Tracey <PARR@law.ucla.edu>
Subject: RE: Me

Hi Ann,

We can ask for that stretch and see, though I vaguely recall some preference from the center for setting these up on the AY calendars. Presuming it's okay with you I can check with the director there (Erika Chau) and see which approach is cleaner, two years up front or year by year.

Best,
James

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Tuesday, January 19, 2021 11:30 AM
To: Warren, James <WARRENJ@law.ucla.edu>
Cc: Parr, Tracey <PARR@law.ucla.edu>
Subject: Re: Me

It's definitely extended -- my guess is two years? Does it make sense to extend for two years?

Ann Carlson
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From: Warren, James <WARRENJ@law.ucla.edu>
Sent: Tuesday, January 19, 2021 10:55 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Cc: Parr, Tracey <PARR@law.ucla.edu>
Subject: RE: Me

Presuming it's an extended leave we could conceivably set through the end of this AY (June 30) and work from there. I've set the attached form as such.

APO might also ask us the amount of compensation from the feds. If you happen to know you can just add to the second part of section A in the attached.

If that all sounds good you can finish with an e-signature at the bottom and we'll forward to Jennifer and then APO for approval. In an ideal world we can get the leave in by tomorrow sometime just to get ahead of pay compute for this month. Not a huge issue if we don't, but the sooner we can get everything set up the more likely it will be that Path can adjust your January earnings accordingly and avoid any overpayment.

Let me know if anything else!
James

-----Original Message-----

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Tuesday, January 19, 2021 10:32 AM
To: Warren, James <WARRENJ@law.ucla.edu>
Cc: Parr, Tracey <PARR@law.ucla.edu>
Subject: Re: Me

I don't know how long the leave will be. Is that ok? And thank you!

> On Jan 19, 2021, at 10:23 AM, Warren, James <WARRENJ@law.ucla.edu> wrote:

>

> Hi Ann,

>

> Wow, congrats! We'll get a leave form together. Do you know how long the leave is likely to last? Health benefits should continue through January.

>

> Best,

> James

>

> -----Original Message-----

> **From:** Carlson, Ann <carlson@law.ucla.edu>
> **Sent:** Monday, January 18, 2021 4:06 PM
> **To:** Warren, James <WARRENJ@law.ucla.edu>
> **Cc:** Parr, Tracey <PARR@law.ucla.edu>
> **Subject:** Me

>

> So, you are probably aware that my life has taken a mysterious turn and I'm ready to update you on it and get the appropriate paperwork in motion. I have been appointed by the Biden administration to serve as the chief counsel for the National Highway Traffic Safety Administration. The agency is in charge of climate standards for cars and trucks, which is why they have recruited me for the position. The job starts Wednesday, believe it or not. I was just offered a job yesterday although this has been in the works for a few weeks.

>

> So, I will be taking a leave from UCLA and need to get the appropriate paperwork in motion. I will also need to carry my UCLA health insurance through the end of January since I won't get onto federal benefits until then. Thank you! Let me know what else I need to do.

>

> I will begin to send emails to people tomorrow and Wednesday letting them know about my new position so if you could keep this somewhat under wraps I would appreciate it.

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>

Sent: Thursday, September 24, 2020 9:03 AM PDT

To: Dan McGraw <dan@carbon-pulse.com>

Subject: Re: Ginsburg/SCOTUS question

Hi Dan,

What's your timing?

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
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(310) 206-9496

From: Dan McGraw <dan@carbon-pulse.com>

Sent: Tuesday, September 22, 2020 10:03 AM

To: Carlson, Ann <carlson@law.ucla.edu>

Subject: Ginsburg/SCOTUS question

Hey Ann,

I sent a similar email to Danny Cullenward, but I figured your UCLA position and work with IEMAC might give you a different view on these questions.

In the wake of last week's depressing news (Ginsburg's death), I figure I should ask about any potential ramifications from a new Supreme Court justice. I realize that there is quite a bit of speculation involved in this, mainly the Senate confirms a new justice this year and Trump wins re-election in November. However, these seemed like the three biggest California/RGGI-related issues.

- Mass v. EPA – Could a Trump administration and conservative majority SCOTUS relitigate this case? If this happens, what are the potential long-term impacts?
 - I am guessing the biggest concern is a future court saying the Clean Air Act does not give the EPA the authority to regulate GHG emissions, potentially limiting a future Democrat president from utilizing the CCA to impose federal climate regulations. Obviously, a Democrat trifecta would allow for a legislative option.
- Fuel economy waiver -- Does a conservative majority increase the chances that a court could side with the Trump administration?
 - In the long term, I realize that a second term for Trump would likely doom the chances of an extension, but I imagine there is more uncertainty about the current waiver.
- ETS linkage lawsuit – Because of the novel arguments here, does a conservative majority in the Supreme Court raise any further concern about the linkage viewed as a violation under the treaty/compact clauses or Foreign Affairs Doctrine?

It probably goes without saying that a Biden administration wouldn't advance the latter two.

Any other issues that you foresee?

Dan McGraw
Head of Americas
Carbon Pulse
817-253-1689

From: Boyd, William <BOYD@law.ucla.edu>
Sent: Saturday, September 26, 2020 10:33 AM PDT
To: Carlson, Ann <carlson@law.ucla.edu>; Horowitz, Cara <HOROWITZ@law.ucla.edu>; Wang, Alex <alex.wang@law.ucla.edu>
Subject: Re: Good Hit Piece on Carbon Pricing by Mildenerger and Stokes

I agree. Leah Stokes does like to be provocative and this seems like yet another cheap shot leveled at California climate policy (at least in part). I also think the great lesson from California climate policy is the lesson of redundancy – a portfolio of overlapping policies that sometimes work at cross purposes but keep moving the state forward toward its long term goals, with C&T as the backstop. There is actually a refreshing amount of humility in the way California has approached this – throw a bunch of policies out there and see what works - and keep iterating as you go. But aside from a great article on complementary policies some years back (can't remember who wrote it?), the attention always seem to focus on C&T.

That said, I also think that those who argue – and there are plenty of fancy people still making this argument – that carbon pricing should be the foundation or the centerpiece of climate policy going forward are missing the big picture. And this is where I agree with part of the Boston Review piece. Given where we are with the climate emergency, we now need a whole lot more than carbon pricing – and my fear is that we will spend the first year of the Biden administration debating a new federal C&T bill or some kind of carbon tax w/o having the political bandwidth at all the rest. I think Congress could pass an aggressive federal Clean E standard soon after the new year (its is clean and simple and hard to load with pork) and then start to focus on all the infrastructure needs. A carbon tax does look like a great source of revenue to support that. But I am worried that the business community and some of the Rs may try to force this back into a discussion of carbon pricing as the one big federal intervention we need – which then goes round and round and likely does not get us anywhere close to where we need to be.

From: "Carlson, Ann" <carlson@law.ucla.edu>
Date: Saturday, September 26, 2020 at 10:58 AM
To: "Horowitz, Cara" <HOROWITZ@law.ucla.edu>, "Wang, Alex" <alex.wang@law.ucla.edu>, "Boyd, William" <BOYD@law.ucla.edu>
Subject: Re: Good Hit Piece on Carbon Pricing by Mildenerger and Stokes

So I don't think there's anything new in the Boston Review piece and I think it elides a lot of what is difficult about the issues. The critique of California strikes me as particularly odd -- the main reason carbon prices have remained low is because we don't have an unfettered carbon market. Instead, we have a host of complementary policies that pre-determine a large percentage of how carbon reductions will occur. There may be good reasons for the policies, like the RPS and car standards, but they do weaken carbon prices (and frankly probably make compliance significantly more expensive). Going forward, the cap and trade program is expected to do a lot more work and prices are predicted to rise, though the pandemic has upended some assumptions.

It's also the case that there seems to be no appetite for backing away from cap and trade. There are efforts to strengthen it and to address some issues about excess allowances but these are designed to improve the program, not do away with it.

One more point about the Boston piece. It criticizes cap and trade for raising electricity prices but says nothing about the fact that any ghg policy - including the standards the authors advocate -- are likely to do the same.

I don't mean to sound like such an apologist for cap and trade. But this critique does not offer much new and is -- IMHO -- pretty sloppy.

FWIW.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Horowitz, Cara <HOROWITZ@law.ucla.edu>
Sent: Friday, September 25, 2020 6:04 PM
To: Wang, Alex <alex.wang@law.ucla.edu>; Boyd, William <BOYD@law.ucla.edu>; Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: Good Hit Piece on Carbon Pricing by Mildenerger and Stokes

Yes, let's definitely chat, Alex. My sense is that a skeptical approach may be at odds with the orientation of the Aimee/Fan crew, and that there's a way to walk that line if we want to--but we should figure out if we do. Maybe the upcoming webinar provides an opportunity to do a test run.

William, I'm happy to close every one of my Fridays with an email from you about the end of the world.☐ Perfect lead-in to my Friday evening beverage.

I think you can/should write up your paragraph below as a quick blog post, once we circulate our LP schedule!

From: Wang, Alex <alex.wang@law.ucla.edu>

Sent: Friday, September 25, 2020 5:12 PM

To: Boyd, William <BOYD@law.ucla.edu>; Carlson, Ann <carlson@law.ucla.edu>; Horowitz, Cara <HOROWITZ@law.ucla.edu>

Subject: Re: Good Hit Piece on Carbon Pricing by Mildenberger and Stokes

Thanks for this.

Ann, how do you view your work on the committee in relation to these critiques?

Cara, worth chatting about how much time we give to a carbon pricing and China project. My attitude going into this was that of a trading skeptic and wanting to examine what both China and California are doing from a critical perspective.

From: "Boyd, William" <BOYD@law.ucla.edu>

Date: Friday, September 25, 2020 at 4:09 PM

To: Alex Wang <alex.wang@law.ucla.edu>, "Carlson, Ann" <carlson@law.ucla.edu>, "Horowitz, Cara" <HOROWITZ@law.ucla.edu>

Subject: Re: Good Hit Piece on Carbon Pricing by Mildenberger and Stokes

I am trying to go after the impoverished theory of government that stands behind and sustains the 30+ years of enthusiasm for market-based approaches. Its not just about the economists – but more about how and why we have come to see all of this thru the lens of the instrument choice debate and why we need a more reflexive and critical understanding of policy instruments. The paper still has a long ways to go – and I would love any comments/feedback you care to offer.

As for forest offsets, I am not a huge fan of offsets of any kind – including forest offsets – and have tried to say as much multiple times since 2010, including on Legal Planet. But I do think that as land and forests turn out to be the hardest and most important part of the climate change challenge, we need to be ruthlessly pragmatic and use whatever tools we possibly can to channel funding to people and governments to stop clearing and burning right now. If the Amazon passes a ~25% deforestation tipping point (and we appear to be quite close now) it will start to cascade. Once the drying starts, it is very hard to reverse and the forest can no longer sustain itself with moisture/rain - then the burning really kicks in which leads to more drying and we lose it all. It is as close to a true climate emergency as anything out there. And yet everyone wants to fight about whether there is permanence of leakage or additionality and loves to point out how squishy this all is and suggest that we need to be prioritizing the energy sector. What we should be doing is throwing hundreds of billions at forest protection globally right now – straight up public finance – ODA whatever. But given the political impossibility of that and the fact that we are in a situation of triage and tragic choices, we have to take the world as we find it and work with what's out there. If offsets were available to protect tropical forests, I could get behind that for purely pragmatic reasons. But the bottom line is that we have spent more than a decade trying to make that work (at multiple levels) and nothing has happened at scale. Which is why the vast majority of the work we do at the GCF has nothing to do with offsets. California's TFS is all well and good – and we all got brain damage trying to get it over the line. But it still does not actually create any economic opportunity for any tropical forest jurisdiction. And no one in any tropical forest government that I know ever thought this would somehow solve the problem – but maybe – one day – it could make a meaningful difference in more than a handful of states. But you gotta keep trying and keep pushing on everything – b/c you never know what might stick. And if people on the front lines lose hope and throw in the towel we are truly fucked.

On the broader critique of carbon pricing as inadequate – I feel like David Victor and other mainstream analysts have been making this point for several years now – echoing leftist critiques that have been out there for a long time. Now the piling on has begun.

From: "Wang, Alex" <alex.wang@law.ucla.edu>

Date: Friday, September 25, 2020 at 3:40 PM

To: "Boyd, William" <BOYD@law.ucla.edu>, "Carlson, Ann" <carlson@law.ucla.edu>, "Horowitz, Cara" <HOROWITZ@law.ucla.edu>

Subject: Re: Good Hit Piece on Carbon Pricing by Mildenberger and Stokes

I knew this might smoke out your draft. Curious as to how you view this argument in relation to your work on forest offsets. I'm guessing you're attacking the dreamy idealism of economists and not the revenue generating potential of trading.

Get [Outlook for iOS](#)

From: Boyd, William <BOYD@law.ucla.edu>

Sent: Friday, September 25, 2020 2:19:34 PM

To: Wang, Alex <alex.wang@law.ucla.edu>; Carlson, Ann <carlson@law.ucla.edu>; Horowitz, Cara <HOROWITZ@law.ucla.edu>

Subject: Re: Good Hit Piece on Carbon Pricing by Mildenberger and Stokes

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CC: Horowitz, Cara <HOROWITZ@law.ucla.edu>; Wang, Alex <alex.wang@law.ucla.edu>
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FWIW.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
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Perfect lead-in to my Friday evening beverage.

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On the broader critique of carbon pricing as inadequate – I feel like David Victor and other mainstream analysts have been making this point for several years now – echoing leftist critiques that have been out there for a long time. Now the piling on has begun.

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Correct. As is the Select Committee report. And if they get rid of the filibuster then there is a lot more potential. But i also think Biden is posturing for the progressive left – and in the end will likely listen to the mainstream folks who are still focused on carbon pricing. I hope i am wrong. It does look like the progressives are trying to make sure the transition does not end up with a bunch of neoliberals and oil and gas people. Let us hope we have the opportunity complain about a Biden administration.

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From: Carlson, Ann
Sent: Friday, January 22, 2021 5:56 PM PST
To: Reynolds, Joel <jreynolds@nrdc.org>
CC: LA Office <LAOffice@nrdc.org>
Subject: Re: Great news!

Thanks, Joel. It will be a wild ride for sure!

On Jan 22, 2021, at 9:45 AM, Reynolds, Joel <jreynolds@nrdc.org> wrote:

Hi Ann – I am so pleased to learn that you will join the Biden Admin as General Counsel at NHTSA. This is great for you and great for the country (not to mention the entire planet). If at any point NRDC can help you succeed in making the most out of this opportunity, please don't hesitate to reach out. I wld be happy to connect you with the best experts NRDC has to offer.

Thanks for taking this on!

Warm regards,

Joel

Joel Reynolds
Western Director
Senior Attorney
Natural Resources Defense Council
NRDC Action Fund
1314 Second Street
Santa Monica, CA 90401
(310) 434-2300
(310) 434-2399 (fax)

From: Barbour, Deanna (NHTSA) <Deanna.Barbour@dot.gov>

Sent: Wednesday, January 27, 2021 7:27 AM PST

To: Carlson, Ann <carlson@law.ucla.edu>

Subject: RE: headshot from Ann Carlson

Good Morning Ann
Happy Wednesday!

Thank you so much for the head shot. Yes, This will work.

Again, congratulations on your new position and welcome aboard. If you have any questions, feel free to let me know.

Thanks

Deanna Barbour

Office of Communications

NHTSA/DOT

202-366-2691 office

202-422-7619 cell

Deanna.barbour@dot.gov

From: Carlson, Ann [mailto:carlson@law.ucla.edu]

Sent: Monday, January 25, 2021 9:35 AM

To: Barbour, Deanna (NHTSA) <Deanna.Barbour@dot.gov>

Subject: headshot from Ann Carlson

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Deanna,

Here is a high res head shot of me. Hope it works! Sending from my old email since that was the easiest way to get access to the photo.

All best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Carlson, Ann
Sent: Thursday, December 17, 2020 7:38 AM PST
To: Phil Barnett [REDACTED]
Subject: Re: How a Biden Administration Could Fight Climate Change Without the Senate
11 my time?

On Dec 17, 2020, at 5:04 AM, Phil Barnett [REDACTED] wrote:

Hi Ann -- I'd be happy to talk and have a lot of availability today, so just let me know a good time for you.

Phil

On Thu, Dec 17, 2020 at 12:45 AM Carlson, Ann <carlson@law.ucla.edu> wrote:

Hi Phil -

Would love to chat for a few minutes tomorrow if you have a chance? I got a call tonight from the transition people so am trying to figure out what that means and what, if anything, to do to follow up.

Thanks!

On Nov 13, 2020, at 2:50 PM, Phil Barnett [REDACTED] wrote:

Hi Ann — That's great news! You would be absolutely terrific. I am trying to follow these developments closely and keep looking for opportunities to be helpful.

Phil

On Fri, Nov 13, 2020 at 5:38 PM Carlson, Ann <carlson@law.ucla.edu> wrote:

Hi Phil,

Just wanted to let you know that I decided to respond favorably to the transition team email asking about my interest in an appointment in the administration. I'm especially interested in the AA for Air position and really appreciate that you recommended me.

Not sure what else, if anything, I should do at this point. Mary is aware of my interest as is Molly McUsic, who is on the Interior policy transition team (I think she submitted my name earlier as well, though not sure if for any particular position). If you have ideas, would love to chat.

Thanks again! Hope you're hanging in. January 20 can't come fast enough!

Ann Carlson
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Faculty Co-Director, Emmett Institute on Climate Change and the Environment
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(310) 206-9496

From: Phil Barnett [REDACTED]
Sent: Saturday, October 31, 2020 10:06 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: How a Biden Administration Could Fight Climate Change Without the Senate

Congrats on the book! That's terrific news.

Fyi ... Some weeks ago, I was asked to make recommendations for AA for Air. You were on my very short list.

Phil

On Sat, Oct 31, 2020 at 12:55 PM Carlson, Ann <carlson@law.ucla.edu> wrote:

I thought of you when I saw that he quoted me on Section 115!

Please let Tuesday go well □□□□□□□□□□

On a nice note, UC Press bought my book for their trade division and gave me a nice advance

(by UC Press standards). One more chapter to write!

Hope you're hanging in. And that we can check in later in the week.

On Oct 31, 2020, at 9:47 AM, Phil Barnett [REDACTED] wrote:

Hi Ann — I saw your nice quotes. If Tuesday goes well, we should find a time to talk so I can give you an update on some recent positive developments.

I hope you are staying safe and sane.

Phil

How a Biden Administration Could Fight Climate Change Without the Senate

<https://www.gizmodo.com.au/2020/10/how-a-biden-administration-could-fight-climate-change-without-the-senate/>

(via [Instapaper](#))

Somewhere between a dream and nightmare is this scenario for Jan. 20, 2021: Joe Biden becomes president, while the Senate remains in Republican control.

The latest election polls (I know, I know) at FiveThirtyEight give Biden an [89% chance](#) of winning the White House and Democrats a [76% chance](#) of gaining a slim majority in the Senate. Not slam dunks, especially given that Republicans are going all-in on voter suppression.

To state the obvious: Given everything we know about President Donald Trump, it's a safe bet he would have zero interest in signing any climate legislation put on his desk if Democrats take the Senate but he somehow wins a second term. But if the inverse outcome occurs, with Biden winning the White House but Democrats failing to scoop up the Senate, then what happens?

□

[The Key to Passing Good Climate Policy Is Having Real People in U.S. Congress](#)

Earlier this week, Rep. Alexandria Ocasio-Cortez featured Taco Mix, objectively the best taco spot in Spanish Harlem, on her Instagram. I tell you this to a) convince you to go there if you are ever in the area, and b) because it speaks to the value of representatives who are...

[Read more](#)

Signs point to a sort of purgatory for climate policy in that case. Senate Majority Leader Mitch McConnell calls himself the "grim reaper," and the odds of any climate policy making it to the floor are slim. The [conservative Supreme Court](#) also poses a huge hurdle for a potential Biden administration. But just because death incarnate could rule over the Senate and conservative zealots run the Supreme Court doesn't mean there aren't avenues for Biden to manoeuvre and, if not quite get to climate policy heaven, at least keep the world a few heartbeats away from climate hell.

"Biden really needs the Senate to pass massive investment measures," Mark Paul, an economist at the New College of Florida, said. "That said, there's a tremendous amount Biden can do with a split Senate and hostile court."

The most obvious steps Biden can take are putting a halt to the Trump rollbacks of environmental protections and rejoining the Paris Agreement, two things he has said he will do. Good, but those are the barest of minimums. Creating new climate regulations and rules is another obvious avenue, though the new conservative Supreme Court and a judiciary chock-full of Trump judges could be a gauntlet to get through. That's not to say the gauntlet isn't worth running, though.

In fact, if there's one thing Biden could do, it's try everything. As we've seen with the Trump administration, flooding the zone can pay dividends and keep the

opposition on defence. Inverting the Trump approach, which has focused on overwhelming the nation with misinformation and policies designed to benefit large corporations at the expense of the planet, Biden could bombard the nation with sound climate policies designed to help people and explain how and why they're being implemented. Ann Carlson, a law professor at the University of California, Los Angeles, pointed to [section 115](#) of the Clean Air Act, which "seems to be tailor-made for addressing greenhouse gas emissions."

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Sent: Wednesday, December 16, 2020 9:45 PM PST
To: Phil Barnett [REDACTED]
Subject: Re: How a Biden Administration Could Fight Climate Change Without the Senate

Hi Phil -

Would love to chat for a few minutes tomorrow if you have a chance? I got a call tonight from the transition people so am trying to figure out what that means and what, if anything, to do to follow up.

Thanks!

On Nov 13, 2020, at 2:50 PM, Phil Barnett [REDACTED] wrote:

Hi Ann — That's great news! You would be absolutely terrific. I am trying to follow these developments closely and keep looking for opportunities to be helpful.

Phil

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Sent: Thursday, December 17, 2020 5:04 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: How a Biden Administration Could Fight Climate Change Without the Senate

Hi Ann -- I'd be happy to talk and have a lot of availability today, so just let me know a good time for you.

Phil

On Thu, Dec 17, 2020 at 12:45 AM Carlson, Ann <carlson@law.ucla.edu> wrote:

Hi Phil -

Would love to chat for a few minutes tomorrow if you have a chance? I got a call tonight from the transition people so am trying to figure out what that means and what, if anything, to do to follow up.

Thanks!

On Nov 13, 2020, at 2:50 PM, Phil Barnett [REDACTED] wrote:

Hi Ann — That's great news! You would be absolutely terrific. I am trying to follow these developments closely and keep looking for opportunities to be helpful.

Phil

On Fri, Nov 13, 2020 at 5:38 PM Carlson, Ann <carlson@law.ucla.edu> wrote:

Hi Phil,

Just wanted to let you know that I decided to respond favorably to the transition team email asking about my interest in an appointment in the administration. I'm especially interested in the AA for Air position and really appreciate that you recommended me.

Not sure what else, if anything, I should do at this point. Mary is aware of my interest as is Molly McUSIC, who is on the Interior policy transition team (I think she submitted my name earlier as well, though not sure if for any particular position). If you have ideas, would love to chat.

Thanks again! Hope you're hanging in. January 20 can't come fast enough!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Phil Barnett [REDACTED]
Sent: Saturday, October 31, 2020 10:06 AM
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Subject: Re: How a Biden Administration Could Fight Climate Change Without the Senate

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Sent: Saturday, October 31, 2020 10:45 AM PDT
To: Phil Barnett [REDACTED]
Subject: Re: How a Biden Administration Could Fight Climate Change Without the Senate

Thank you! Can't imagine they'd pick me but I very much appreciate your support.

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Faculty Co-Director, Emmett Institute on Climate Change and the Environment
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From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>

Sent: Thursday, January 21, 2021 9:09 PM PST

To: Michael Burger <mburger@law.columbia.edu>

Subject: Re: I guess this means no more panels together for a while!

Thanks, Mike! Our paths will still surely cross though. It's gonna be a wild ride.

Ann Carlson

Shirley Shapiro Professor of Environmental Law

Faculty Co-Director, Emmett Institute on Climate Change and the Environment

UCLA School of Law

(310) 206-9496

From: Michael Burger <mburger@law.columbia.edu>

Sent: Thursday, January 21, 2021 7:03 PM

To: Carlson, Ann <carlson@law.ucla.edu>

Subject: I guess this means no more panels together for a while!

Congrats, Ann! Can't imagine a better person to lead the legal team at NHTSA.

Mike

From: Carlson, Ann
Sent: Saturday, February 06, 2021 6:05 PM PST
To: Doug Peterson [REDACTED]
Subject: Re: I value your insights

A couple of my colleagues at UCLA are also good sources of information on the llaws around all of this. So if you have questions in the future you could try Cara Horowitz or Sean Hecht. Their contact information is on the web.

Take care and say hello to Laura.

On Feb 6, 2021, at 1:33 PM, Doug Peterson [REDACTED] wrote:

Hi Ann,

Thank you for getting back to me. I understand completely. I think that it might be awkward to talk "as friends", off the record so to speak. I have reached out to the CARB folks who are designated to deal with the media, and they are helping me with many of my burning curiosities. The ZEV mandate regulations are hard to get your head around, but I am slogging through it, and I don't really need extraordinary legal insight to do what I do. I will surely continue to follow your fine blog. I am very optimistic as Biden takes over. His initial moves on climate change seem extraordinary, in keeping with the severity of the climate crisis. I hope that you are getting personal satisfaction with your new role. I think Robin said that you will be helping the NHTSA. They are lucky to have you. I adore Secretary Pete for many reasons and think that his skills will be put to good use heading up the Department of Transportation. Perhaps we will have a chance to meet again under better circumstances than Ken's memorial service at UCLA. I am a better person for having loved and been loved by that wonderful man, and I think you probably feel the same way. Let's do our part in our own capacities serving the cause we are both committed to in our own way. I wish you well. Be of good cheer.

Doug

On Saturday, February 6, 2021, 12:44:03 PM PST, Carlson, Ann <carlson@law.ucla.edu> wrote:

Hi Doug, nice to meet you via email. I am a huge fan of the Karst family and had the pleasure of working with Ken for a good part of my career. I'm happy to talk as friends, but not in my official capacity nor in yours. I can't otherwise talk. You pose some excellent questions.

Let me know what you think.

On Feb 2, 2021, at 12:26 PM, Doug Peterson [REDACTED] wrote:

Hello Ann,

My name is Doug Peterson, and I am Laura Karst's husband and a great friend of Leslie Karst and Robin McDuff. I am very concerned about climate change, and I write a column advocating for electric vehicles that appears every other Sunday in the San Jose Mercury News and the Eat Bay Times. The column is titled Green Rides, and I write under the name Peter Douglas. If you were to Google "green rides peter douglas", you would get to see the kinds of things that I write about. I review new EVs when they hit the market, if I approve of them, and also write slightly opinionated pieces about issues related to electric vehicles and climate change. My thoughts tend to be fairly forgiving to the auto industry, as they appear in an advertising "Drive Section" and I have to be cautious not to offend the paper's clients.

Robin McDuff and I exchange thoughts about climate change, and she encouraged me to consult your website and reach out to you. I am sure that you must be extremely busy, so I am a little reluctant. You know a great deal about things that I am intensely curious about, not as a journalist, but as an individual. I have already read many of your essays that have posted on your website, and learned an enormous amount already from you. I had a few very specific questions that I will be so bold as to put in writing here, all of which I hope could be answered briefly. I would love to have the opportunity to pick your brain in the future as well, but I'll count on you to be candid with me if this might seem like a burden. Anyway, here are a few burning questions that you might help me with.

When the Trump administration came to an end, there was a lot of litigation involving his obstructive EPA, including the important matter of California's waiver to set its own emission standard for light duty vehicles. What becomes of all that litigation now that the bum is finally gone? What is the easiest way for me to find out about how this legal stuff stands, from here at my desktop?

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Anyway, thank you in advance. Know that I am not trying to get a scoop or anything. Just curious. I hope that you are doing well in the age of Covid, and I look forward to hearing from you.

Doug



From: carlson@law.ucla.edu <carlson@law.ucla.edu>

Sent: Saturday, February 06, 2021 6:05 PM PST

To: Doug Peterson [REDACTED]

Subject: Re: I value your insights

A couple of my colleagues at UCLA are also good sources of information on the llaws around all of this. So if you have questions in the future you could try Cara Horowitz or Sean Hecht. Their contact information is on the web.

Take care and say hello to Laura.

On Feb 6, 2021, at 1:33 PM, Doug Peterson [REDACTED] wrote:

Hi Ann,

Thank you for getting back to me. I understand completely. I think that it might be awkward to talk "as friends", off the record so to speak. I have reached out to the CARB folks who are designated to deal with the media, and they are helping me with many of my burning curiosities. The ZEV mandate regulations are hard to get your head around, but I am slogging through it, and I don't really need extraordinary legal insight to do what I do. I will surely continue to follow your fine blog. I am very optimistic as Biden takes over. His initial moves on climate change seem extraordinary, in keeping with the severity of the climate crisis. I hope that you are getting personal satisfaction with your new role. I think Robin said that you will be helping the NHTSA. They are lucky to have you. I adore Secretary Pete for many reasons and think that his skills will be put to good use heading up the Department of Transportation. Perhaps we will have a chance to meet again under better circumstances than Ken's memorial service at UCLA. I am a better person for having loved and been loved by that wonderful man, and I think you probably feel the same way. Let's do our part in our own capacities serving the cause we are both committed to in our own way. I wish you well. Be of good cheer.

Doug

On Saturday, February 6, 2021, 12:44:03 PM PST, Carlson, Ann <carlson@law.ucla.edu> wrote:

Hi Doug, nice to meet you via email. I am a huge fan of the Karst family and had the pleasure of working with Ken for a good part of my career. I'm happy to talk as friends, but not in my official capacity nor in yours. I can't otherwise talk. You pose some excellent questions.

Let me know what you think.

On Feb 2, 2021, at 12:26 PM, Doug Peterson [REDACTED] wrote:

Hello Ann,

My name is Doug Peterson, and I am Laura Karst's husband and a great friend of Leslie Karst and Robin McDuff. I am very concerned about climate change, and I write a column advocating for electric vehicles that appears every other Sunday in the San Jose Mercury News and the Eat Bay Times. The column is titled Green Rides, and I write under the name Peter Douglas. If you were to Google "green rides peter douglas", you would get to see the kinds of things that I write about. I review new EVs when they hit the market, if I approve of them, and also write slightly opinionated pieces about issues related to electric vehicles and climate change. My thoughts tend to be fairly forgiving to the auto industry, as they appear in an advertising "Drive Section" and I have to be cautious not to offend the paper's clients.

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Doug

[REDACTED]

From: [REDACTED]
Sent: Wednesday, January 27, 2021 9:30 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: ILSA Environmental Law Symposium

Ms. Carlson,

I completely understand. I am honored to even speak to you and hope the best for you working in the Administration. Good luck to you as well!

Best,

[REDACTED]
Juris Doctor Candidate 2021 | [REDACTED]
University of California, Los Angeles (UCLA) | [REDACTED]

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Tuesday, January 26, 2021 11:25 PM
To: [REDACTED]
Subject: Re: ILSA Environmental Law Symposium

NSU Security WARNING: This is an external email. Do not click links or open attachments unless you recognize the sender and know that the content is safe.

Thanks for the invitation But I'm afraid I have to decline. I'm on leave from UCLA Working in the Biden administration. Good luck!

On Jan 26, 2021, at 8:02 PM, [REDACTED] wrote:

Dear Professor Carlson,

I hope you are staying safe and doing well. My name is [REDACTED], current [REDACTED] of the *ILSA Journal of International & Comparative Law* at [REDACTED]. I am forever a proud Bruin, receiving my bachelor's degree from UCLA in [REDACTED].

The ILSA Journal will be hosting a virtual Symposium event on **Friday, March 19, 2020**—with a panel of speakers discussing the **current challenges in international and U.S. state environmental law, climate change law and policy, etc.** If interested, we can discuss the specifics at your earliest convenience.

After reading your biography and information on UCLA Law's website, I thought you would be the perfect person to speak—as one of our most esteemed panelists—at the ILSA Symposium. If you are available to do so on Friday, March 19, 2020, we would be more than grateful and honored to have you! I look forward to hearing from you soon.

Best,

[REDACTED]
Juris Doctor Candidate 2021 | [REDACTED]
University of California, Los Angeles (UCLA) | Class of [REDACTED]

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Sent: Tuesday, January 26, 2021 8:25 PM PST
To: [REDACTED]
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Juris Doctor Candidate 2021 | [REDACTED]
University of California, Los Angeles (UCLA) | Class of [REDACTED]
[REDACTED]

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[REDACTED]

[REDACTED]

Juris Doctor Candidate 2021 | [REDACTED]

University of California, Los Angeles (UCLA) | Class of [REDACTED]

[REDACTED]

From: Carlson, Ann
Sent: Thursday, February 04, 2021 7:56 PM PST
To: shen lin [REDACTED]
Subject: Re: Invitation - 2021 online course teaching opportunity

Thank you for the invite but I am on leave from UCLA, serving as a lawyer in the Biden administration. So I'm afraid I can't commit to do this. Thank you!

On Feb 4, 2021, at 7:43 PM, shen lin [REDACTED] wrote:

Dear Prof. Carlson,

My name is Lin with the Communication & Outreach Department of Harbour Education. I am writing this email to invite you to be a guest lecturer during the **Summer of 2021** for an online teaching course.

1. A Brief Introduction to Our Company: Harbour Education was founded in 2015 and now is working with Communication University of China (CUC). With the aim of providing an immersive learning environment & platform for Chinese elite students, we have successful experience in the past 5 years to partner with professors from Ivy League universities as well as top scholars from different areas across the globe for our students to connect the world and also widen their international horizons. Based on your strong profile, we believe that you are the perfect educator for our program and this could be a great opportunity for our students to get inspired. Ultimately, we believe your efforts could help them achieve their goals of exposing to international related courses and pursuing further study in the near future.

2. Online Program in Summer: At present, we are in the process of working in a creative teaching system for Chinese students with a combination of professor tutorial and TA class, which aims at providing professional and advanced educational resources for our students. Our students are from top Chinese universities and high schools who are well-educated. Thus, almost all of them have a good command of English and are eager to learn.

Here is the detailed schedule of our program:

Duration	July to August (Summer)
Online Teaching Hours	Summer term 1: 12 hours in total, 7.10(warm up), 7.14(lecture 1), 7.18(lecture 2), 7.22(lecture 3), 7.26(lecture 4), 7.30(lecture 5), 8.8(final Presentation) Summer term 2: 12 hours in total, 7.28(warm up), 8.1(lecture 1), 8.5(lecture 2), 8.9(lecture 3), 8.13(lecture 4), 8.17(lecture 5), 8.24(final Presentation)
Class Honorarium	300 USD per hour, 500 USD bonus when student number exceeds 6. Each course will have up to 15 students which means you can get $300 \times 12 + (15 - 6) \times 500 = 8100$ USD maximally
TA	Provide basic guidance on research paper writing, and preview and review before/after the class online.

It would be a great honor for us to work with you, and the students will be thrilled to get the opportunity to learn from scholars like you. Hope you could consider this opportunity to explore what it is like to teach intercultural.

Please let me know if you have any questions. Looking forward to hearing from you.

Best Regards,

Lin Shen
Staff | Department of Communication and Outreach
Tel: +86 137-1850-8365
Address: A-817-818, Galaxy SOHO, Dongcheng District, Beijing, China

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Tel: +86 137-1850-8365
Address: A-817-818, Galaxy SOHO, Dongcheng District, Beijing, China

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Saturday, January 23, 2021 10:14 AM PST
To: Caitlin McCarthy <mccarthy@eli.org>
Subject: Re: Invitation - WBC 2021

Hi Caitlin,

Given my new role at NHTSA, I'm afraid I'm not going to be able to attend.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Caitlin McCarthy <mccarthy@eli.org>
Sent: Tuesday, January 19, 2021 1:45 PM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Invitation - WBC 2021

Dear Ann,

On behalf of the [Environmental Law Institute](#), it is my pleasure to invite you to provide opening remarks at the virtual ELI ELI & Western Boot Camp networking reception in conjunction with the [16th Western Boot Camp on Environmental Law](#) (WBC) taking place this March.

This year's Western Boot Camp is logistically a bit different – we will be conducting it entirely by webinar in order to help keep faculty, participants, and staff healthy, and the 3 days will be spread out to a 1 day per week to keep engagement levels high – but the content will be the same robust offering as always!

The Emerging Leaders Initiative (ELI ELI) is an outstanding group of leading environmental law and policy professionals in their first decade of practice. The group is comprised of folks nominated by the Board, Leadership Council, and staff members of ELI, as well as former participants of Eastern and Western Boot Camp. We have been especially grateful for your leadership and nominations to this group over the last few years!

This virtual networking reception will bring together those in ELI ELI with Western Boot Camp participants (and ELI ELI candidates for next year's cohort). We are confident participants and those in ELI ELI (and me too!) would relish hearing from you and any wisdom you want to impart to the largely early-career participants.

Session Title: ELI ELI & WBC Virtual Networking Reception
Date: Tuesday, March 23, 2021
Time: **5:00 PM – 5:15 PM PT** (15 min.) You are of course welcome to join the virtual networking with participants which will begin after your remarks and go until 5:45 PM
Location: Remo

A draft agenda is attached for your review, and I have included the following overview for your convenience.

We are anticipating WBC to be attended by about 85-100 attorneys and environmental professionals from law firms, businesses, government, and non-profit organizations. Participants are seeking an intensive exploration of the practice of environmental law:

- For **new attorneys**, including environmental attorneys, Boot Camp helps them translate their law school knowledge into law practice in all areas of environmental law, including emerging developments in law and regulation.
- For **mid-career attorneys**, who may be transitioning into environmental law, the in-depth training helps them expand their practice and stay current as application of the law evolves.

Because WBC's audience is increasingly sophisticated, with new attorneys tending to know more than previous graduates and the increasing participation of seasoned attorneys, we are asking WBC faculty to:

- Develop curricula to be largely **practice-based** and **interactive** (e.g., provide a brief overview of the statute/topic and devote the core of the presentation cases, deals, permit issues, and practice concerns).
- Know that participants can be expected to **know the basics**, as we will encourage them to view ELI's [Summer School Series](#) which lays out the basics of environmental law, before attending WBC.

Please let me know by Monday, January 25 if you are able to join us. Please feel free to ask me any questions you may have as you decide. We are so appreciative of your contributions as to ELI ELI and we would be honored to have you lend your leadership to this networking reception. Thank you for considering this invitation, and we so look forward to hearing from you!

Thank you,
Caitlin

Caitlin F. McCarthy
Director of Education, Associates and Corporate Partnerships
Environmental Law Institute

mccarthy@eli.org | www.eli.org | *Contact for remote phone number*

[***LATEST POST: Clear Corona Skies: Air Quality in the United States During a Global Pandemic***](#)

If you're not an ELI member, you should be!

Go [HERE](#) to learn more and/or sign up!



From: Carlson, Ann
Sent: Friday, January 22, 2021 6:03 PM PST
To: Daniel Sperling <dsperling@ucdavis.edu>
Subject: Re: January 21 -- Greenwire is ready

Thanks so much, Dan. I'm always amazed that we've never actually met since I've known of you and your great work for so many years. It will be a wild ride for sure.

Take care and thanks again.

On Jan 21, 2021, at 9:29 PM, Daniel Sperling <dsperling@ucdavis.edu> wrote:

Ann

I've never had the pleasure of meeting you, but have seen you quoted far and wide and heard many compliments about you (including from many journalists). In any case, I'm delighted to hear of your appointment to NHTSA. I know Steve Cliff well, and former acting director David Friedman was my former student, and of course I've been painfully aware of NHTSA's role on CAFÉ, so all in all I'm happy for you, California, and the country.

Good luck and good wishes
Dan

From: E&E News <ealerts@eenews.net>
Sent: Thursday, January 21, 2021 10:49 AM
To: Daniel Sperling <dsperling@ucdavis.edu>
Subject: January 21 -- Greenwire is read

[Read today's Greenwire on the web](#)

Greenwire

AN E&E NEWS PUBLICATION

UC Davis now has subscription access to E&E Daily, EnergyWire, ClimateWire, Greenwire, and E&ENews PM! The best way to track environment and energy policy issues.

Here are your personal access codes:

Username: dsperling@ucdavis.edu
Password: eenews

GREENWIRE — Thu., January 21, 2021

[READ FULL EDITION](#)

1. WHITE HOUSE:
Biden signals 'new direction' on regulations
President Biden last night signaled he would take a bold approach to federal regulations — giving some hope to the progressive wing of his party.

TOP STORIES

2. DOE:
Trump team burrows loyalists in cushy jobs abroad

3. CHEMICALS:
Biden could use TSCA to meet environmental justice goals

4. WHITE HOUSE:
Biden review targets 'secret science,' cost-benefit rules

TRUMP EXIT

5. INTERVIEW:

EPA water chief hoped for 'mild disappointment' on WOTUS

6. INTERVIEW:

Deputy touts EPA's 'cost-effective' regs, cleanups

POLITICS

7. WHITE HOUSE:

Biden ethics rules take aim at 'shadow lobbying'

8. LOBBYING:

U.S. Chamber, API announce support of methane regs

CONGRESS

9. NOMINATIONS:

Committee schedules Granholm confirmation hearing

NATURAL RESOURCES

10. PANDEMIC:

What Biden's mask mandate means for national parks

11. NATIONAL MONUMENTS:

Utah officials accuse Biden admin of 'review in name only'

12. INTERIOR:

Tribes stand to gain more legal muscle

13. AGRICULTURE:

Tomato research looks to ancient varieties to fight disease

14. MARINE MAMMALS:

Gray whale population drops by a quarter off West Coast

15. ENDANGERED SPECIES:

N.M. zoo sends wolf pack to Mexico in conservation effort

LAW

16. PEOPLE:

Architect of legal fights against Trump rollbacks joins EPA

17. BIOFUELS:

Appeals court temporarily blocks EPA waivers

18. WILDLIFE:

'Monkey Whisperer,' Fla. man charged in illegal trade

19. MINING:

Former safety director in Ky. pleads guilty to tampering

FEDERAL AGENCIES

20. INTERIOR:

BLM site scrubs Pendley, highlights conservation 'mission'

21. PEOPLE:

Biden taps climate experts for DOT, eyes clean car rules

22. ENERGY POLICY:

Biden hands FERC gavel to Richard Glick

ENERGY

23. OIL AND GAS:

Interior imposes 60-day leasing-and-permitting moratorium

STATES

24. WEST VIRGINIA:

Governor appoints new environmental secretary

25. CALIFORNIA:

Winds easing after sparking fires, power outages

26. ILLINOIS:

East St. Louis cleanup highlights environmental racism

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WHO: U.S. Secretary of Transportation Elaine L. Chao
EPA Administrator Andrew Wheeler
NHTSA Acting Administrator James Owens
Anne Idsal, Principal Deputy Assistant Administrator, Office of Air and Radiation, EPA

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WHEN: Tuesday, March 31, 2020
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- EPA's weak technical bases will make the rule easier to challenge in court.
- California is a critical piece of the puzzle. The state has a separate **agreement** with four automakers (representing ~30% of the auto market), who have committed to more stringent standards. After EPA revoked California's Clean Air Act waiver in Sept. 2019, California and 20+ states promptly sued. The legal challenge is ongoing and unlikely to resolve this year.
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Full post below. Please let me know if you'd like to speak with Stein or any of our faculty about these issues. Ann Carlson [wrote last week](#) about the anticipated roll back.

Daniel

C: 310 408 9417

Still Not SAFE

The Trump administration moves ahead with plans to roll back Obama-era fuel economy standards.

Julia Stein | March 27, 2020

LINK: <https://legal-planet.org/2020/03/28/still-not-safe/>

After months of delay, the Trump administration has **reportedly** chosen this coming week—in the middle of a nationwide crisis due to the COVID-19 pandemic—to finally release the second part of its two-part rollback of Obama-era automotive fuel economy standards. This isn't the only environmental rollback action the administration is planning to take during the coming weeks. Like the other planned regulatory rollbacks, Part 2 of the SAFE Rule will have serious consequences for the environment, public health, and even consumers' pocketbooks.

The SAFE Saga

Before diving into the contents of SAFE Part 2, the long and convoluted rollback process deserves a brief recap. The saga began way back in 2018, when the Trump administration's EPA and NHTSA jointly released a draft of the SAFE Rule that would have frozen federal fuel economy standards at 2020 levels through 2026, while simultaneously revoking California's waiver to set its own tailpipe emissions standards and zero-emission vehicle mandate. That initial rulemaking proposal stood on very [shaky ground](#), both legally and technically: EPA has no statutory authority to revoke an already-granted waiver, and technical analyses of the rule showed the assumptions driving the administration's claims of cheaper and safer cars were significantly flawed.

As the agencies went back to the drawing board after [receiving](#) over half a million comments on the proposed rule, House Democrats, now in the majority following the 2018 midterms, organized Congressional [hearings](#) questioning the wisdom of the rollback. Representatives of the automotive industry, the State of California, and consumer advocacy groups all agreed: The proposed rollback was flawed and should be revisited. Yet the administration continued to refuse to negotiate with California, which, anticipating the administration's action, entered into a [deal](#) with four major automakers (comprising about one-third of the U.S. auto market) in which the automakers agreed they would recognize California's regulatory authority and comply with a set of standards that were slightly less stringent than the Obama-era standards, but still far more stringent than the proposed rollback.

By the end of the summer of 2019, it was widely rumored that the administration planned to bifurcate the original rule—likely due to the incredibly weak technical arguments for a fuel economy freeze—and move forward with waiver revocation in advance of rolling back the federal fuel economy standards. In September 2019, the administration [did just that](#), revoking California's waiver for the first time in the history of the federal Clean Air Act. Styling the waiver revocation as "Part 1" of the final SAFE Rule, the administration promised that a rollback of the Obama-era fuel economy standards was forthcoming. The administration began hinting that the rollback would not be a full freeze of the standards as initially proposed, but instead would reduce the requirements for year-over-year improvement in fuel economy. Meanwhile, over 20 states promptly [sued](#) to challenge Part 1 of the rule; the Part 1 announcement also formed [rifts](#) within the automotive industry, as the four automakers who had agreed to the California deal notably extricated themselves from trade association actions supporting Part 1. Legal challenges to Part 1 are ongoing and are unlikely to resolve this year.

That brings us to today...about 18 months after the release of the original proposed rule. Whew!

The Not-So-Magic 1.5

An advance draft of Part 2 obtained by House Democrats appears to confirm what the Wall Street Journal [reported](#) last year: The administration will be proposing annual fuel economy improvements of 1.5% per year. This stands in sharp contrast to the Obama-era standards' required annual improvements (which fell in the 4-5% range)—and comes at a [huge cost](#) to the public. Technical analyses of Part 2's proposed fuel efficiency requirements don't fare much better than the original rule did. Instead, the numbers show that while the sticker price of cars may drop in the short-term, as with the full freeze, long-term fuel consumption costs to consumers will outweigh those short-lived benefits. And that doesn't even take into account the significant public health cost of the rule, as deaths and hospitalizations rise due to increased emissions, or the rule's disastrous consequences for climate change.

To add insult to injury, despite the administration's claims of industry hardship in meeting Obama-era standards, some automakers are already [outperforming](#) the Obama-era standards. And the 1.5% requirement even falls short of what industry would achieve absent any regulation at all—an estimated 2% annual improvement in fuel efficiency. In essence, SAFE Part 2 is as good as no rule at all. It is also woefully inadequate to promote electric vehicles as a meaningful percentage of automakers' overall fleets, and we know from experience in California that regulatory action is both necessary and successful in spurring on wider public acceptance of this technology.

As Ann has [written](#), the good news is that the weak technical bases for Part 2 will make the rule easier to challenge in court. Because the administration is seeking to roll back earlier agency action, the Administrative Procedure Act requires a justification of the change in course. The administration will have to engage in some fancy footwork to dodge the solid administrative record from the Obama-era rulemaking, analyses that demonstrate the continued viability of those standards, and more recent assessments showing serious flaws in the Part 2 proposal.

And what about that California deal with the four automakers? Let's call it a meaningful middle ground. That deal requires annual fuel economy increases of 3.7%, far more than Part 2 requires and not too far off from Obama-era requirements. Up to 1% of that annual increase requirement can be offset with electric vehicle credits, which promotes EV use but could result in less fuel-efficient cars throughout auto fleets. A Consumer Reports [assessment](#) of the deal against a federal fuel economy standard setting a 1.5% annual increase shows that consumers are better off with the California deal, even if only the four currently-committed automakers, rather than the entire industry, participate. That being said, the Obama-era standards are still best for consumers: This analysis shows a net loss to consumers of at least \$100 billion relative to the Obama-era standards.

What's Next?

As with Part 1 of the rule, Part 2 is likely to draw swift legal challenges—which will not resolve before the 2020 election. And Part 2's release may create an even more defined line in the sand between automakers. To date, the trade association [line](#) has been that the association hasn't seen the final fuel economy rollback proposal and isn't taking an official position. But once the rule drops, the schism within the industry association may deepen. As always, California will remain a critical piece of the puzzle, on the front lines of the still-raging battle over tailpipe emissions and fuel economy standards.

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CC: Carlson, Ann <carlson@law.ucla.edu>; Stein, Julia <steinj@law.ucla.edu>
Subject: Re: Law360 interview request

And here are the details from the agencies:

U.S. DOT and EPA Put Safety and American Families First with Final Rule on Fuel Economy Standards

WASHINGTON (March 31, 2020) – The U.S. Department of Transportation’s National Highway Traffic Safety Administration (NHTSA) and the U.S. Environmental Protection Agency (EPA) today released the final Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule setting corporate average fuel economy (CAFE) and CO2 emissions standards for model years 2021-2026 passenger cars and light trucks.

“This rule reflects the Department’s #1 priority—safety—by making newer, safer, cleaner vehicles more accessible for Americans who are, on average, driving 12-year old cars. By making newer, safer, and cleaner vehicles more accessible for American families, more lives will be saved and more jobs will be created,” said **U.S. Secretary of Transportation Elaine L. Chao**. “Today, President Trump is keeping his promise to autoworkers made three years ago that he would reinvigorate American auto manufacturing by updating costly, increasingly unachievable fuel economy and vehicle CO2 emissions standards, and that is what the Safer Affordable Fuel-Efficient Vehicles Rule accomplishes.”

“We are delivering on President Trump’s promise to correct the current fuel economy and greenhouse gas emissions standards,” said **EPA Administrator Andrew Wheeler**. “Our final rule puts in place a sensible one national program that strikes the right regulatory balance that protects our environment, and sets reasonable targets for the auto industry. This rule supports our economy, and the safety of American families.”

The final rule will increase stringency of CAFE and CO2 emissions standards by 1.5% each year through model year 2026, as compared with the standards issued in 2012, which would have required about 5% annual increases. This is a change from the proposal issued in 2018. The majority of automakers are not meeting the 2012 standard without resorting to the use of credits. The final rule can be found here: <https://www.epa.gov/regulations-emissions-vehicles-and-engines/safer-affordable-fuel-efficient-safe-vehicles-final-rule>.

NHTSA is required by Federal law to set fuel economy standards at the maximum feasible level for both passenger cars and light trucks, for every model year. If NHTSA determines that standards previously set are no longer maximum feasible, NHTSA can amend them. In determining what levels of CAFE standards would be maximum feasible, the law directs NHTSA to consider four specific factors: technological feasibility; economic practicability; the effect of other motor vehicle standards of the Government on fuel economy; and the Nation’s need to conserve energy.

On April 2, 2018, the EPA issued the Mid-Term Evaluation Final Determination that found that the MY 2022-2025 CO2 emissions standards are not appropriate and should be revised. For nearly two years, 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. The agencies also evaluated more than 750,000 public comments and held three public meetings.

The SAFE Vehicles Rule reflects the realities of today’s markets, including substantially lower oil prices than in the original 2012 projection, significant increases in U.S. oil production, and growing consumer demand for larger vehicles.

The SAFE Vehicles Rule increases U.S. competitiveness by reducing regulatory costs by as much as \$100 billion through model year 2029. According to NHTSA/EPA projections, it will also boost new vehicle sales through model year 2029 by up to 2.7 million vehicles. At a time of sudden economic uncertainty, the SAFE Vehicles Rule provides help for millions of American workers and thousands of businesses in the auto sector and related industries by cutting costs and increasing sales of safe new vehicles.

By reducing the average price of a new vehicle by about \$1,000, this right-sized rule will make it easier for Americans to afford to buy newer, cleaner, and safer vehicles.

The SAFE Rule will also help more Americans afford newer vehicles, which NHTSA’s research shows are safer than ever. About 3,300 fewer crash fatalities, 397,000 fewer injuries, and more than 1.8 million fewer vehicles damaged in crashes are projected over the lifetimes of vehicles built according to these new standards.

At the same time, the SAFE Rule continues to protect the environment by increasing stringency of CAFE and CO2 emissions standards over the next five years, ensuring that Americans will have a wide range of affordable, safe, and fuel-efficient vehicles to choose from. Under the SAFE Rule, the projected overall industry average required fuel economy in MYs 2021-2026 is 40.4 miles per gallon, compared to 46.7 mpg projected requirement in MY 2025 under the 2012 standards, and the new rule reduces the number of credits that are not associated with improved fuel economy. This rule is the largest deregulatory initiative of this administration. The

agencies project that under these final standards, required technology costs would be reduced by \$86 to \$126 billion over the lifetimes of vehicles through MY 2029. At the same time, the SAFE Vehicles Rule provides regulatory certainty by establishing one set of national fuel economy and CO2 emissions standards for passenger cars and light trucks.

Under the rule, new vehicles will continue to be required to meet the Clean Air Act's strict pollution standards, ensuring that air quality will be protected from smog-forming emissions. The rule will also see CO2 reductions year over year.

SAFE Vehicles Rule: By the Numbers

The final rule will increase stringency of CAFE and CO2 emissions standards by **1.5% each year** through model year 2026, as compared with the CO2 standards issued in 2012, which would have required increases of about 5% per year.

Overall Impact:

- Lower costs, thousands of lives saved, and minimal impact to fuel consumption and the environment.
- **\$200 billion** reduction in total costs over the lifetimes of vehicles through MY 2029, including the value of increased safety
- **\$100 billion** reduction in regulatory costs
- **\$1,400** reduction of total consumer cost of ownership per new vehicle
- **More than \$1,000 reduction** in sales price per new vehicle
- **2.7 million** additional new vehicles sold (because new vehicles are more affordable)

Safety:

- **3,300** fewer crash fatalities
- **46,000** fewer hospitalizations after serious crashes projected over the lifetimes of vehicles built through MY 2029
- **397,000** fewer injuries
- **1.8 million** fewer vehicles damaged in crashes

Environment:

All new vehicles will **continue to be subject to the strict pollution standards of the Clean Air Act** and new vehicles will be subject to higher pollution standards than the older vehicles that will be retired because of this rule

40.4 mpg projected overall industry average required fuel economy in MY 2026, **compared to 46.7 mpg** projected requirement under the 2012 standards

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Juan Carlos Rodriguez
Senior Environment Reporter

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From: Carlson, Ann
Sent: Wednesday, January 27, 2021 5:14 AM PST
To: Rick Frank [REDACTED]
CC: Vicki Arroyo <arroyo@law.georgetown.edu>
Subject: Re: Legal Planet Post

Thanks, Rick!

> On Jan 26, 2021, at 11:04 PM, Rick Frank [REDACTED] wrote:
>
> Vicki & Ann-
>
> Congratulations and FYI: <https://legal-planet.org/2021/01/26/legal-planeteteer-ann-carlson-joins-biden-administration/>
>
> Best wishes,
>
> Rick

From: carlson@law.ucla.edu <carlson@law.ucla.edu>
Sent: Wednesday, January 27, 2021 5:14 AM PST
To: Rick Frank [REDACTED]
CC: Vicki Arroyo <arroyo@law.georgetown.edu>
Subject: Re: Legal Planet Post

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> Congratulations and FYI: <https://legal-planet.org/2021/01/26/legal-planeteteer-ann-carlson-joins-biden-administration/>
>
> Best wishes,
>
> Rick

From: Richard M Frank <rmfrank@ucdavis.edu>
Sent: Wednesday, December 16, 2020 11:38 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: letter of support for Mary Nichols

Thanks for circulating this, Ann. I'm delighted to sign on, and have done so.

In my opinion, it would be a terrible shame if Mary's vocal critics from the e.j. community were able to torpedo her candidacy for EPA Administrator. (And I fear that this debate is a harbinger of future infighting that the Biden Administration will be plagued with for the next four years...)

Happy Holidays,

Rick

Richard M. Frank
Professor of Environmental Practice
Director, California Environmental Law & Policy Center
School of Law
University of California
Davis, CA 95616
Tel: (530) 752-7422
Fax: (530) 752-4704
E-Mail: rmfrank@ucdavis.edu
Blog site: <http://legalplanet.wordpress.com/>

On Dec 16, 2020, at 9:47 AM, Carlson, Ann <carlson@law.ucla.edu> wrote:

In case you haven't seen this and would like to sign. Also, please feel free to circulate widely.

Thanks and all best,

Ann

https://docs.google.com/forms/d/e/1FAIpQLSexrYB_HGH1IGVAA0cTHAeCVbdvxDYVKikn9L9nJop7ASTsfw/viewform

From: Horowitz, Cara (ELC) <horowitz.elc@law.ucla.edu>
Sent: Tuesday, January 12, 2021 1:36 PM PST
To: Kassie Siegel <ksiegel@biologicaldiversity.org>; Hecht, Sean <hecht@law.ucla.edu>; Stein, Julia (ELC) <stein.elc@law.ucla.edu>; Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: Letter to Biden-Harris Administration Re ESA & Climate Change

Hi Kassie: Great to hear from you. Hope you're faring well--what a rocky start to 2021. I'm happy to sign the letter (and actually Katherine Meyer already reached out and got my Yes--so I think she has my affiliation etc.--but let me know if I can get you anything else!). Thanks for putting this together.

On another note, I'm chatting again with Hollin this week about potential UCLA Law clinic projects, just fyi.

All my best,
Cara

From: Kassie Siegel <ksiegel@biologicaldiversity.org>
Sent: Tuesday, January 12, 2021 10:58 AM
To: Horowitz, Cara (ELC) <horowitz.elc@law.ucla.edu>; Hecht, Sean <hecht@law.ucla.edu>; Stein, Julia (ELC) <stein.elc@law.ucla.edu>; Carlson, Ann <carlson@law.ucla.edu>
Subject: Letter to Biden-Harris Administration Re ESA & Climate Change

Hi Cara, Sean, Julia, and Ann,

Hope all is as well as can be. I am following up on this letter to the Biden administration asking for revocation of a series of memos going back to 2008 that seek to block consideration of GHGs in ESA Section 7 consultation. The letter also asks for revocation of the Trump ESA Section 7 regs.

So far we have a long and fabulous list of scientist signatories and we're hoping to add some additional law profs & practitioners by the end of this week.

LMK if I can answer any questions about it?

Huge, huge thanks. I know you are all so busy! - Kassie

Kassie Siegel, Director
Climate Law Institute
[Center for Biological Diversity](#)
Phone: (951) 961-7972

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----- Forwarded message -----

From: Meyer, Katherine Anne <kmeyer@law.harvard.edu>

Date: Sun, Jan 3, 2021 at 8:23 PM

Subject: Request that you join our effort to ask the Biden-Harris Administration to take action on Climate Change matter

Cc: [REDACTED] Barnekow, Kate <kbarnekow@law.harvard.edu>

We are writing to ask if you will add your name to our effort to convince the new Biden-Harris Administration to rescind certain policies that are particularly counterproductive to protecting wildlife and plants adversely affected by Climate Change. These include (1) the 2008 Bernhardt Memorandum that advised federal agencies that they need not take Climate Change into consideration when complying with their obligation under Section 7 of the Endangered Species Act to "insure" that their actions are not likely to jeopardize the continued existence of listed species; (2) the Fish and Wildlife Service's 2010 Memorandum arguing that the determination of whether a species is "endangered" does not include whether it may become extinct due to Climate Change; and (3) parts of the Trump Administration's revised ESA regulations that also attempt to downplay consideration of Climate Change in determining the adverse effects of agency decisions. For years, these policies have been relied upon to deny much needed protection to species threatened with serious harm and extinction by Climate Change.

We have attached a copy of the cover letter and analysis drafted by the Harvard Law School Animal Law & Policy Clinic on behalf of the Center for Biological Diversity. Our current plan is to present these materials to the new Administration the week of January 25, 2021, on behalf of a coalition of environmental lawyers and scientists. Accordingly, **we request that you let us know by no later than the end of the day, January 8**, whether we can add your name and signature to this very important initiative. If so, please provide us with your name, title, and affiliation, as you would like to have it appear on the cover letter, and please send us a jpeg of your signature if you've got it.

Please let us know if you have any questions or need any additional information from us, including any of the 3 documents referenced above.

Thank you,
Katherine Meyer
Director, Animal Law and Policy Clinic
Visiting Assistant Clinical Professor of Law
Harvard Law School
617-998-2450

Kassie Siegel
Director, Climate Law Institute
Center for Biological Diversity
(951) 961-7972

[REDACTED]



HLS Students, Class of 2021

From: Keith Goldberg <keith.goldberg@law360.com>
Sent: Wednesday, September 23, 2020 12:45 PM PDT
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: Looking to chat about Newsom order banning gas car sales

So it seems like the state is banking on a Biden administration, no?

And I know the DC Circuit probably isn't going to decide the vehicle emissions case until next year and a new administration could abandon it, but if it does get to rule and sides with the administration, how damaging is that to the new executive order?

On Wed, Sep 23, 2020 at 2:42 PM Carlson, Ann <carlson@law.ucla.edu> wrote:

Hi Keith,

Off the top of my head, the ban on engines would be on very strong footing if the state gets a waiver from EPA, something I would guess it would seek if Biden is elected. The ban would help California achieve the National Ambient Air Quality Standard for ozone

pollution, something very difficult to achieve as long as conventional vehicles remain on the road. And it would help the state achieve its climate goals. Legally, the air pollution connection should make the granting of a waiver very easy to defend. The

question of whether the state can proceed without a waiver is I think a novel one: does an engine ban "relate to the control of emissions," which is preempted by the Clean Air Act without a waiver? There would certainly be a huge legal battle if the state

proceeded without a waiver.

Hope that's helpful.

Ann Carlson

Shirley Shapiro Professor of Environmental Law

Faculty Co-Director, Emmett Institute on Climate Change and the Environment

UCLA School of Law

(310) 206-9496

From: Keith Goldberg <keith.goldberg@law360.com>

Sent: Wednesday, September 23, 2020 11:27 AM

To: Carlson, Ann <carlson@law.ucla.edu>

Subject: Looking to chat about Newsom order banning gas car sales

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What's the legal authority that the state can rely on for barring non-ZEV sales by 2035?

What are the potential legal vulnerabilities of this move?

If you could get back to me ASAP, I'd appreciate it.

--

Best,

Keith Goldberg

Senior Reporter, Energy

□

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Phone: (646) 783-7187

Mobile: (646) 549-1507

E-mail: keith.goldberg@law360.com

[@kdgscribe](#)

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Best,

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Senior Reporter, Energy

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Mobile: (646) 549-1507

E-mail: keith.goldberg@law360.com

[@kdgscribe](#)

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Wednesday, September 23, 2020 12:52 PM PDT
To: Keith Goldberg <keith.goldberg@law360.com>
Subject: Re: Looking to chat about Newsom order banning gas car sales

I think the policy is highly dependent on a Biden win. Trump has already withdrawn the waiver for California's current ZEV program (currently being litigated, of course). There's no chance he (or his EPA Administrator) would grant an even more ambitious waiver request, although California would have strong legal grounds to challenge a wavier denial just as it is currently challenging the revocation of the waiver.

The answer to your question about the DC Circuit is so dependent on the basis for any ruling that it's hard to answer in the abstract. Sorry not to be more commital!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Keith Goldberg <keith.goldberg@law360.com>
Sent: Wednesday, September 23, 2020 12:45 PM
To: Carlson, Ann <carlson@law.ucla.edu>
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question of whether the state can proceed without a waiver is I think a novel one: does an engine ban "relate to the control of emissions," which is preempted by the Clean Air Act without a waiver? There would certainly be a huge legal battle if the state

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Best,

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Senior Reporter, Energy

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To: Keith Goldberg <keith.goldberg@law360.com>
Subject: Re: Looking to chat about Newsom order banning gas car sales

One more point. If California wins its challenge to the revocation of the current waiver in the D.C. Circuit, it would significantly strengthen the state's request for a waiver for the 2035 ZEV policy. So the flip of your question is definitely true.

Ann Carlson
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From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Wednesday, November 04, 2020 12:38 PM PST
To: Umair Irfan <umair@vox.com>
Subject: Re: Media Inquiry: What Biden can do without Congress on climate change

Good questions. If you have the patience to read it, I'm sending along a blog post we wrote recently with somewhat general responses to your questions but I'll also answer them specifically.

I think one big strategy that will be important for a Biden Administration without a Democratic Senate is to have a suite of climate policies rather than relying too heavily on any single policy -- think of it as the "don't place all your eggs in the same basket" approach. Many climate policies don't face the kind of legal vulnerability the Clean Power Plan did. This includes tightening efficiency standards, tighter fuel economy standards, limiting drilling on public lands, investing in infrastructure, appointing FERC commissioners who can factor carbon into their decisionmaking, continuing tax incentives to encourage renewable energy and R & D investments, and many international efforts (obviously rejoining the Paris Agreement, reasserting U.S. diplomacy on climate, trying to tackle global problems like deforestation, etc.). Much of this can be done without Congress. Biden should also use his Clean Air Act authority to regulate greenhouse gas emissions even given legal uncertainty. Doing so is, after all, required by *Mass v. EPA*. As we say in the blog post, there are some guidelines that might help insulate the regulations from legal vulnerabilities -- standard regulations like limiting methane emissions, car standards, and so forth should be upheld unless the Court decides to overturn *Mass v EPA*. It is also worth stressing that any challenges to Biden policies under the CAA will take a long time to work their way to the Supreme Court -- probably three or four years. A lot can change during that time, including the composition of the Court. So I think it's important to utilize the power that the *Mass v EPA* Court has made clear EPA possesses. And it should do so aggressively given the climate crisis we face. Using that power in a way that looks similar to the kinds of regulations EPA has adopted in the past might be a smart way to reduce litigation risk but the agency shouldn't sacrifice ambition out of fear.

In addition, there may be some climate policies that could get through a Republican controlled Senate. Maybe a renewable energy standard? Big investment in R & D and infrastructure? Tax incentives? The politics on climate are changing, even if slowly, and there may be some opportunity to advance policies that attract Republican support.

I don't think there's much Congress can do to thwart rejoining the Paris Agreement or engaging in extensive diplomacy. I'm not a trade expert so don't know enough to say any thing intelligent!

Happy to talk more if you'd find it helpful even though I'm operating on only a few hours of fitful sleep! Hope you're hanging in.

here's the post: <https://legal-planet.org/2020/10/27/climate-policymaking-in-the-shadow-of-the-supreme-court/>

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Umair Irfan <umair@vox.com>
Sent: Wednesday, November 4, 2020 12:07 PM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: Media Inquiry: What Biden can do without Congress on climate change

Sure, here's what I'm looking at:

What have we learned since the Obama era about making durable environmental policies from the White House? Given how much Obama's climate policies were litigated (Clean Power Plan, CAFÉ standards), would Biden's domestic policies be doomed to similar challenges, or have we actually made some progress in the legal case for such policies?

Since the president has a lot of leeway on foreign affairs, is there anything Congress could do to thwart Biden's plans for, say, rejoining the Paris agreement or signing a trade deal with a focus on emissions reductions?

Thanks,
Umair

From: "Carlson, Ann" <carlson@law.ucla.edu>
Date: Wednesday, November 4, 2020 at 2:10 PM
To: Umair Irfan <umair@vox.com>
Subject: Re: Media Inquiry: What Biden can do without Congress on climate change

Hi Umair,

Would be great to get a couple of questions from you if that works. Thanks!

On Nov 4, 2020, at 10:43 AM, Umair Irfan <umair@vox.com> wrote:

Hi Professor Carlson,

I'm working on a piece on what Joe Biden might be able to do on climate change if he wins the White House but only has a tiny majority or a minority in the Senate.

I wanted to see if you had any thoughts as to what durable changes he could make, or if everything he does could be undermined through litigation and undone by a future administration.

Feel free to give me a call, or I can send a couple specific questions by email. I'm at 217 721 4377

Thanks

Umair Irfan | [@umairfan](#)
Staff Writer | Mobile/Signal: (217) 721-4377
Washington, DC 20036

[<image001.png>](#)

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[The Verge](#), [Polygon](#), [Recode](#), [Eater](#), and [Curbed](#).

Visit [The Goods by Vox](#), Vox.com's new section on consumer culture.

From: Umair Irfan <umair@vox.com>
Sent: Monday, November 09, 2020 11:33 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: Media Inquiry: What Biden can do without Congress on climate change

Just wanted to let you know my article posted: <https://www.vox.com/21549521/joe-biden-transition-climate-change-senate-runoff>

Thanks again

From: "Carlson, Ann" <carlson@law.ucla.edu>
Date: Wednesday, November 4, 2020 at 3:38 PM
To: Umair Irfan <umair@vox.com>
Subject: Re: Media Inquiry: What Biden can do without Congress on climate change

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Thanks

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Staff Writer | Mobile/Signal: (217) 721-4377
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[<image001.png>](#)

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[The Verge](#), [Polygon](#), [Recode](#), [Eater](#), and [Curbed](#).

Visit [The Goods by Vox](#), Vox.com's new section on consumer culture.

From: Melling, Daniel <melling@law.ucla.edu>
Sent: Wednesday, November 04, 2020 1:39 PM PST
To: Carlson, Ann <carlson@law.ucla.edu>
CC: Hecht, Sean <hecht@law.ucla.edu>; Horowitz, Cara <HOROWITZ@law.ucla.edu>
Subject: RE: Media Inquiry: What Biden can do without Congress on climate change

Thanks Ann – thinking of your interview last week about Biden win w/o Senate majority <https://earth.gizmodo.com/how-a-biden-administration-could-fight-climate-change-w-1845530895>

Daniel Melling
Communications Manager

UCLA School of Law | Emmett Institute on Climate Change and the Environment

Office (310) 206-7974
Mobile (310) 408-9417

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Wednesday, November 4, 2020 1:26 PM
To: Melling, Daniel <melling@law.ucla.edu>
Cc: Hecht, Sean <hecht@law.ucla.edu>; Horowitz, Cara <HOROWITZ@law.ucla.edu>
Subject: Fwd: Media Inquiry: What Biden can do without Congress on climate change

Daniel if this helps this is what I wrote to a Vox reporter this am.

Begin forwarded message:

From: "Carlson, Ann" <carlson@law.ucla.edu>
Date: November 4, 2020 at 12:38:09 PM PST
To: Umair Irfan <umair@vox.com>
Subject: Re: Media Inquiry: What Biden can do without Congress on climate change

Good questions. If you have the patience to read it, I'm sending along a blog post we wrote recently with somewhat general responses to your questions but I'll also answer them specifically.

I think one big strategy that will be important for a Biden Administration without a Democratic Senate is to have a suite of climate policies rather than relying too heavily on any single policy -- think of it as the "don't place all your eggs in the same basket" approach. Many climate policies don't face the kind of legal vulnerability the Clean Power Plan did. This includes tightening efficiency standards, tighter fuel economy standards, limiting drilling on public lands, investing in infrastructure, appointing FERC commissioners who can factor carbon into their decisionmaking, continuing tax incentives to encourage renewable energy and R & D investments, and many international efforts (obviously rejoining the Paris Agreement, reasserting U.S. diplomacy on climate, trying to tackle global problems like deforestation, etc.). Much of this can be done without Congress. Biden should also use his Clean Air Act authority to regulate greenhouse gas emissions even given legal uncertainty. Doing so is, after all, required by *Mass v. EPA*. As we say in the blog post, there are some guidelines that might help insulate the regulations from legal vulnerabilities -- standard regulations like limiting methane emissions, car standards, and so forth should be upheld unless the Court decides to overturn *Mass v EPA*. It is also worth stressing that any challenges to Biden policies under the CAA will take a long time to work their way to the Supreme Court -- probably three or four years. A lot can change during that time, including the composition of the Court. So I think it's important to utilize the power that the *Mass v EPA* Court has made clear EPA possesses. And it should do so aggressively given the climate crisis we face. Using that power in a way that looks similar to the kinds of regulations EPA has adopted in the past might be a smart way to reduce litigation risk but the agency shouldn't sacrifice ambition out of fear.

In addition, there may be some climate policies that could get through a Republican controlled Senate. Maybe a renewable energy standard? Big investment in R & D and infrastructure? Tax incentives? The politics on climate are changing, even if slowly, and there may be some opportunity to advance policies that attract Republican support.

I don't think there's much Congress can do to thwart rejoining the Paris Agreement or engaging in extensive diplomacy. I'm not a trade expert so don't know enough to say any thing intelligent!

Happy to talk more if you'd find it helpful even though I'm operating on only a few hours of fitful sleep! Hope you're hanging in.

here's the post: <https://legal-planet.org/2020/10/27/climate-policy-making-in-the-shadow-of-the-supreme-court/>

Ann Carlson
Shirley Shapiro Professor of Environmental Law

From: Umair Irfan <umair@vox.com>
Sent: Wednesday, November 4, 2020 12:07 PM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: Media Inquiry: What Biden can do without Congress on climate change

Sure, here's what I'm looking at:

What have we learned since the Obama era about making durable environmental policies from the White House? Given how much Obama's climate policies were litigated (Clean Power Plan, CAFÉ standards), would Biden's domestic policies be doomed to similar challenges, or have we actually made some progress in the legal case for such policies?

Since the president has a lot of leeway on foreign affairs, is there anything Congress could do to thwart Biden's plans for, say, rejoining the Paris agreement or signing a trade deal with a focus on emissions reductions?

Thanks,
Umair

From: "Carlson, Ann" <carlson@law.ucla.edu>
Date: Wednesday, November 4, 2020 at 2:10 PM
To: Umair Irfan <umair@vox.com>
Subject: Re: Media Inquiry: What Biden can do without Congress on climate change

Hi Umair,

Would be great to get a couple of questions from you if that works. Thanks!

On Nov 4, 2020, at 10:43 AM, Umair Irfan <umair@vox.com> wrote:

Hi Professor Carlson,

I'm working on a piece on what Joe Biden might be able to do on climate change if he wins the White House but only has a tiny majority or a minority in the Senate.

I wanted to see if you had any thoughts as to what durable changes he could make, or if everything he does could be undermined through litigation and undone by a future administration.

Feel free to give me a call, or I can send a couple specific questions by email. I'm at 217 721 4377

Thanks

Umair Irfan | [@umairfan](https://twitter.com/umairfan)
Staff Writer | Mobile/Signal: (217) 721-4377
Washington, DC 20036

<[image001.png](#)>

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From: Carlson, Ann
Sent: Friday, January 15, 2021 9:51 AM PST
To: Jim Salzman [REDACTED]
Subject: Re: Model Y Earns 5-Star Safety Rating From NHTSA

Who will be AA for air?

On Jan 15, 2021, at 9:48 AM, Jim Salzman [REDACTED] wrote:

Head of Sustainability for Tesla, of course!

Big hire for Janet McCabe. I think it shows Gina's influence on EPA staffing.

On Fri, Jan 15, 2021 at 9:39 AM Carlson, Ann <carlson@law.ucla.edu> wrote:
what job?

and happy birthday!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Friday, January 15, 2021 9:39 AM
To: Jim Salzman [REDACTED]
Subject: Re: Model Y Earns 5-Star Safety Rating From NHTSA

:)

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
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From: Jim Salzman [REDACTED]
Sent: Friday, January 15, 2021 8:53 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Fwd: Model Y Earns 5-Star Safety Rating From NHTSA

Does this come with the job?

----- Forwarded message -----

From: Tesla <newsletter@tesla.com>
Date: Fri, Jan 15, 2021 at 8:01 AM
Subject: Model Y Earns 5-Star Safety Rating From NHTSA
To: [REDACTED]

Logo

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From: Jim Salzman [REDACTED]
Sent: Friday, January 15, 2021 10:10 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: Model Y Earns 5-Star Safety Rating From NHTSA

No word yet, but I am confident Gina will be the one choosing. What do you think?

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From: [REDACTED]

Sent: Friday, January 15, 2021 8:53 AM

To: Carlson, Ann <carlson@law.ucla.edu>

Subject: Fwd: Model Y Earns 5-Star Safety Rating From NHTSA

Does this come with the job?

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From: **Tesla** <newsletter@tesla.com>

Date: Fri, Jan 15, 2021 at 8:01 AM

Subject: Model Y Earns 5-Star Safety Rating From NHTSA

To: [REDACTED]

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To: Jim Salzman [REDACTED]
Subject: Re: Model Y Earns 5-Star Safety Rating From NHTSA

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To: [REDACTED]

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From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>

Sent: Friday, January 15, 2021 9:39 AM PST

To: Jim Salzman [REDACTED]

Subject: Re: Model Y Earns 5-Star Safety Rating From NHTSA

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From: Freeman, Jody <freeman@law.harvard.edu>

Sent: Tuesday, January 19, 2021 5:54 PM PST

To: Carlson, Ann <carlson@law.ucla.edu>

Subject: Re: my crazy news

That's great news. Good for you! Have fun. It's a whirlwind.

Get [Outlook for iOS](#)

From: Carlson, Ann <carlson@law.ucla.edu>

Sent: Tuesday, January 19, 2021 5:42:17 PM

To: Freeman, Jody <freeman@law.harvard.edu>

Subject: my crazy news

Hey there,

Hope you are hanging in during the craziness. Just wanted to let you know my news. I've been appointed by the Biden-Harris team to serve as NHTSA's Chief Counsel. The deputy is also a climate person. I get sworn in tomorrow. Sure to be a wild ride! I've obviously told the UCLA powers that be, in part because they had to find someone to teach Property for me, but haven't let the whole faculty know yet. That will come tomorrow after the swearing in ceremony.

I'm really excited. It will be a strange and huge change but I think it'll be fascinating. I understand NHTSA was not the partner it could have been in the Obama era -- our appointments are meant to change that.

Anyway, thought you'd find it all interesting....

xo

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Tuesday, January 19, 2021 6:32 PM PST
To: Freeman, Jody <freeman@law.harvard.edu>
Subject: Re: my crazy news

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From: Carlson, Ann
Sent: Wednesday, January 27, 2021 7:00 PM PST
To: JR DE SHAZO <deshazo@ucla.edu>
Subject: Re: My flakiness

Thanks, JR. I'll save and read. Lots of work but really exciting so far.

Take care and thanks again.

> On Jan 26, 2021, at 3:09 PM, JR DE SHAZO <deshazo@ucla.edu> wrote:

>

> Ann,

>

> That is SO exciting. Congratulations! What a wonderful way to contribute to policy reform and development related to clean transportation.

>

> Forgive me but I've attached two documents related to SAFE, one of which I co-authored and one that I hope you'll find useful.

>

> I spoke with Mary today and she has decided to go for a virtual celebration. So no need to coordinate on that front going forward. (And I will take my first sabbatical in 23 years this July so I won't be here in the fall to plan anything then.)

>

> Please let me know if I can help you in any way in your new capacity.

>

> Good luck! and warm regards,

> JR

>

>

>

> On Tue, Jan 26, 2021 at 1:20 PM Carlson, Ann <carlson@law.ucla.edu<mailto:carlson@law.ucla.edu>> wrote:

> Hi JR,

> I'm sorry I never got back to you about Mary but that's because, as you may have heard, I am taking a leave from UCLA. President Biden has appointed me as chief counsel of NHTSA and started last Wednesday, when he swore in the political appointees.

>

> Would love to attend, schedule permitting. I am working remotely from LA until we are told to come to DC, which probably won't be till things open up again.

>

> Hope you're well!

>

>

> --

> Director, UCLA Luskin Center for Innovation,
www.innovation.luskin.ucla.edu<http://www.innovation.luskin.ucla.edu>

> Professor, UCLA Department of Public Policy

> Department of Civil and Environmental Engineering

> Institute of Environment and Sustainability

> Department of Urban Planning

>

> Phone 310-593-1198

>

> Schedule an appointment with me through Constance Vance at
cvance@luskin.ucla.edu<mailto:cvance@luskin.ucla.edu>

From: JR DE SHAZO <deshazo@ucla.edu>

Sent: Tuesday, January 26, 2021 3:09 PM PST

To: Carlson, Ann <carlson@law.ucla.edu>

Subject: Re: My flakiness

Attachment(s): "Comments on SAFE NPRM_Stock-Gillingham-Davis_102618.pdf", "Science_Oct9.docx"

Ann,

That is SO exciting. Congratulations! What a wonderful way to contribute to policy reform and development related to clean transportation.

Forgive me but I've attached two documents related to SAFE, one of which I co-authored and one that I hope you'll find useful.

I spoke with Mary today and she has decided to go for a virtual celebration. So no need to coordinate on that front going forward. (And I will take my first sabbatical in 23 years this July so I won't be here in the fall to plan anything then.)

Please let me know if I can help you in any way in your new capacity.

Good luck! and warm regards,
JR

On Tue, Jan 26, 2021 at 1:20 PM Carlson, Ann <carlson@law.ucla.edu> wrote:

Hi JR,

I'm sorry I never got back to you about Mary but that's because, as you may have heard, I am taking a leave from UCLA. President Biden has appointed me as chief counsel of NHTSA and started last Wednesday, when he swore in the political appointees.

Would love to attend, schedule permitting. I am working remotely from LA until we are told to come to DC, which probably won't be till things open up again.

Hope you're well!

--

Director, UCLA Luskin Center for Innovation, www.innovation.luskin.ucla.edu
Professor, UCLA Department of Public Policy
Department of Civil and Environmental Engineering
Institute of Environment and Sustainability
Department of Urban Planning

Phone 310-593-1198

Schedule an appointment with me through **Constance Vance** at cvance@luskin.ucla.edu

From: Danny Cullenward <dcullenward-iemac@ghgpolicy.org>

Sent: Thursday, January 21, 2021 10:45 AM PST

To: Carlson, Ann <carlson@law.ucla.edu>

Subject: Re: My news

Congratulations, Ann! Very excited for you and the future of mobile source emissions :)

----- Original Message -----

On Thursday, January 21, 2021 10:16 AM, Carlson, Ann <carlson@law.ucla.edu> wrote:

Hi all,

I'm writing to let you know that I was sworn in yesterday to serve as Chief Counsel of NHTSA. I'm really excited about my new role and the chance to work on transportation and climate change. But my appointment also means that I have resigned from IEMAC. Serving with all of you has been a wonderful experience and I'm sorry that I won't be able to continue to do so. I'm confident, though, that our paths will continue to cross as we all work to address the greatest existential environmental threat the planet has ever faced.

Thank you all and all best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Carlson, Ann
Sent: Thursday, January 21, 2021 10:46 AM PST
To: Danny Cullenward <dcullenward-iemac@ghgpolicy.org>
Subject: Re: My news

Thanks, Danny!

On Jan 21, 2021, at 10:45 AM, Danny Cullenward <dcullenward-iemac@ghgpolicy.org> wrote:

Congratulations, Ann! Very excited for you and the future of mobile source emissions :)

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Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Meredith Fowle <fowle@berkeley.edu>
Sent: Thursday, January 21, 2021 10:21 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: My news

So many congratulations!! Our great loss is NHTSA's gain.

Does this mean you'll relocate to DC?

Hope you share insights from what will surely be an amazing experience.

On Thu, Jan 21, 2021 at 10:16 AM Carlson, Ann <carlson@law.ucla.edu> wrote:

Hi all,

I'm writing to let you know that I was sworn in yesterday to serve as Chief Counsel of NHTSA. I'm really excited about my new role and the chance to work on transportation and climate change. But my appointment also means that I have resigned from IEMAC. Serving with all of you has been a wonderful experience and I'm sorry that I won't be able to continue to do so. I'm confident, though, that our paths will continue to cross as we all work to address the greatest existential environmental threat the planet has ever faced.

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(310) 206-9496

From: Barb Edmonds <Barb@edmondsllp.com>
Sent: Tuesday, January 26, 2021 11:06 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
CC: Carl Moor [REDACTED]
Subject: RE: New job, exemptions

Hi Ann

Congratulations-that does sound like an exciting change for you! The W-4 is a different type of form now, really all you need to do is check that you are married, and don't use any of the supplemental worksheets. Are you moving to DC?

Barbara L. Edmonds, CPA
Edmonds & Edmonds LLP
Phone: 949-220-9424

[Click Here to send Me Files Securely](#)

-----Original Message-----

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Tuesday, January 26, 2021 6:46 AM
To: Barb Edmonds <Barb@edmondsllp.com>
Cc: Carl Moor [REDACTED]
Subject: New job, exemptions

Hi Barb,

I have temporarily taken a leave to serve in the Biden administration as chief counsel of the national highway traffic safety administration. The job will be fun but it comes with a big pay cut and I am filling out the forms for how many withholdings I should claim. I will be paid \$150,000 a year. Can you tell me how many I should claim?

Thank you!

From: carlson@law.ucla.edu <carlson@law.ucla.edu>

Sent: Tuesday, January 26, 2021 11:09 AM PST

To: Barb Edmonds <Barb@edmondsllp.com>

Subject: Re: New job, exemptions

I will move and commute back and forth once the world opens back up.

Thanks!

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>

> Barbara L. Edmonds, CPA

> Edmonds & Edmonds LLP

> Phone: 949-220-9424

>

> [Click Here to send Me Files Securely](#)

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> Sent: Tuesday, January 26, 2021 6:46 AM

> To: Barb Edmonds <Barb@edmondsllp.com>

> Cc: Carl Moor [REDACTED]

> Subject: New job, exemptions

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> Barbara L. Edmonds, CPA

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>

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>

> -----Original Message-----

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> Sent: Tuesday, January 26, 2021 6:46 AM

> To: Barb Edmonds <Barb@edmondsllp.com>

> Cc: Carl Moor [REDACTED]

> Subject: New job, exemptions

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>

> Thank you!

From: Sonley, Jessica <sonley@law.ucla.edu>
Sent: Tuesday, January 19, 2021 3:30 PM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: news and form
Attachment(s): "Carlson S2021.xlsx"

Hi Ann,

Congratulations!! That is so exciting!!! I've attached the form. Please let me know if there's anything else I can do to help with your transition!

Thanks!
Jessica

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Tuesday, January 19, 2021 2:10 PM
To: Sonley, Jessica <sonley@law.ucla.edu>
Subject: news and form

Hi Jessica, so it is now official that I'll be taking a leave from UCLA to serve as Chief Counsel of the National Highway Transportation Safety Administration for the Biden Administration. I get sworn in tomorrow! It's all been a whirlwind to say the least. I'll be working remotely from L.A. for awhile until it's safe to go back into offices and then moving temporarily to DC while I serve in the administration. Very excited!

Can I get you to add my signature to this form that formalizes my leave?

Thanks much!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Warren, James <WARRENJ@law.ucla.edu>
Sent: Tuesday, January 19, 2021 1:40 PM
To: Carlson, Ann <carlson@law.ucla.edu>
Cc: Parr, Tracey <PARR@law.ucla.edu>
Subject: RE: Me

Thanks Ann,

APO confirms we should just set up through June 30 for now and extend as necessary. If you can email me the completed form we'll get Jennifer's sign-off and forward to APO for approval.

Thanks!
James

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Tuesday, January 19, 2021 11:39 AM
To: Warren, James <WARRENJ@law.ucla.edu>
Cc: Parr, Tracey <PARR@law.ucla.edu>
Subject: Re: Me

Happy to do whatever is easiest. Thanks!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Warren, James <WARRENJ@law.ucla.edu>
Sent: Tuesday, January 19, 2021 11:38 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Cc: Parr, Tracey <PARR@law.ucla.edu>
Subject: RE: Me

Hi Ann,

We can ask for that stretch and see, though I vaguely recall some preference from the center for setting these up on the AY calendars. Presuming it's okay with you I can check with the director there (Erika Chau) and see which approach is cleaner, two years up front or year by year.

Best,
James

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Tuesday, January 19, 2021 11:30 AM
To: Warren, James <WARRENJ@law.ucla.edu>
Cc: Parr, Tracey <PARR@law.ucla.edu>
Subject: Re: Me

It's definitely extended -- my guess is two years? Does it make sense to extend for two years?

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Warren, James <WARRENJ@law.ucla.edu>
Sent: Tuesday, January 19, 2021 10:55 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Cc: Parr, Tracey <PARR@law.ucla.edu>
Subject: RE: Me

Presuming it's an extended leave we could conceivably set through the end of this AY (June 30) and work from there. I've set the attached form as such.

APO might also ask us the amount of compensation from the feds. If you happen to know you can just add to the second part of section A in the attached.

If that all sounds good you can finish with an e-signature at the bottom and we'll forward to Jennifer and then APO for approval. In an ideal world we can get the leave in by tomorrow sometime just to get ahead of pay compute for this month. Not a huge issue if we don't, but the sooner we can get everything set up the more likely it will be that Path can adjust your January earnings accordingly and avoid any overpayment.

Let me know if anything else!
James

-----Original Message-----

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Tuesday, January 19, 2021 10:32 AM
To: Warren, James <WARRENJ@law.ucla.edu>
Cc: Parr, Tracey <PARR@law.ucla.edu>
Subject: Re: Me

I don't know how long the leave will be. Is that ok? And thank you!

> On Jan 19, 2021, at 10:23 AM, Warren, James <WARRENJ@law.ucla.edu> wrote:

>

> Hi Ann,

>

> Wow, congrats! We'll get a leave form together. Do you know how long the leave is likely to last? Health benefits should continue through January.

>

> Best,
> James

>

> -----Original Message-----

> From: Carlson, Ann <carlson@law.ucla.edu>
> Sent: Monday, January 18, 2021 4:06 PM
> To: Warren, James <WARRENJ@law.ucla.edu>
> Cc: Parr, Tracey <PARR@law.ucla.edu>
> Subject: Me

>

> So, you are probably aware that my life has taken a mysterious turn and I'm ready to update you on it and get the appropriate paperwork in motion. I have been appointed by the Biden administration to serve as the chief counsel for the National Highway Traffic Safety Administration. The agency is in charge of climate standards for cars and trucks, which is why they have recruited me for the position. The job starts Wednesday, believe it or not. I was just offered a job yesterday although this has been in the works for a few weeks.

>

> So, I will be taking a leave from UCLA and need to get the appropriate paperwork in motion. I will also need to carry my UCLA health insurance through the end of January since I won't get onto federal benefits until then. Thank you! Let me know what else I need to do.

>

> I will begin to send emails to people tomorrow and Wednesday letting them know about my new position so if you could keep this somewhat under wraps I would appreciate it.

From: John Boesel <jboesel@calstart.org>
Sent: Thursday, January 21, 2021 9:21 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: NHSTA?

Wow! Very exciting!!! Congrats. Got word on Steve Cliff as well.
Would you have a few min to chat later today or tomorrow?

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:18 AM
To: John Boesel <jboesel@calstart.org>
Subject: Re: NHSTA?

one and. the same ☐

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: John Boesel <jboesel@calstart.org>
Sent: Thursday, January 21, 2021 9:16 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: NHSTA?

Ann,
Greetings. I hope 2021 is treating you well so far.
Are you the Ann Carlson that was appointed to be Chief Counsel at NHTSA?
John

John Boesel
President and CEO
CALSTART
jboesel@calstart.org
www.calstart.org
Offices in New York, Michigan, Colorado, and California
Phone: +1 (626) 744-5607 (O)
Pronouns: he/him

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:18 AM PST
To: John Boesel <jboesel@calstart.org>
Subject: Re: NHSTA?

one and. the same ☐

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Are you the Ann Carlson that was appointed to be Chief Counsel at NHTSA?
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jboesel@calstart.org
www.calstart.org
Offices in New York, Michigan, Colorado, and California
Phone: +1 (626) 744-5607 (O)
Pronouns: he/him

From: Allie Panther <apanther@jbrpt.org>
Sent: Saturday, January 16, 2021 12:23 PM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: Nhtsa art

Requested their contact info from the ART and will pass it along when I receive it!

On Sat, Jan 16, 2021 at 2:04 PM Carlson, Ann <carlson@law.ucla.edu> wrote:

I would love to be connected to the person who reviewed NHTSA during the transition process. I'm guessing Steve would too and I can ask him when we talk this weekend

Thank you!

From: Carlson, Ann
Sent: Wednesday, January 27, 2021 3:33 PM PST
To: Joe Hilberman [REDACTED]
Subject: Re: NHTSA

Thank you! And I'll keep you in mind for that Porsche ☐☐

On Jan 27, 2021, at 3:32 PM, Joe Hilberman [REDACTED] wrote:

Congratulations! It is a wonderful honor and probably a very exciting time to be in DC and the Biden administration. If you ever need someone to test drive a Porsche to see if it is safe, feel free to call upon me. Stay well and safe.
Joe

Hon. Joe W Hilberman,Ret.
LA Daily Journal Top Neutrals
ABOTA Jurist of the Year, 2008.
View Judge Hilberman's biography at:
<http://www.adrservices.com/neutrals/hilberman-joe/>

From: Joe Hilberman [REDACTED]
Sent: Wednesday, January 27, 2021 3:42 PM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: NHTSA

But on a more serious note, you may not recall, but we were on a panel together many years ago. I appreciate where the new administration will go, and hope that the US auto industry embraces electricity while the dependence on oil and gas is reduced through alternative power sources. The highway infrastructure has been neglected for years, but auto safety has increased (but I am not getting in a self driving car).

Good luck and enjoy the new challenge.

JH

On Jan 27, 2021, at 3:33 PM, Carlson, Ann <carlson@law.ucla.edu> wrote:

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LA Daily Journal Top Neutrals
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View Judge Hilberman's biography at:
<http://www.adrservices.com/neutrals/hilberman-joe/>

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:22 PM PST
To: Thomson, Katie <kathomso@amazon.com>
Subject: Re: NHTSA

Thanks, Katie. It would be great to talk at some point when I come up for air. I'll get in touch.

Such a nice offer!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Thomson, Katie <kathomso@amazon.com>
Sent: Thursday, January 21, 2021 10:11 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: NHTSA

Ann, congratulations again on your new role at NHTSA! I think you know that I led the DOT team through multiple rounds of fuel economy/GHG standards setting for motor vehicles and was involved in most of DOT's sustainability efforts during my 7+ years at DOT. If you would like to chat at any time about DOT's experiences engaging with the White House, EPA, other federal agencies and a diverse group of stakeholders to achieve our objectives, I'd be happy to talk. No Amazon agenda, just an opportunity to share my DOT experiences and lessons learned. Regardless, you're going to be great in this role.

All the best,
Katie

Kathryn B. Thomson
VP & Associate General Counsel, WW Transportation & Sustainability
Amazon
2021 7th Avenue
Seattle, WA 98121
kathomso@amazon.com
Work: 206.646.6335

amazon

Work hard. Have fun. Make history.

From: Carlson, Ann
Sent: Thursday, January 28, 2021 7:10 AM PST
To: Sork, Victoria <vlsork@ucla.edu>
Subject: Re: Professor Ann Carlson Joins Biden Administration

Thank's Victoria! Hope you're well

On Jan 28, 2021, at 5:51 AM, Sork, Victoria <vlsork@ucla.edu> wrote:

CONGRATS!! I am happy for you and proud of you. What great news!

Victoria

Begin forwarded message:

From: UCLA Emmett Institute <envirolaw@law.ucla.edu>
Subject: Professor Ann Carlson Joins Biden Administration
Date: January 27, 2021 at 3:08:20 PM PST
To: <vlsork@ucla.edu>
Reply-To: UCLA Emmett Institute <envirolaw@law.ucla.edu>

[View this email in your browser](#)

Amid the historic transition to a new federal administration last week, the Emmett Institute also marked a big change, as our faculty co-director and Shirley Shapiro Professor of Environmental Law **Ann Carlson** was [sworn in \(virtually\)](#) as chief counsel of the National Highway Traffic Safety Administration, an agency responsible for a wide range of transportation-sector regulatory activities with major implications for greenhouse-gas emissions, including national fuel economy standards.

Professor Carlson's appointment was [announced](#) last week among other key leadership appointments at U.S. Department of Transportation. She will take a leave of absence from UCLA Law while working for the Biden administration.

While we will miss her role in the leadership of our program, it is hard to imagine a more perfect person for this job.

[Ann Carlson speaks at 2019 symposium at UCLA Law](#)

Shirley Shapiro Professor of Environmental Law Ann Carlson speaks at a recent symposium at UCLA Law. Photo credit: UCLA Emmett Institute

Professor Carlson's vision drove the creation of the Emmett Institute as the first law school center to focus on climate change.

Together with faculty co-director **Ted Parson**, she has helped build one of the country's [leading environmental law programs](#). Today, the Emmett Institute is home to nine core faculty members and six fellows who lead an extensive environmental law curriculum at UCLA Law, publish groundbreaking scholarship, and serve our state and country through public interest projects.

In her dedication to research, teaching, and public service, Professor Carlson has been a source of inspiration for our students, faculty, and alumni since she joined the law school in 1994.

A nationally renowned legal scholar, she co-authored the top casebook *Environmental Law* (West, 2019) with Dan Farber and William Boyd, co-edited the book *Lessons from the Clean Air Act: Building Durability and Flexibility into U.S. Climate and Energy Policy* (Cambridge University Press, 2019) with Dallas Burtraw, and is the author of a forthcoming book on the history of air pollution in Southern California.

She is a beloved leader in the classroom and has received UCLA's Distinguished Teaching Award and Eby Award for the Art of Teaching, and UCLA Law's Rutter Award for Excellence in Teaching. Her work on the UC system's plan to achieve carbon neutrality by 2025 earned her the University of California Sustainability Champion Award in 2017.

We're excited that she is taking on this key role in this important year for climate action, and we look forward to working with Ted Parson and our stellar faculty to continue to push for progress.

Sean Hecht & Cara Horowitz

Co-Executive Directors

UCLA Emmett Institute on Climate Change and the Environment



About the Emmett Institute on Climate Change and the Environment at UCLA School of Law

The Emmett Institute on Climate Change and the Environment is among the leading environmental law programs in the country, with faculty members renowned for their public service, teaching excellence, and scholarship in state, federal, and international law. Located in Los Angeles, a diverse city facing unique environmental justice and climate change challenges, the Emmett Institute provides J.D. and LL.M. students unmatched opportunities for experiential learning, mentoring, and career placement. Through groundbreaking research and public interest initiatives, the Emmett Institute helps shape climate change and environmental law and policy in California, the United States, and jurisdictions around the world. law.ucla.edu/emmett

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385 Charles E Young Dr. E
Los Angeles, CA 90095-0001

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To: Sork, Victoria <vlsork@ucla.edu>
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To: <vlsork@ucla.edu>
Reply-To: UCLA Emmett Institute <envirolaw@law.ucla.edu>

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[Ann Carlson speaks at 2019 symposium at UCLA Law](#)

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Sean Hecht & Cara Horowitz

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UCLA Emmett Institute on Climate Change and the Environment



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From: carlson@law.ucla.edu <carlson@law.ucla.edu>
Sent: Wednesday, January 27, 2021 5:37 PM PST
To: [REDACTED]
Subject: Re: Professor Ann Carlson Joins Biden Administration

Thank you! Nice to see that you are in the city attorney's office now. That's great!

On Jan 27, 2021, at 3:33 PM, [REDACTED] wrote:

Congratulations, Professor Carlson!

I am so happy for you and proud to say I had you as one of my law school professors; I hope you and your family are doing well and wish you best in your new, exciting role!

Best,
[REDACTED]

----- Forwarded message -----

From: UCLA Emmett Institute <envirolaw@law.ucla.edu>
Date: Wed, Jan 27, 2021 at 3:08 PM
Subject: Professor Ann Carlson Joins Biden Administration
To: [REDACTED]

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[Ann Carlson speaks at 2019 symposium at UCLA Law](#)

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Allison
J.D. | Class of 2020
UCLA School of Law

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From: Buzz Thompson <buzzt@stanford.edu>
Sent: Wednesday, January 27, 2021 5:46 PM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: Professor Ann Carlson Joins Biden Administration

I like the fact that you're already using transportation metaphors.

Barton H. "Buzz" Thompson, Jr.
Robert E. Paradise Professor of Natural Resources Law
Stanford Law School
Senior Fellow & Founding Perry L. McCarty Director
Stanford Woods Institute for the Environment

buzzt@stanford.edu
office: (650) 723-2518
<https://law.stanford.edu/directory/barton-thompson/>
<https://www.omm.com/professionals/thompson-barton/>

On Wed, Jan 27, 2021 at 5:35 PM Carlson, Ann <carlson@law.ucla.edu> wrote:
Thanks, Buzz. Sure to be a wild ride!

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Buzz

Barton H. "Buzz" Thompson, Jr.
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To: <buzzt@stanford.edu>

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From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>

Sent: Monday, November 16, 2020 3:57 PM PST

To: Ben Geman <ben@axios.com>

Subject: Re: question about state/city cases against big oil

Hi Ben,

Even though the U.S. isn't a party in the state and municipal cases against the oil companies, it can be an important voice on legal questions in the cases. The most current and best example is on a question that the U.S. Supreme Court has granted cert on, which has to do with the circumstances under which cases can be removed to federal court and the timing of appeals of court orders denying removal petitions. The Trump Justice Department has sided with the oil companies on these technical but highly important legal questions; a Biden Justice Department might choose either to weigh in differently or not weigh in at all.

The Trump DOJ also argued in *City of Oakland v. BP et al* that the plaintiffs' claims are governed by federal common law and are issues of national importance. This is an argument the oil companies are making not only to get the cases heard in federal court but also to eventually get them dismissed, either as preempted by the federal Clean Air Act or under some other theory like separation of powers or foreign affairs. The Biden Administration could, again, choose not to take this position, either by affirmatively disagreeing with it or choosing not to weigh in..

Put a different way, the Trump Administration was actively supporting the oil company arguments in court. A Biden DOJ could (and in my view likely would) back away from these arguments and could even support the municipal and state plaintiffs.

Hope that helps. As you may know, I do some pro bono consulting for a number of the plaintiffs in the nuisance cases. Thanks!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Ben Geman <ben@axios.com>

Sent: Monday, November 16, 2020 7:41 AM

To: Carlson, Ann <carlson@law.ucla.edu>

Subject: question about state/city cases against big oil

Hi professor,

Thanks again for speaking with me about ACB the other week.

I have a question about the various city and state cases against oil companies, and forgive my ignorance (evergreen statement): do DOJ and or the Biden administration have a role here? And has the Trump administration weighed in?

I'm wondering if the Trump administration has been trying to thwart the cases and if a Biden administration might change course, and if so, how.

Thanks!

--

Thanks,

	<p>Ben Geman ENERGY REPORTER</p>
	<p>ben@axios.com 202.271.4190</p>

From: Ben Geman <ben@axios.com>
Sent: Monday, November 16, 2020 8:00 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: question about state/city cases against big oil

oops sorry meant "and/or the **wider** Biden administration." I know DOJ is part of the administration.

On Mon, Nov 16, 2020 at 10:41 AM Ben Geman <ben@axios.com> wrote:

Hi professor,

Thanks again for speaking with me about ACB the other week.

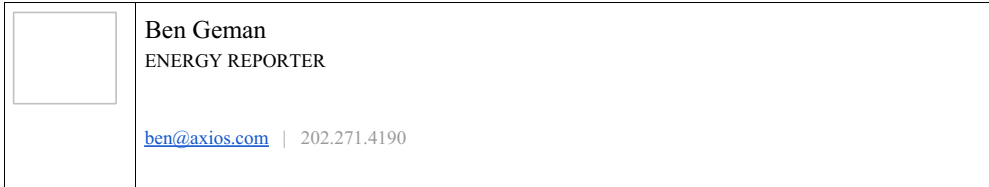
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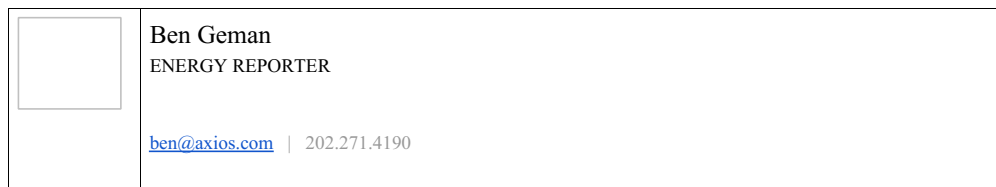
--

Thanks,



--

Thanks,



From: Yen, Hope <HYen@ap.org>
Sent: Wednesday, February 03, 2021 9:52 PM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: quick intro -- AP and DoT--

Thank you and look forward to the many big announcements sure to come from NHTSA/the DoT secretary's office! Sec Buttigieg seems ready to go, and automakers also seem to be signaling by their recent announcements they're ready to deal. AP loves to break news, which I've been telling Sec Buttigieg's people often. 😊
I hope you don't mind if I reach out now and then – judiciously -- at your DoT address, and I do get it in terms of things that can be said and not said at times, and if there is a special press person at NHTSA you think I might want to get to know, let me know. As Sec Buttigieg put it today: here's to all that's ahead.

Rgds,
Hope
Cell 202 365 4373

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Wednesday, February 3, 2021 8:26 PM
To: Yen, Hope <HYen@ap.org>
Subject: Re: quick intro -- AP and DoT--

[EXTERNAL]

Thanks, Hope. My DOT email is ann.carlson@dot.gov

Love that you're a law school grad, too! I'm sure I graduated a bit before you 😊

On Feb 3, 2021, at 5:08 PM, Yen, Hope <HYen@ap.org> wrote:

Prof Carlson-

Greetings, this Hope Yen, a national reporter with the AP based here in Washington, DC. Just a quick note and intro if I might – I'll be tracking the Transportation Dept.

Congratulations on your new role working as a chief counsel for the dept.

The new mileage standards and other climate initiatives affecting cars and other transportation are likely to be some of the bigger news items to come out of the dept, and it's clear both President Biden and Sec Buttigieg are looking for big changes on the front. Clearly your appointment is one sign of that.

I hope you can keep me in mind, save my contact info as news develops on this front. Climate of course is a big issue, one involving different gov't depts, but I'll be tracking things from the DoT end.

I see we're both HLS alums as well, but pls don't hold me to a higher standard if we get the chance to talk about some of the legal intricacies! I regret not paying more attention in admin law, spent more time writing for the Harvard Law Record about public interest efforts.

My contact info is below.

Regards,
Hope

Hope Yen
National Reporter
The Associated Press
1100 13th St. NW Suite 500
Washington DC 20005
202 641 9459 direct
202 365 4373 cell

The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.

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From: Wyer, Kathy <WYER@law.ucla.edu>

Sent: Monday, November 02, 2020 6:42 AM PST

To: Carlson, Ann <carlson@law.ucla.edu>; Melling, Daniel <melling@law.ucla.edu>; Horowitz, Cara <HOROWITZ@law.ucla.edu>; Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>

Subject: Re: Quoted in this

Got it! . . . Happy to post and share, thank you!

Kathy

From: "Carlson, Ann" <carlson@law.ucla.edu>

Date: Friday, October 30, 2020 at 12:16 PM

To: "Wyer, Kathy" <WYER@law.ucla.edu>, "Melling, Daniel" <melling@law.ucla.edu>, "Horowitz, Cara" <HOROWITZ@law.ucla.edu>, "Hecht, Sean" <hecht@law.ucla.edu>, "Parson, Edward" <PARSON@law.ucla.edu>

Subject: Quoted in this

Because of our legal planet post, which Daniel promoted. Thanks, Daniel!

<https://earth.gizmodo.com/how-a-biden-administration-could-fight-climate-change-w-1845530895>

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, December 03, 2020 8:53 AM PST
To: Chandler Randol <randol@eli.org>
Subject: Re: Remote Speaking Invitation: The Biden Administration: Climate and the Environment at a Critical Juncture (December 17)

Sure, That works. Happy to participate.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Chandler Randol <randol@eli.org>
Sent: Tuesday, December 1, 2020 9:54 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Remote Speaking Invitation: The Biden Administration: Climate and the Environment at a Critical Juncture (December 17)

Dear Professor Carlson,

I hope this finds you well! On behalf of ELI, I would like to extend an invitation to you to join us as an expert panelist for an upcoming *Breaking News* Webinar. ELI's *Breaking News* Webinars are quick-response webinars to major recent environmental developments.

We would be thrilled to have you join us as an expert panelist for an upcoming *Breaking News* webinar "**The Biden Administration: Climate and the Environment at a Critical Juncture**" on **December 17**. This *Breaking News* Webinar will explore the challenges, opportunities, and expectations for the incoming Biden administration's environmental and climate policies. This webinar will proceed as a roundtable conversation, offering a variety of perspectives and viewpoints. **No PowerPoints or materials are required.** More information can be found in the attached document.

We would be honored if you would lend your expertise to this *Breaking News* Webinar:

Title: *The Biden Administration: Climate and the Environment at a Critical Juncture*
Time: 12:00 PM – 1:30 PM ET
Date: December 17, 2020

I would like to note that video from this event will be recorded and uploaded to ELI's website. There is also a possibility that we will transcribe portions of the event for publication in one of our journals. I would be seeking your permission for both of these uses.

Please confirm your participation in this *Breaking News* webinar at your earliest convenience. If you have any questions as you decide, please do not hesitate to contact me. Thank you for your consideration and I look forward to hearing from you.

Sincerely,
Chandler



Chandler Randol
Manager of Educational Programs
Environmental Law Institute
1730 M Street NW, Suite 700
Washington, DC 20036
randol@eli.org | Tel: (202) 939-3836
<https://www.eli.org>

From: Chandler Randol <randol@eli.org>
Sent: Thursday, December 03, 2020 8:59 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
CC: Caitlin McCarthy <mccarthy@eli.org>
Subject: RE: Remote Speaking Invitation: The Biden Administration: Climate and the Environment at a Critical Juncture (December 17)
Attachment(s): "image001.jpg"

Wonderful, this is fantastic news! We're thrilled to have you lending your expertise to this program and we so look forward to speaking together soon. In terms of next steps, as soon as your co-panelists are confirmed we will schedule a short (approximately 20 minutes) planning call where we can discuss content, review logistics, and answer any questions you may have. However, please do not hesitate to reach out with any questions or concerns in the meantime.

Thank you!
Chandler



Chandler Randol
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randol@eli.org | Tel: (202) 939-3836
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Sent: Thursday, December 03, 2020 11:54 AM
To: Chandler Randol <randol@eli.org>
Subject: Re: Remote Speaking Invitation: The Biden Administration: Climate and the Environment at a Critical Juncture (December 17)

External Email - If suspicious, please contact blain@eli.org

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From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Tuesday, December 29, 2020 11:07 AM PST
To: Debra Kahn <dkahn@politico.com>
Subject: Re: Reporter looking to monitor Biden-related changes in legal strategy

Hi Debra,

I think the Biden Administration will drop all of the cases. That doesn't mean we won't see challenges in the future to new Biden rules, potentially including the granting of waivers to California for GHG and other mobile source pollutant rules. So I guess what I'd watch out for is how quickly the new Biden DOJ moves to withdraw rules and lawsuits or asks courts to put proceedings on hold until the administration can issue new rules.

Hope that helps.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Debra Kahn <dkahn@politico.com>
Sent: Monday, December 28, 2020 10:46 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Reporter looking to monitor Biden-related changes in legal strategy

Hi Prof. Carlson,

I was wondering if there's any environmental lawsuits in particular you would recommend I keep an eye on for changes in legal strategy once Biden comes in? The waiver suit would be an obvious one, but are there other key California-relevant cases that I should be looking at, like the one against the cap-and-trade link with Quebec?

If you have a minute to talk, please feel free to give me a call at 415 871-5477, or email is also great.

Thank you,
Debra

Debra Kahn
California environment and transportation reporter
POLITICO
dkahn@politico.com | 415-871-5477 (m) | [@debra_kahn](https://twitter.com/debra_kahn) (t)

From: Carlson, Ann
Sent: Friday, January 22, 2021 11:34 AM PST
To: Melling, Daniel <melling@law.ucla.edu>
Subject: Re: Review - release for NHTSA role

Go ahead. I haven't heard back and other places have released theirs.

On Jan 22, 2021, at 11:33 AM, Melling, Daniel <melling@law.ucla.edu> wrote:

Your press release is live here: <https://law.ucla.edu/news/carlson-joins-nhtsa-chief-counsel>

Daniel Melling
Communications Manager

UCLA School of Law | Emmett Institute on Climate Change and the Environment

Office (310) 206-7974
Mobile (310) 408-9417

From: Melling, Daniel
Sent: Friday, January 22, 2021 8:42 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Review - release for NHTSA role

Hi Ann - just prompting on this again as Josh and I would like to post the announcement this morning, if possible.

PS - Politico Morning Energy [calls you](#) a "highly regarded climate expert" in their newsletter today 😊

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To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Review - release for NHTSA role

Hi Ann - see draft release attached. Sean and Josh Rich have both reviewed. Let me know if you have any edits - and please share with NHTSA/DOT.

I know Josh is eager to post this tomorrow but want to make sure we have dotted i's, crossed t's.

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From: Melling, Daniel
Sent: Thursday, January 21, 2021 11:14 AM
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Subject: RE: Can I share with dot

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From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 11:09 AM
To: Melling, Daniel <melling@law.ucla.edu>
Subject: Can I share with dot

Before you send out?

From: Melling, Daniel <melling@law.ucla.edu>
Sent: Friday, January 22, 2021 11:33 AM PST
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To: Melling, Daniel <melling@law.ucla.edu>
Subject: Can I share with dot

Before you send out?

From: Melling, Daniel <melling@law.ucla.edu>
Sent: Friday, January 22, 2021 11:36 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: Review - release for NHTSA role

Of course!

Daniel Melling
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UCLA School of Law | Emmett Institute on Climate Change and the Environment

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Mobile (310) 408-9417

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Sent: Thursday, January 21, 2021 11:09 AM
To: Melling, Daniel <melling@law.ucla.edu>
Subject: Can I share with dot

Before you send out?

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Tuesday, January 19, 2021 3:55 PM PST
To: Harris, Ben <harrisb@law.ucla.edu>
Subject: Re: sharing some news

Thanks, Ben! I'm really excited.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Harris, Ben <harrisb@law.ucla.edu>
Sent: Tuesday, January 19, 2021 1:27 PM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: sharing some news

Congratulations, Ann! This is amazing news, I'm so delighted for you and excited to see what the next four years entail. Best of luck, and look forward to keeping in touch!

Ben

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Tuesday, January 19, 2021 10:58 AM
To: Emmett Institute Faculty & Staff <EmmettInstituteFaculty&Staff@law.ucla.edu>
Subject: sharing some news

Hi all,

I am writing to let you know that the Biden-Harris team has appointed me to serve as the Chief Counsel of the National Highway Traffic Safety Administration. NHTSA, as you know, has joint authority with EPA over the car and truck GHG standards and as a result the early political appointments will for the first time have strong climate experience. I'll be sworn in tomorrow as part of a large group of "first day appointees." I'm telling a few folks now but ask that you keep the news confidential until late tomorrow.

I'm incredibly excited about the opportunity but it of course this means that I will be taking a leave from UCLA for the near future. You will be in terrific hands with Cara, Sean, and Ted and I will look forward to seeing all of Emmett's terrific work from a bit of a distance. I'll be here in L.A. for now working remotely until I'm told I need to move east.

I'll miss you all but don't be strangers!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>

Sent: Tuesday, January 19, 2021 2:10 PM PST

To: [REDACTED]

Subject: Re: sharing some news

Thanks, [REDACTED] And it's Ann ☐☐

Very excite about it all. A new adventure, for sure.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: [REDACTED]

Sent: Tuesday, January 19, 2021 2:08 PM

To: Carlson, Ann <carlson@law.ucla.edu>

Subject: Re: sharing some news

Congratulations, Professor Carlson! This is so exciting, and the Biden-Harris Administration is lucky to have you join their team.

[REDACTED]

[REDACTED]

[REDACTED]

UCLA School of Law

From: Carlson, Ann <carlson@law.ucla.edu>

Sent: Tuesday, January 19, 2021 10:57 AM

To: Emmett Institute Faculty & Staff <EmmettInstituteFaculty&Staff@law.ucla.edu>

Subject: sharing some news

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[REDACTED]

[REDACTED]

[REDACTED]

UCLA School of Law

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Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Yeazell, Steve <yeazell@law.ucla.edu>
Sent: Tuesday, January 19, 2021 1:51 PM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: sharing some news

Wow!!!!

Sent from my iPad

On Jan 19, 2021, at 11:21 AM, Carlson, Ann <carlson@law.ucla.edu> wrote:

Hey friends,

sharing some news -- which I'm mostly keeping under wraps until tomorrow afternoon -- about me. I've been appointed by the Biden-Harris team to serve as Chief Counsel of the National Highway Traffic Safety Administration. NHTSA has authority over fuel economy for cars and trucks and has been at the center of the standards to reduce GHGs from the transport sector. I'm being appointed along with the deputy administrator as the first NHTSA appointees ever with serious climate expertise. I'll be sworn in tomorrow as part of a large group of "first day" appointees. I'll let larger groups of people know tomorrow so please keep under wraps until then.

I'll be working remotely until told I need to move east, then commuting back here when I can where Carl will be holding down the fort.

Wanted to share the news with you! I'm very excited.

xo

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Varat, Jonathan <varat@law.ucla.edu>

Sent: Tuesday, January 19, 2021 11:59 AM PST

To: Carlson, Ann <carlson@law.ucla.edu>

CC: Zolt, Eric <zolt@law.ucla.edu>; Yeazell, Steve <yeazell@law.ucla.edu>; Kathleen Smalley

Subject: Re: sharing some news

Congratulations, Ann! That's great news for you—and our country. Will keep under wraps for now, of course.

Sent from my iPhone

On Jan 19, 2021, at 11:21 AM, Carlson, Ann <carlson@law.ucla.edu> wrote:

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Ann

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Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Parson, Edward <PARSON@law.ucla.edu>
Sent: Tuesday, January 19, 2021 11:03 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>; Emmett Institute Faculty & Staff <EmmettInstituteFaculty&Staff@law.ucla.edu>
Subject: RE: sharing some news

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From: Harris, Ben <harrisb@law.ucla.edu>
Sent: Tuesday, January 19, 2021 1:27 PM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: sharing some news

Congratulations, Ann! This is amazing news, I'm so delighted for you and excited to see what the next four years entail. Best of luck, and look forward to keeping in touch!

Ben

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Sent: Tuesday, January 19, 2021 11:34 AM PST
To: Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>; Carlson, Ann <carlson@law.ucla.edu>; Emmett Institute Faculty & Staff <EmmettInstituteFaculty&Staff@law.ucla.edu>
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Ditto to all of this, with one friendly amendment: I refuse to think of this as Ann's "departure." "Leave of absence" is a much friendlier phrase. Ann, the country is lucky to have you working directly on its behalf, and I know you'll find new and high-leverage ways to make the world a better place from within the Biden camp.

(And this is a minor request in the grand scheme of things, but: please collect some fun gossip for us, too.)

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To: Horowitz, Cara <HOROWITZ@law.ucla.edu>; Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>; Carlson, Ann <carlson@law.ucla.edu>; Emmett Institute Faculty & Staff <EmmettInstituteFaculty&Staff@law.ucla.edu>
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Ann, I will be assembling a task force of faculty to take up all the media requests that you've previously handled!

We will miss you tremendously but it's both exciting and reassuring to know that you will be helping NHTSA move towards a more climate-friendly agenda alongside Mayor Pete and many others.

Look forward to keeping in touch and congratulations again on this appointment, I'll be tuning in tomorrow. Daniel

PS – DOT/NHTSA is right by Nats Park, so expecting updates on Dodgers away performance if/when you move to the district.

Daniel Melling
Communications Manager

UCLA School of Law | Emmett Institute on Climate Change and the Environment

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From: Carlson, Ann
Sent: Tuesday, January 19, 2021 11:01 AM PST
To: Malloy, Timothy <malloy@law.ucla.edu>
Subject: Re: sharing some news

Thanks, Tim. All a bit of a whirlwind! Hope you're hanging in and staying safe

On Jan 19, 2021, at 11:00 AM, Malloy, Timothy <malloy@law.ucla.edu> wrote:

Congratulations Ann! Good to know you'll be part of the Administration.

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From: Wang, Alex <alex.wang@law.ucla.edu>
Sent: Tuesday, January 19, 2021 11:24 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: sharing some news

Amazing!

From: Carlson, Ann <carlson@law.ucla.edu>
Date: Tuesday, January 19, 2021 at 10:57 AM
To: Emmett Institute Faculty & Staff <EmmettInstituteFaculty&Staff@law.ucla.edu>
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From: Kathleen Smalley [REDACTED]
Sent: Tuesday, January 19, 2021 11:23 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
CC: Zolt, Eric <zolt@law.ucla.edu>
Subject: RE: sharing some news

Yay! Good people taking over already!
We will miss having you right here in the neighborhood but glad to know you're off working for all of us!

Kathleen Smalley
[REDACTED]

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Tuesday, January 19, 2021 11:22 AM
To: Zolt, Eric <zolt@law.ucla.edu>; Varat, Jonathan <varat@law.ucla.edu>; Yeazell, Steve <yeazell@law.ucla.edu>; Kathleen Smalley [REDACTED]
Subject: sharing some news

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From: Stein, Julia <steinj@law.ucla.edu>
Sent: Tuesday, January 19, 2021 11:09 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: sharing some news

That's so exciting—congratulations, Ann!! I'm keeping my fingers crossed that we'll all be able to offer some belated in-person congratulations before you head to Washington. We will miss you!

Julia E. Stein (*she/her/hers*)
Clinical Supervising Attorney, Frank G. Wells Environmental Law Clinic
Project Director, Emmett Institute on Climate Change & the Environment

THE EMMETT INSTITUTE |  UCLA SCHOOL OF LAW
ON CLIMATE CHANGE AND THE ENVIRONMENT

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I'm incredibly excited about the opportunity but it of course this means that I will be taking a leave from UCLA for the near future. You will be in terrific hands with Cara, Sean, and Ted and I will look forward to seeing all of Emmett's terrific work from a bit of a distance. I'll be here in L.A. for now working remotely until I'm told I need to move east.

I'll miss you all but don't be strangers!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Malloy, Timothy <malloy@law.ucla.edu>
Sent: Tuesday, January 19, 2021 11:00 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: sharing some news

Congratulations Ann! Good to know you'll be part of the Administration.

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Tuesday, January 19, 2021 10:58 AM
To: Emmett Institute Faculty & Staff <EmmettInstituteFaculty&Staff@law.ucla.edu>
Subject: sharing some news

Hi all,

I am writing to let you know that the Biden-Harris team has appointed me to serve as the Chief Counsel of the National Highway Traffic Safety Administration. NHTSA, as you know, has joint authority with EPA over the car and truck GHG standards and as a result the early political appointments will for the first time have strong climate experience. I'll be sworn in tomorrow as part of a large group of "first day appointees." I'm telling a few folks now but ask that you keep the news confidential until late tomorrow.

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Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: carlson@law.ucla.edu <carlson@law.ucla.edu>

Sent: Tuesday, January 26, 2021 9:42 PM PST

To: Daniel Emmett <daniel@nextenergytech.com>

Subject: Re: sharing some personal news with you

Thank you, Daniel! It will be a wild ride for sure.

Xoxo

On Jan 26, 2021, at 11:52 AM, Daniel Emmett <daniel@nextenergytech.com> wrote:

Ann!!

Huge congratulations! It gives me such comfort to know you will be in there fighting the big fight on our behalf! They are so lucky to have you. I'm thrilled you get to work with Mayor Pete! He was my guy in the primary and Henri and I are huge fans and supporters. Good luck and keep us posted!!

Big hugs,
Daniel

Daniel Emmett, CEO
Next Energy Technologies, Inc.
600 Ward Dr., Suite C
Santa Barbara, CA 93111
[\(805\) 222-4546](tel:(805)222-4546) main
[\(805\) 222-4532](tel:(805)222-4532) direct
[\(310\) 600-4887](tel:(310)600-4887) mobile
daniel@nextenergytech.com

Important Notice: This message is intended only for the person or entity to which it is addressed. The information provided is confidential. Accordingly, any review, retransmission, dissemination or other use of this information by, or disclosure of it to, anyone other than the intended recipient could have significant adverse effects and is prohibited. This message does not constitute an offer to purchase or sell any securities or other interests.

On Jan 21, 2021, at 10:02 AM, Carlson, Ann <carlson@law.ucla.edu> wrote:

Dear Board Members,

I am writing to share some news with you about next steps for me. Yesterday, I was sworn in to serve as Chief Counsel of the National Highway Traffic Safety Administration and will be taking a leave from UCLA for the near future. NHTSA, as you may know, has joint responsibility for greenhouse gas and fuel economy standards for the transportation sector. I view my appointment (and a number of others) as evidence that the Biden Administration is truly committed to a "whole of government" approach to addressing climate change.

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Thank you so much for all you do for the planet and for all your support.

All the best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Carlson, Ann
Sent: Tuesday, January 26, 2021 9:42 PM PST
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Subject: Re: sharing some personal news with you

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Daniel

Daniel Emmett, CEO
Next Energy Technologies, Inc.
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[\(805\) 222-4546](tel:(805)222-4546) main
[\(805\) 222-4532](tel:(805)222-4532) direct
[\(310\) 600-4887](tel:(310)600-4887) mobile
daniel@nextenergytech.com

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On Jan 21, 2021, at 10:02 AM, Carlson, Ann <carlson@law.ucla.edu> wrote:

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Thank you so much for all you do for the planet and for all your support.

All the best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:12 PM PST
To: Horowitz, Cara <HOROWITZ@law.ucla.edu>
Subject: Re: sharing some personal news with you

Thanks, Cara. Such a great message. Crazy day already!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Horowitz, Cara <HOROWITZ@law.ucla.edu>
Sent: Thursday, January 21, 2021 2:14 PM
To: MIGUEL KOENIG [REDACTED]; Carlson, Ann <carlson@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; Andrew Sabin [REDACTED]; Carmen Garcia <cgarcia@douglasemmett.com>; Daniel Emmett [REDACTED]; Daniel Emmett <daniel@nextenergytech.com>; Dan Emmett <demmett@douglasemmett.com>; Diane Keaton [REDACTED]; Frances J. Pavley [REDACTED]; Frank D. Boren [REDACTED]; Henry Waxman <henry@waxmanstrategies.com>; Hope Kramer <asff@andrewsabinfamilyfoundation.org>; Jamie Durrell <JDurrell@angelides.com>; Jared Diamond <jdiamond@geog.ucla.edu>; Jordan Kaplan <jkaplan@douglasemmett.com>; Kassie Siegel <ksiegel@biologicaldiversity.org>; Mary Nichols <mnichols@arb.ca.gov>; Michael B Gerrard <michael.gerrard@law.columbia.edu>; Nicholette Fuhrman <nfuhrman@douglasemmett.com>; Phil Angelides <phil@riverviewci.com>; Rae Emmett [REDACTED]; Shirley Shapiro [REDACTED]; Ted Lieu <Joey.Apodaca@mail.house.gov>; Terry Tamminen [REDACTED]; Tina Quinn [REDACTED]; Evan Graham [REDACTED]
Cc: Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>
Subject: Re: sharing some personal news with you

Ann (and all):

I could not be more thrilled for you and for our country, and I welcome this as further evidence of the seriousness of purpose of the Biden-Harris team in tackling climate change. Having you as the driver of NHTSA's legal strategies will be a revolutionary change. What an opportunity to make a difference in a sector that poses real challenges. Thank you for taking it on, Ann!

I'm especially willing to be graceful about this transition because I know it's only temporary. We'll miss you tremendously, Ann, but will work hard every day to keep moving forward.

Here's to progress!

Cara Horowitz
Andrew Sabin Family Foundation Co-Executive Director
Emmett Institute on Climate Change and the Environment
UCLA School of Law

From: MIGUEL KOENIG [REDACTED]
Sent: Thursday, January 21, 2021 12:33 PM
To: Carlson, Ann <carlson@law.ucla.edu>; Horowitz, Cara <HOROWITZ@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; Andrew Sabin [REDACTED]; Carmen Garcia <cgarcia@douglasemmett.com>; Daniel Emmett [REDACTED]; Daniel Emmett <daniel@nextenergytech.com>; Dan Emmett <demmett@douglasemmett.com>; Diane Keaton [REDACTED]; Frances J. Pavley [REDACTED]; Frank D. Boren [REDACTED]; Henry Waxman <henry@waxmanstrategies.com>; Hope Kramer <asff@andrewsabinfamilyfoundation.org>; Jamie Durrell <JDurrell@angelides.com>; Jared Diamond <jdiamond@geog.ucla.edu>; Jordan Kaplan <jkaplan@douglasemmett.com>; Kassie Siegel <ksiegel@biologicaldiversity.org>; Mary Nichols <mnichols@arb.ca.gov>; Michael B Gerrard <michael.gerrard@law.columbia.edu>; Nicholette Fuhrman <nfuhrman@douglasemmett.com>; Phil Angelides <phil@riverviewci.com>; Rae Emmett [REDACTED]; Shirley Shapiro [REDACTED]; Ted Lieu <Joey.Apodaca@mail.house.gov>; Terry Tamminen [REDACTED]; Tina Quinn [REDACTED]; Evan Graham [REDACTED]
Cc: Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>
Subject: RE: sharing some personal news with you

Congratulations Ann!, thank you for everything you do on behalf of the environment and sustainability.

Best regards,

Miguel

From: Carlson, Ann <carlson@law.ucla.edu>

Sent: Thursday, January 21, 2021 10:02 AM

To: Horowitz, Cara <HOROWITZ@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; Andrew Sabin
[REDACTED] Carmen Garcia <cgarcia@douglasemmett.com>; Daniel Emmett [REDACTED]; Daniel Emmett
<daniel@nextenergytech.com>; Dan Emmett <demmett@douglasemmett.com>; Diane Keaton [REDACTED]; Frances
J. Pavley [REDACTED]; Frank D. Boren [REDACTED]; Henry Waxman <henry@waxmanstrategies.com>;
Hope Kramer <asff@andrewsabinfamilyfoundation.org>; Jamie Durrell <JDurrell@angelides.com>; Jared Diamond
<jdiamond@geog.ucla.edu>; Jordan Kaplan <jkaplan@douglasemmett.com>; Kassie Siegel <ksiegel@biologicaldiversity.org>; Mary
Nichols <mnichols@arb.ca.gov>; Michael B Gerrard <michael.gerrard@law.columbia.edu>; Nicholette Fuhrman
<nfuhrman@douglasemmett.com>; Phil Angelides <phil@riverviewci.com>; Rae Emmett [REDACTED]; Shirley Shapiro
[REDACTED]; Ted Lieu <Joey.Apodaca@mail.house.gov>; Terry Tamminen [REDACTED]; Tina
Quinn <[REDACTED]>; Miguel Koenig [REDACTED]; Evan Graham [REDACTED] >

Cc: Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>

Subject: sharing some personal news with you

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Thank you so much for all you do for the planet and for all your support.

All the best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Carlson, Ann
Sent: Saturday, January 23, 2021 5:54 PM PST
To: ANDREW SABIN [REDACTED]
Subject: Re: sharing some personal news with you

Thank you, Andy!

On Jan 23, 2021, at 5:00 PM, ANDREW SABIN [REDACTED] wrote:

Hi Ann
Wishing you much success and happiness in your new role, Hopefully ☐ you make a big difference.

Best Andy

Sent from my iPad

On Jan 21, 2021, at 1:02 PM, Carlson, Ann <carlson@law.ucla.edu> wrote:

Dear Board Members,

I am writing to share some news with you about next steps for me. Yesterday, I was sworn in to serve as Chief Counsel of the National Highway Traffic Safety Administration and will be taking a leave from UCLA for the near future. NHTSA, as you may know, has joint responsibility for greenhouse gas and fuel economy standards for the transportation sector. I view my appointment (and a number of others) as evidence that the Biden Administration is truly committed to a "whole of government" approach to addressing climate change.

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All the best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:13 PM PST
To: MIGUEL KOENIG [REDACTED]
Subject: Re: sharing some personal news with you

Thank you, Miguel. So glad you've joined the board and so grateful for all your support.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: MIGUEL KOENIG [REDACTED]
Sent: Thursday, January 21, 2021 12:33 PM
To: Carlson, Ann <carlson@law.ucla.edu>; Horowitz, Cara <HOROWITZ@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; Andrew Sabin [REDACTED]; Carmen Garcia <cgarcia@douglasemmett.com>; Daniel Emmett [REDACTED]; Daniel Emmett <daniel@nextenergytech.com>; Dan Emmett <demmett@douglasemmett.com>; Diane Keaton [REDACTED]; Frances J. Pavley [REDACTED]; Frank D. Boren [REDACTED]; Henry Waxman <henry@waxmanstrategies.com>; Hope Kramer <asff@andrewsabinfamilyfoundation.org>; Jamie Durrell <JDurrell@angelides.com>; Jared Diamond <jdiamond@geog.ucla.edu>; Jordan Kaplan <jkaplan@douglasemmett.com>; Kassie Siegel <ksiegel@biologicaldiversity.org>; Mary Nichols <mnichols@arb.ca.gov>; Michael B Gerrard <michael.gerrard@law.columbia.edu>; Nicholette Fuhrman <nfuhrman@douglasemmett.com>; Phil Angelides <phil@riverviewci.com>; Rae Emmett [REDACTED]; Shirley Shapiro [REDACTED]; Ted Lieu <Joey.Apodaca@mail.house.gov>; Terry Tamminen [REDACTED]; Tina Quinn [REDACTED]; Evan Graham [REDACTED]
Cc: Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>
Subject: RE: sharing some personal news with you

Congratulations Ann!, thank you for everything you do on behalf of the environment and sustainability.

Best regards,

Miguel

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 10:02 AM
To: Horowitz, Cara <HOROWITZ@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; Andrew Sabin [REDACTED]; Carmen Garcia <cgarcia@douglasemmett.com>; Daniel Emmett [REDACTED]; Daniel Emmett <daniel@nextenergytech.com>; Dan Emmett <demmett@douglasemmett.com>; Diane Keaton [REDACTED]; Frances J. Pavley [REDACTED]; Frank D. Boren [REDACTED]; Henry Waxman <henry@waxmanstrategies.com>; Hope Kramer <asff@andrewsabinfamilyfoundation.org>; Jamie Durrell <JDurrell@angelides.com>; Jared Diamond <jdiamond@geog.ucla.edu>; Jordan Kaplan <jkaplan@douglasemmett.com>; Kassie Siegel <ksiegel@biologicaldiversity.org>; Mary Nichols <mnichols@arb.ca.gov>; Michael B Gerrard <michael.gerrard@law.columbia.edu>; Nicholette Fuhrman <nfuhrman@douglasemmett.com>; Phil Angelides <phil@riverviewci.com>; Rae Emmett [REDACTED]; Shirley Shapiro [REDACTED]; Ted Lieu <Joey.Apodaca@mail.house.gov>; Terry Tamminen [REDACTED]; Tina Quinn [REDACTED]; Miguel Koenig [REDACTED]; Evan Graham [REDACTED]
Cc: Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>
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All the best,

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Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:15 PM PST
To: Kassie Siegel <ksiegel@biologicaldiversity.org>
Subject: Re: sharing some personal news with you

Thank you, Kassie. It's already been an adventure, with much more to come. I really appreciate the kind words and all your support.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Kassie Siegel <ksiegel@biologicaldiversity.org>
Sent: Thursday, January 21, 2021 11:47 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: sharing some personal news with you

Ann, Congratulations!!!! Early this morning I saw a tweet from a journalist with the news and I was so thrilled!

This is such an exciting time and I am so heartened that you'll be taking on this hugely important leadership role. Congratulations, and thank you, from the bottom of my heart. -- Kassie

Kassie Siegel, Director
Climate Law Institute
[Center for Biological Diversity](#)
Phone: (951) 961-7972

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 10:02 AM
To: Horowitz, Cara <HOROWITZ@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; Andrew Sabin [REDACTED]; Carmen Garcia <cgarcia@douglasemmett.com>; Daniel Emmett [REDACTED]; Daniel Emmett <daniel@nextenergytech.com>; Dan Emmett <demmett@douglasemmett.com>; Diane Keaton [REDACTED]; Frances J. Pavley [REDACTED]; Frank D. Boren [REDACTED]; Henry Waxman <henry@waxmanstrategies.com>; Hope Kramer <asff@andrewsabinfamilyfoundation.org>; Jamie Durrell <JDurrell@angelides.com>; Jared Diamond <jdiamond@geog.ucla.edu>; Jordan Kaplan <jkaplan@douglasemmett.com>; Kassie Siegel <ksiegel@biologicaldiversity.org>; Mary Nichols <mnichols@arb.ca.gov>; Michael B Gerrard <michael.gerrard@law.columbia.edu>; Nicholette Fuhrman <nfuhrman@douglasemmett.com>; Phil Angelides <phil@riverviewci.com>; Rae Emmett [REDACTED]; Shirley Shapiro [REDACTED]; Ted Lieu <Joey.Apodaca@mail.house.gov>; Terry Tamminen [REDACTED]; Tina Quinn [REDACTED]; Miguel Koenig [REDACTED]; Evan Graham [REDACTED]
Cc: Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>
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Thank you so much for all you do for the planet and for all your support.

All the best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:16 PM PST
To: Phil Angelides (RCI) <phil@riverviewci.com>
Subject: Re: sharing some personal news with you

Thanks, Phil and thanks for your call. I'll try to return it if I can come up for air. Already intense but super interesting!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Phil Angelides (RCI) <phil@riverviewci.com>
Sent: Thursday, January 21, 2021 10:22 AM
To: [REDACTED] Carlson, Ann <carlson@law.ucla.edu>; Horowitz, Cara <HOROWITZ@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; [REDACTED] Carmen Garcia <cgarcia@douglasemmett.com>; Daniel Emmett [REDACTED]; Daniel Emmett <daniel@nextenergytech.com>; Dan Emmett <demmett@douglasemmett.com>; Diane Keaton [REDACTED] Frances J. Pavley [REDACTED]; Frank D. Boren [REDACTED]; Henry Waxman <henry@waxmanstrategies.com>; Hope Kramer <asff@andrewsabinfamilyfoundation.org>; Jamie Tasakos-Durrell <jdurrell@angelides.com>; Jared Diamond <jdiamond@geog.ucla.edu>; Jordan Kaplan <jkaplan@douglasemmett.com>; Kassie Siegel <ksiegel@biologicaldiversity.org>; Mary Nichols <mnichols@arb.ca.gov>; michaelgerrardlawcolumbiaedu <michael.gerrard@law.columbia.edu>; Nicholette Fuhrman <nfuhrman@douglasemmett.com>; Rae Emmett [REDACTED]; Shirley Shapiro [REDACTED]; Ted Lieu <Joey.Apodaca@mail.house.gov>; Tina Quinn [REDACTED]; Miguel Koenig [REDACTED]; Evan Graham [REDACTED]
Cc: Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>
Subject: Re: sharing some personal news with you

Ann -

Terrific - congratulations! A win for our country and the climate.

All the best,

Phil

Phil Angelides
3301 C Street, Suite 1000, 2nd Floor
Sacramento, CA 95816
916-448-1998

From: Terry Tamminen [REDACTED]
Sent: Thursday, January 21, 2021 10:20 AM
To: Carlson, Ann; Horowitz, Cara; Adriano Martinez; Andrew Sabin; Carmen Garcia; Daniel Emmett; Daniel Emmett; Dan Emmett; Diane Keaton; Frances J. Pavley; Frank D. Boren; Henry Waxman; Hope Kramer; Jamie Tasakos-Durrell; Jared Diamond; Jordan Kaplan; Kassie Siegel; Mary Nichols; michaelgerrardlawcolumbiaedu; Nicholette Fuhrman; Phil Angelides (RCI); Rae Emmett; Shirley Shapiro; Ted Lieu; Tina Quinn; Miguel Koenig; Evan Graham
Cc: Hecht, Sean; Parson, Edward
Subject: Re: sharing some personal news with you

Bravo Ann. Exciting opportunity and I hope you'll come back to the Emmett Institute to give us an update on your work.

Best

TT

Terry Tamminen
+1-424-259-3730

From: Ann Carlson <carlson@law.ucla.edu>
Date: Thursday, January 21, 2021 at 10:02 AM
To: Cara Horowitz <HOROWITZ@law.ucla.edu>, Adriano Martinez <amartinez@earthjustice.org>, Andy Sabin [REDACTED], Carmen Garcia <cgarcia@douglasemmett.com>, Daniel Emmett [REDACTED], Daniel Emmett <daniel@nextenergytech.com>, "demmett@douglasemmett.com" <demmett@douglasemmett.com>, Diane Keaton [REDACTED], Fran Pavley [REDACTED], "Frank D. Boren" [REDACTED], Henry

Waxman <henry@waxmanstrategies.com>, Hope Kramer <asff@andrewsabinfamilyfoundation.org>, Jamie Durrell <JDurrell@angelides.com>, Jared Diamond <jdiamond@geog.ucla.edu>, Jordan Kaplan <jkaplan@douglasemmett.com>, Kassie Siegel <ksiegel@biologicaldiversity.org>, Mary Nichols <mnichols@arb.ca.gov>, Michael B Gerrard <michael.gerrard@law.columbia.edu>, Nicholette Fuhrman <nfuhrman@douglasemmett.com>, Phil Angelides <phil@riverviewci.com>, Rae Emmett [REDACTED], Shirley Shapiro [REDACTED], Ted Lieu <Joey.Apodaca@mail.house.gov>, TT [REDACTED], Tina Quinn [REDACTED], Miguel Koenig [REDACTED], Evan Graham [REDACTED]

Cc: "Sean B. Hecht" <hecht@law.ucla.edu>, "Parson, Edward" <PARSON@law.ucla.edu>

Subject: sharing some personal news with you

Dear Board Members,

I am writing to share some news with you about next steps for me. Yesterday, I was sworn in to serve as Chief Counsel of the National Highway Traffic Safety Administration and will be taking a leave from UCLA for the near future. NHTSA, as you may know, has joint responsibility for greenhouse gas and fuel economy standards for the transportation sector. I view my appointment (and a number of others) as evidence that the Biden Administration is truly committed to a "whole of government" approach to addressing climate change.

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Thank you so much for all you do for the planet and for all your support.

All the best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>

Sent: Thursday, January 21, 2021 9:16 PM PST

To: Terry Tamminen [REDACTED]

Subject: Re: sharing some personal news with you

Thanks, Terry and I will!

Ann Carlson

Shirley Shapiro Professor of Environmental Law

Faculty Co-Director, Emmett Institute on Climate Change and the Environment

UCLA School of Law

(310) 206-9496

From: Terry Tamminen [REDACTED]

Sent: Thursday, January 21, 2021 10:20 AM

To: Carlson, Ann <carlson@law.ucla.edu>; Horowitz, Cara <HOROWITZ@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; Andrew Sabin [REDACTED]; Carmen Garcia <cgarcia@douglasemmett.com>; Daniel Emmett [REDACTED]; Daniel Emmett <daniel@nextenergytech.com>; Dan Emmett <demmett@douglasemmett.com>; Diane Keaton [REDACTED]; Frances J. Pavley [REDACTED]; Frank D. Boren [REDACTED]; Henry Waxman <henry@waxmanstrategies.com>; Hope Kramer <asff@andrewsabinfamilyfoundation.org>; Jamie Durrell <JDurrell@angelides.com>; Jared Diamond <jdiamond@geog.ucla.edu>; Jordan Kaplan <jkaplan@douglasemmett.com>; Kassie Siegel <ksiegel@biologicaldiversity.org>; Mary Nichols <mnichols@arb.ca.gov>; Michael B Gerrard <michael.gerrard@law.columbia.edu>; Nicholette Fuhrman <nfuhrman@douglasemmett.com>; Phil Angelides <phil@riverviewci.com>; Rae Emmett [REDACTED]; Shirley Shapiro [REDACTED]; Ted Lieu <Joey.Apodaca@mail.house.gov>; Tina Quinn [REDACTED]; Miguel Koenig [REDACTED]; Evan [REDACTED]

Cc: Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>

Subject: Re: sharing some personal news with you

Bravo Ann. Exciting opportunity and I hope you'll come back to the Emmett Institute to give us an update on your work.

Best

TT

Terry Tamminen

+1-424-259-3730

From: Ann Carlson <carlson@law.ucla.edu>

Date: Thursday, January 21, 2021 at 10:02 AM

To: Cara Horowitz <HOROWITZ@law.ucla.edu>, Adriano Martinez <amartinez@earthjustice.org>, Andy Sabin [REDACTED], Carmen Garcia <cgarcia@douglasemmett.com>, Daniel Emmett [REDACTED], Daniel Emmett <daniel@nextenergytech.com>, "demmett@douglasemmett.com" <demmett@douglasemmett.com>, Diane Keaton [REDACTED], Fran Pavley [REDACTED], "Frank D. Boren" [REDACTED], Henry Waxman <henry@waxmanstrategies.com>, Hope Kramer <asff@andrewsabinfamilyfoundation.org>, Jamie Durrell <JDurrell@angelides.com>, Jared Diamond <jdiamond@geog.ucla.edu>, Jordan Kaplan <jkaplan@douglasemmett.com>, Kassie Siegel <ksiegel@biologicaldiversity.org>, Mary Nichols <mnichols@arb.ca.gov>, Michael B Gerrard <michael.gerrard@law.columbia.edu>, Nicholette Fuhrman <nfuhrman@douglasemmett.com>, Phil Angelides <phil@riverviewci.com>, Rae Emmett [REDACTED], Shirley Shapiro [REDACTED], Ted Lieu <Joey.Apodaca@mail.house.gov>, TT [REDACTED], Tina Quinn [REDACTED], Miguel Koenig [REDACTED], Evan Graham [REDACTED]

Cc: "Sean B. Hecht" <hecht@law.ucla.edu>, "Parson, Edward" <PARSON@law.ucla.edu>

Subject: sharing some personal news with you

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All the best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:15 PM PST
To: Hope Kramer <asff@andrewsabinfamilyfoundation.org>
Subject: Re: sharing some personal news with you

Thanks, Hope! Give Andy my best.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Hope Kramer <asff@andrewsabinfamilyfoundation.org>
Sent: Thursday, January 21, 2021 10:47 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Cc: Horowitz, Cara <HOROWITZ@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; Andy Sabin [REDACTED]; Carmen Garcia <cgarcia@douglasemmett.com>; Daniel Emmett [REDACTED]; Daniel Emmett <daniel@nextenergytech.com>; Dan Emmett <demmett@douglasemmett.com>; Diane Keaton [REDACTED]; Frances J. Pavley [REDACTED]; Frank D. Boren [REDACTED]; Henry Waxman <henry@waxmanstrategies.com>; Jamie Durrell <JDurrell@angelides.com>; Jared Diamond <jdiamond@geog.ucla.edu>; Jordan Kaplan <jkaplan@douglasemmett.com>; Kassie Siegel <ksiegel@biologicaldiversity.org>; Mary Nichols <mnichols@arb.ca.gov>; Sabin Center for Climate Change Law <michael.gerrard@law.columbia.edu>; Nicholette Fuhrman <nfuhrman@douglasemmett.com>; Phil Angelides <phil@riverviewci.com>; Rae Emmett [REDACTED]; Shirley Shapiro [REDACTED]; Ted Lieu <Joey.Apodaca@mail.house.gov>; Terry Tamminen [REDACTED]; Tina Quinn [REDACTED]; Miguel Koenig [REDACTED]; Evan Graham [REDACTED]; Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>
Subject: Re: sharing some personal news with you

Congratulations - what great news!

All the best,
Hope

Hope Kramer
Executive Director
Andrew Sabin Family Foundation
PO Box 5026
East Hampton, NY 11937
PHONE: 631.329.0010
FAX: 631-329-7102

On Jan 21, 2021, at 1:02 PM, Carlson, Ann <carlson@law.ucla.edu> wrote:

Dear Board Members,

I am writing to share some news with you about next steps for me. Yesterday, I was sworn in to serve as Chief Counsel of the National Highway Traffic Safety Administration and will be taking a leave from UCLA for the near future. NHTSA, as you may know, has joint responsibility for greenhouse gas and fuel economy standards for the transportation sector. I view my appointment (and a number of others) as evidence that the Biden Administration is truly committed to a "whole of government" approach to addressing climate change.

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Thank you so much for all you do for the planet and for all your support.

All the best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: MIGUEL KOENIG [REDACTED]
Sent: Thursday, January 21, 2021 12:33 PM PST
To: Carlson, Ann <carlson@law.ucla.edu>; Horowitz, Cara <HOROWITZ@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; Andrew Sabin [REDACTED]; Carmen Garcia <cgarcia@douglasemmett.com>; Daniel Emmett [REDACTED]; Daniel Emmett <daniel@nextenergytech.com>; Dan Emmett <demmett@douglasemmett.com>; Diane Keaton [REDACTED]; Frances J. Pavley [REDACTED]; Frank D. Boren [REDACTED]; Henry Waxman <henry@waxmanstrategies.com>; Hope Kramer <asff@andrewsabinfamilyfoundation.org>; Jamie Durrell <JDurrell@angelides.com>; Jared Diamond <jdiamond@geog.ucla.edu>; Jordan Kaplan <jkaplan@douglasemmett.com>; Kassie Siegel <ksiegel@biologicaldiversity.org>; Mary Nichols <mnichols@arb.ca.gov>; Michael B Gerrard <michael.gerrard@law.columbia.edu>; Nicholette Fuhrman <nfuhrman@douglasemmett.com>; Phil Angelides <phil@riverviewci.com>; Rae Emmett [REDACTED]; Shirley Shapiro [REDACTED]; Ted Lieu <Joey.Apodaca@mail.house.gov>; Terry Tamminen [REDACTED]; Tina Quinn [REDACTED]; Evan Graham [REDACTED]
CC: Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>
Subject: RE: sharing some personal news with you

Congratulations Ann!, thank you for everything you do on behalf of the environment and sustainability.

Best regards,

Miguel

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 10:02 AM
To: Horowitz, Cara <HOROWITZ@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; Andrew Sabin [REDACTED]; Carmen Garcia <cgarcia@douglasemmett.com>; Daniel Emmett [REDACTED]; Daniel Emmett <daniel@nextenergytech.com>; Dan Emmett <demmett@douglasemmett.com>; Diane Keaton [REDACTED]; Frances J. Pavley [REDACTED]; Frank D. Boren [REDACTED]; Henry Waxman <henry@waxmanstrategies.com>; Hope Kramer <asff@andrewsabinfamilyfoundation.org>; Jamie Durrell <JDurrell@angelides.com>; Jared Diamond <jdiamond@geog.ucla.edu>; Jordan Kaplan <jkaplan@douglasemmett.com>; Kassie Siegel <ksiegel@biologicaldiversity.org>; Mary Nichols <mnichols@arb.ca.gov>; Michael B Gerrard <michael.gerrard@law.columbia.edu>; Nicholette Fuhrman <nfuhrman@douglasemmett.com>; Phil Angelides <phil@riverviewci.com>; Rae Emmett [REDACTED]; Shirley Shapiro [REDACTED]; Ted Lieu <Joey.Apodaca@mail.house.gov>; Terry Tamminen [REDACTED]; Tina Quinn [REDACTED]; Miguel Koenig [REDACTED]; Evan Graham [REDACTED]
Cc: Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>
Subject: sharing some personal news with you

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All the best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Henry Waxman <henry@waxmanstrategies.com>

Sent: Thursday, January 21, 2021 10:04 AM PST

To: Carlson, Ann <carlson@law.ucla.edu>; Horowitz, Cara <HOROWITZ@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; Andrew Sabin [REDACTED]; Carmen Garcia <cgarcia@douglasemmett.com>; Daniel Emmett [REDACTED]; Daniel Emmett <daniel@nextenergytech.com>; Dan Emmett <demmett@douglasemmett.com>; Diane Keaton [REDACTED]; Frances J. Pavley [REDACTED]; Frank D. Boren [REDACTED]; Hope Kramer <asff@andrewsabinfamilyfoundation.org>; Jamie Durrell <JDurrell@angelides.com>; Jared Diamond <jdiamond@geog.ucla.edu>; Jordan Kaplan <jkaplan@douglasemmett.com>; Kassie Siegel <ksiegel@biologicaldiversity.org>; Mary Nichols <mnichols@arb.ca.gov>; Michael B Gerrard <michael.gerrard@law.columbia.edu>; Nicholette Fuhrman <nfuhrman@douglasemmett.com>; Phil Angelides <phil@riverviewci.com>; Rae Emmett [REDACTED]; Shirley Shapiro [REDACTED]; Ted Lieu <Joey.Apodaca@mail.house.gov>; Terry Tamminen [REDACTED]; Tina Quinn [REDACTED]; Miguel Koenig [REDACTED]; Evan Graham [REDACTED]

CC: Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>

Subject: Re: sharing some personal news with you

Congratulations. I know you will do a great job. Best wishes, Henry

Get [Outlook for iOS](#)

From: Carlson, Ann <carlson@law.ucla.edu>

Sent: Thursday, January 21, 2021 1:02:16 PM

To: Horowitz, Cara <HOROWITZ@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; Andrew Sabin [REDACTED]; Carmen Garcia <cgarcia@douglasemmett.com>; Daniel Emmett [REDACTED]; Daniel Emmett <daniel@nextenergytech.com>; Dan Emmett <demmett@douglasemmett.com>; Diane Keaton [REDACTED]; Frances J. Pavley [REDACTED]; Frank D. Boren [REDACTED]; Henry Waxman <henry@waxmanstrategies.com>; Hope Kramer <asff@andrewsabinfamilyfoundation.org>; Jamie Durrell <JDurrell@angelides.com>; Jared Diamond <jdiamond@geog.ucla.edu>; Jordan Kaplan <jkaplan@douglasemmett.com>; Kassie Siegel <ksiegel@biologicaldiversity.org>; Mary Nichols <mnichols@arb.ca.gov>; Michael B Gerrard <michael.gerrard@law.columbia.edu>; Nicholette Fuhrman <nfuhrman@douglasemmett.com>; Phil Angelides <phil@riverviewci.com>; Rae Emmett [REDACTED]; Shirley Shapiro [REDACTED]; Ted Lieu <Joey.Apodaca@mail.house.gov>; Terry Tamminen [REDACTED]; Tina Quinn [REDACTED]; Miguel Koenig [REDACTED]; Evan Graham [REDACTED]

Cc: Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>

Subject: sharing some personal news with you

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All the best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:18 PM PST
To: Henry Waxman <henry@waxmanstrategies.com>
Subject: Re: sharing some personal news with you

Thanks, Henry. So honored to hear from you. Hope you are well.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Henry Waxman <henry@waxmanstrategies.com>
Sent: Thursday, January 21, 2021 10:04 AM
To: Carlson, Ann <carlson@law.ucla.edu>; Horowitz, Cara <HOROWITZ@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; Andrew Sabin [REDACTED]; Carmen Garcia <cgarcia@douglasemmett.com>; Daniel Emmett [REDACTED]; Daniel Emmett <daniel@nextenergytech.com>; Dan Emmett <demmett@douglasemmett.com>; Diane Keaton [REDACTED]; Frances J. Pavley [REDACTED]; Frank D. Boren [REDACTED]; Hope Kramer <asff@andrewsabinfamilyfoundation.org>; Jamie Durrell <JDurrell@angelides.com>; Jared Diamond <jdiamond@geog.ucla.edu>; Jordan Kaplan <jkaplan@douglasemmett.com>; Kassie Siegel <ksiegel@biologicaldiversity.org>; Mary Nichols <mnichols@arb.ca.gov>; Michael B Gerrard <michael.gerrard@law.columbia.edu>; Nicholette Fuhrman <nfuhrman@douglasemmett.com>; Phil Angelides <phil@riverviewci.com>; Rae Emmett [REDACTED]; Shirley Shapiro [REDACTED]; Ted Lieu <Joey.Apodaca@mail.house.gov>; Terry Tamminen [REDACTED]; Tina Quinn [REDACTED]; Miguel Koenig [REDACTED]; Evan Graham [REDACTED]
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Cc: Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>
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All the best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law

From: Phil Angelides (RCI) <phil@riverviewci.com>

Sent: Thursday, January 21, 2021 10:22 AM PST

To: Terry Tamminen [REDACTED]; Carlson, Ann <carlson@law.ucla.edu>; Horowitz, Cara <HOROWITZ@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; Andrew Sabin [REDACTED]; Carmen Garcia <cgarciad@douglasemmett.com>; Daniel Emmett [REDACTED]; Daniel Emmett <daniel@nextenergytech.com>; Dan Emmett <demmett@douglasemmett.com>; Diane Keaton [REDACTED]; Frances J. Pavley [REDACTED]; Frank D. Boren [REDACTED]; Henry Waxman <henry@waxmanstrategies.com>; Hope Kramer <asff@andrewsabinfamilyfoundation.org>; Jamie Tasakos-Durrell <jdurrell@angelides.com>; Jared Diamond <jdiamond@geog.ucla.edu>; Jordan Kaplan <jkaplan@douglasemmett.com>; Kassie Siegel <ksiegel@biologicaldiversity.org>; Mary Nichols <mnichols@arb.ca.gov>; michaelgerrardlawcolumbiaedu <michael.gerrard@law.columbia.edu>; Nicholette Fuhrman <nfuhrman@douglasemmett.com>; Rae Emmett [REDACTED]; Shirley Shapiro [REDACTED]; Ted Lieu <Joey.Apodaca@mail.house.gov>; Tina Quinn [REDACTED]; Miguel Koenig [REDACTED]; Evan Graham [REDACTED]

CC: Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>

Subject: Re: sharing some personal news with you

Ann -

Terrific - congratulations! A win for our country and the climate.

All the best,

Phil

Phil Angelides

3301 C Street, Suite 1000, 2nd Floor

Sacramento, CA 95816

916-448-1998

From: Terry Tamminen [REDACTED]

Sent: Thursday, January 21, 2021 10:20 AM

To: Carlson, Ann; Horowitz, Cara; Adriano Martinez; Andrew Sabin; Carmen Garcia; Daniel Emmett; Daniel Emmett; Dan Emmett; Diane Keaton; Frances J. Pavley; Frank D. Boren; Henry Waxman; Hope Kramer; Jamie Tasakos-Durrell; Jared Diamond; Jordan Kaplan; Kassie Siegel; Mary Nichols; michaelgerrardlawcolumbiaedu; Nicholette Fuhrman; Phil Angelides (RCI); Rae Emmett; Shirley Shapiro; Ted Lieu; Tina Quinn; Miguel Koenig; Evan Graham

Cc: Hecht, Sean; Parson, Edward

Subject: Re: sharing some personal news with you

Bravo Ann. Exciting opportunity and I hope you'll come back to the Emmett Institute to give us an update on your work.

Best

TT

Terry Tamminen

+1-424-259-3730

From: Ann Carlson <carlson@law.ucla.edu>

Date: Thursday, January 21, 2021 at 10:02 AM

To: Cara Horowitz <HOROWITZ@law.ucla.edu>, Adriano Martinez <amartinez@earthjustice.org>, Andy Sabin [REDACTED], Carmen Garcia <cgarciad@douglasemmett.com>, Daniel Emmett [REDACTED], Daniel Emmett <daniel@nextenergytech.com>, "demmett@douglasemmett.com" <demmett@douglasemmett.com>, Diane Keaton [REDACTED], Fran Pavley [REDACTED], "Frank D. Boren" [REDACTED], Henry Waxman <henry@waxmanstrategies.com>, Hope Kramer <asff@andrewsabinfamilyfoundation.org>, Jamie Durrell <JDurrell@angelides.com>, Jared Diamond <jdiamond@geog.ucla.edu>, Jordan Kaplan <jkaplan@douglasemmett.com>, Kassie Siegel <ksiegel@biologicaldiversity.org>, Mary Nichols <mnichols@arb.ca.gov>, Michael B Gerrard <michael.gerrard@law.columbia.edu>, Nicholette Fuhrman <nfuhrman@douglasemmett.com>, Phil Angelides <phil@riverviewci.com>, Rae Emmett [REDACTED], Shirley Shapiro [REDACTED], Ted Lieu <Joey.Apodaca@mail.house.gov>, TT [REDACTED], Tina Quinn [REDACTED], Miguel Koenig [REDACTED], Evan Graham [REDACTED]

Cc: "Sean B. Hecht" <hecht@law.ucla.edu>, "Parson, Edward" <PARSON@law.ucla.edu>

Subject: sharing some personal news with you

Dear Board Members,

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Thank you so much for all you do for the planet and for all your support.

All the best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Kassie Siegel <ksiegel@biologicaldiversity.org>
Sent: Thursday, January 21, 2021 11:47 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: sharing some personal news with you

Ann, Congratulations!!!! Early this morning I saw a tweet from a journalist with the news and I was so thrilled!

This is such an exciting time and I am so heartened that you'll be taking on this hugely important leadership role. Congratulations, and thank you, from the bottom of my heart. -- Kassie

Kassie Siegel, Director
Climate Law Institute
[Center for Biological Diversity](#)
Phone: (951) 961-7972

From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 10:02 AM
To: Horowitz, Cara <HOROWITZ@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; Andrew Sabin [REDACTED]; Carmen Garcia <cgarcia@douglasemmett.com>; Daniel Emmett [REDACTED]; Daniel Emmett <daniel@nextenergytech.com>; Dan Emmett <demmett@douglasemmett.com>; Diane Keaton [REDACTED]; Frances J. Pavley [REDACTED]; Frank D. Boren [REDACTED]; Henry Waxman <henry@waxmanstrategies.com>; Hope Kramer <asff@andrewsabinfamilyfoundation.org>; Jamie Durrell <JDurrell@angelides.com>; Jared Diamond <jdiamond@geog.ucla.edu>; Jordan Kaplan <jkaplan@douglasemmett.com>; Kassie Siegel <ksiegel@biologicaldiversity.org>; Mary Nichols <mnichols@arb.ca.gov>; Michael B Gerrard <michael.gerrard@law.columbia.edu>; Nicholette Fuhrman <nfuhrman@douglasemmett.com>; Phil Angelides <phil@riverviewci.com>; Rae Emmett [REDACTED]; Shirley Shapiro [REDACTED]; Ted Lieu <Joey.Apodaca@mail.house.gov>; Terry Tamminen [REDACTED]; Tina Quinn [REDACTED]; Miguel Koenig [REDACTED]; Evan Graham [REDACTED]
Cc: Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>
Subject: sharing some personal news with you

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All the best,

Ann

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Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Phil Angelides (RCI) <phil@riverviewci.com>
Sent: Thursday, January 21, 2021 9:37 PM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: sharing some personal news with you

Where are you?

Sent from my iPhone

On Jan 21, 2021, at 9:16 PM, Carlson, Ann <carlson@law.ucla.edu> wrote:

Thanks, Phil and thanks for your call. I'll try to return it if I can come up for air. Already intense but super interesting!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
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(310) 206-9496

From: Phil Angelides (RCI) <phil@riverviewci.com>
Sent: Thursday, January 21, 2021 10:22 AM
To: Terry Tamminen [REDACTED]; Carlson, Ann <carlson@law.ucla.edu>; Horowitz, Cara <HOROWITZ@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; Andrew Sabin [REDACTED]
Carmen Garcia <cgarcia@douglasemmett.com>; Daniel Emmett [REDACTED]; Daniel Emmett <daniel@nextenergytech.com>; Dan Emmett <demmett@douglasemmett.com>; Diane Keaton [REDACTED]; Frances J. Pavley [REDACTED]; Frank D. Boren [REDACTED]; Henry Waxman <henry@waxmanstrategies.com>; Hope Kramer <asff@andrewsabinfamilyfoundation.org>; Jamie Tasakos-Durrell <jdurrell@angelides.com>; Jared Diamond <jdiamond@geog.ucla.edu>; Jordan Kaplan <jkaplan@douglasemmett.com>; Kassie Siegel <ksiegel@biologicaldiversity.org>; Mary Nichols <mnichols@arb.ca.gov>; michaelgerrardlawcolumbiaedu <michael.gerrard@law.columbia.edu>; Nicholette Fuhrman <nfuhrman@douglasemmett.com>; Rae Emmett [REDACTED]; Shirley Shapiro [REDACTED]; Ted Lieu <Joey.Apodaca@mail.house.gov>; Tina Quinn [REDACTED]; Miguel Koenig [REDACTED]; Evan Graham [REDACTED]
Cc: Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>
Subject: Re: sharing some personal news with you

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All the best,

Phil

Phil Angelides
3301 C Street, Suite 1000, 2nd Floor
Sacramento, CA 95816
916-448-1998

From: Terry Tamminen [REDACTED]
Sent: Thursday, January 21, 2021 10:20 AM
To: Carlson, Ann; Horowitz, Cara; Adriano Martinez; Andrew Sabin; Carmen Garcia; Daniel Emmett; Daniel Emmett; Dan Emmett; Diane Keaton; Frances J. Pavley; Frank D. Boren; Henry Waxman; Hope Kramer; Jamie Tasakos-Durrell; Jared Diamond; Jordan Kaplan; Kassie Siegel; Mary Nichols; michaelgerrardlawcolumbiaedu; Nicholette Fuhrman; Phil Angelides (RCI); Rae Emmett; Shirley Shapiro; Ted Lieu; Tina Quinn; Miguel Koenig; Evan Graham
Cc: Hecht, Sean; Parson, Edward
Subject: Re: sharing some personal news with you

Bravo Ann. Exciting opportunity and I hope you'll come back to the Emmett Institute to give us an update on your work.

Best
TT

Terry Tamminen
+1-424-259-3730

From: Ann Carlson <carlson@law.ucla.edu>
Date: Thursday, January 21, 2021 at 10:02 AM
To: Cara Horowitz <HOROWITZ@law.ucla.edu>, Adriano Martinez <amartinez@earthjustice.org>, Andy Sabin [REDACTED], Carmen Garcia <cgarcia@douglasemmett.com>, Daniel Emmett [REDACTED], Daniel Emmett <daniel@nextenergytech.com>, "demmett@douglasemmett.com" <demmett@douglasemmett.com>, Diane Keaton [REDACTED], Fran Pavley [REDACTED], "Frank D. Boren" [REDACTED], Henry Waxman <henry@waxmanstrategies.com>, Hope Kramer <asff@andrewsabinfamilyfoundation.org>, Jamie Durrell <JDurrell@angelides.com>, Jared Diamond <jdiamond@geog.ucla.edu>, Jordan Kaplan <jkaplan@douglasemmett.com>, Kassie Siegel <ksiegel@biologicaldiversity.org>, Mary Nichols <mnichols@arb.ca.gov>, Michael B Gerrard <michael.gerrard@law.columbia.edu>, Nicholette Fuhrman <nfuhrman@douglasemmett.com>, Phil Angelides <phil@riverviewci.com>, Rae Emmett [REDACTED], Shirley Shapiro [REDACTED], Ted Lieu <Joey.Apodaca@mail.house.gov>, TT [REDACTED], Tina Quinn [REDACTED], Miguel Koenig [REDACTED], Evan Graham [REDACTED]
Cc: "Sean B. Hecht" <hecht@law.ucla.edu>, "Parson, Edward" <PARSON@law.ucla.edu>
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All the best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Hope Kramer <asff@andrewsabinfamilyfoundation.org>

Sent: Thursday, January 21, 2021 10:47 AM PST

To: Carlson, Ann <carlson@law.ucla.edu>

CC: Horowitz, Cara <HOROWITZ@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; Andy Sabin [REDACTED]; Carmen Garcia <cgarciad@douglasemmett.com>; Daniel Emmett [REDACTED]; Daniel Emmett <daniel@nextenergytech.com>; Dan Emmett <demmett@douglasemmett.com>; Diane Keaton [REDACTED]; Frances J. Pavley [REDACTED]; Frank D. Boren [REDACTED]; Henry Waxman <henry@waxmanstrategies.com>; Jamie Durrell <JDurrell@angelides.com>; Jared Diamond <jdiamond@geog.ucla.edu>; Jordan Kaplan <jkaplan@douglasemmett.com>; Kassie Siegel <ksiegel@biologicaldiversity.org>; Mary Nichols <mnichols@arb.ca.gov>; Sabin Center for Climate Change Law <michael.gerrard@law.columbia.edu>; Nicholette Fuhrman <nfuhrman@douglasemmett.com>; Phil Angelides <phil@riverviewci.com>; Rae Emmett [REDACTED]; Shirley Shapiro [REDACTED]; Ted Lieu <Joey.Apodaca@mail.house.gov>; Terry Tamminen [REDACTED]; Tina Quinn [REDACTED]; Miguel Koenig [REDACTED]; Evan Graham [REDACTED]; Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>

Subject: Re: sharing some personal news with you

Congratulations - what great news!

All the best,
Hope

Hope Kramer
Executive Director
Andrew Sabin Family Foundation
PO Box 5026
East Hampton, NY 11937
PHONE: 631.329.0010
FAX: 631-329-7102

On Jan 21, 2021, at 1:02 PM, Carlson, Ann <carlson@law.ucla.edu> wrote:

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All the best,

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Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Carlson, Ann
Sent: Friday, January 22, 2021 5:57 PM PST
To: Nicholette Fuhrman <nfuhrman@douglasemmett.com>
Subject: Re: sharing some personal news with you

Thanks, Nicholette!

On Jan 22, 2021, at 9:40 AM, Nicholette Fuhrman <nfuhrman@douglasemmett.com> wrote:

Best wishes to you, Ann!

Nicholette Fuhrman
Executive Assistant

Douglas Emmett Management, LLC
1299 Ocean Avenue, Suite 1000
Santa Monica, CA 90401
(T) 310.255.7725
nfuhrman@douglasemmett.com
www.douglasemmett.com

On Thu, Jan 21, 2021 at 10:02 AM Carlson, Ann <carlson@law.ucla.edu> wrote:

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Important Notice: This message is intended only for the person or entity to which it is addressed. The information provided is confidential. Accordingly, any review, retransmission, dissemination or other use of this information by, or disclosure of it to, anyone other than the intended recipient could have significant adverse effects and is prohibited. This message does not constitute an offer to purchase or sell any securities or other interests.

From: Phil Angelides (RCI) <phil@riverviewci.com>
Sent: Thursday, January 21, 2021 9:43 PM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: sharing some personal news with you
In LA or DC?

Sent from my iPhone

On Jan 21, 2021, at 9:37 PM, Phil Angelides (RCI) <phil@riverviewci.com> wrote:

Where are you?

Sent from my iPhone

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Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Phil Angelides (RCI) <phil@riverviewci.com>
Sent: Thursday, January 21, 2021 10:22 AM
To: Terry Tamminen [REDACTED]; Carlson, Ann <carlson@law.ucla.edu>; Horowitz, Cara <HOROWITZ@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; Andrew Sabin [REDACTED]; Carmen Garcia <cgarcia@douglasemmett.com>; Daniel Emmett [REDACTED]; Daniel Emmett <daniel@nextenergytech.com>; Dan Emmett <demmett@douglasemmett.com>; Diane Keaton [REDACTED]; Frances J. Pavley [REDACTED]; Frank D. Boren [REDACTED]; Henry Waxman <henry@waxmanstrategies.com>; Hope Kramer <asff@andrewsabinfamilyfoundation.org>; Jamie Tasakos-Durrell <jdurrell@angelides.com>; Jared Diamond <jdiamond@geog.ucla.edu>; Jordan Kaplan <jkaplan@douglasemmett.com>; Kassie Siegel <ksiegel@biologicaldiversity.org>; Mary Nichols <mnichols@arb.ca.gov>; michaelgerrardlawcolumbiaedu <michael.gerrard@law.columbia.edu>; Nicholette Fuhrman <nfuhrman@douglasemmett.com>; Rae Emmett [REDACTED]; Shirley Shapiro [REDACTED]; Ted Lieu <Joey.Apodaca@mail.house.gov>; Tina Quinn [REDACTED]; Miguel Koenig [REDACTED]; Evan Graham [REDACTED]
Cc: Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>
Subject: Re: sharing some personal news with you

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Phil Angelides

3301 C Street, Suite 1000, 2nd Floor

Sacramento, CA 95816

916-448-1998

From: Terry Tamminen [REDACTED]
Sent: Thursday, January 21, 2021 10:20 AM
To: Carlson, Ann; Horowitz, Cara; Adriano Martinez; Andrew Sabin; Carmen Garcia; Daniel Emmett; Daniel Emmett; Dan Emmett; Diane Keaton; Frances J. Pavley; Frank D. Boren; Henry Waxman; Hope Kramer; Jamie Tasakos-Durrell; Jared Diamond; Jordan Kaplan; Kassie Siegel; Mary Nichols; michaelgerrardlawcolumbiaedu; Nicholette Fuhrman; Phil Angelides (RCI); Rae Emmett; Shirley Shapiro; Ted Lieu; Tina Quinn; Miguel Koenig; Evan Graham
Cc: Hecht, Sean; Parson, Edward
Subject: Re: sharing some personal news with you

Bravo Ann. Exciting opportunity and I hope you'll come back to the Emmett Institute to give us an update on your work.

Best
TT

Terry Tamminen
+1-424-259-3730

From: Ann Carlson <carlson@law.ucla.edu>
Date: Thursday, January 21, 2021 at 10:02 AM
To: Cara Horowitz <HOROWITZ@law.ucla.edu>, Adriano Martinez <amartinez@earthjustice.org>, Andy Sabin [REDACTED], Carmen Garcia <cgarcia@douglasemmett.com>, Daniel Emmett [REDACTED], Daniel Emmett <daniel@nextenergytech.com>, "demmett@douglasemmett.com" <demmett@douglasemmett.com>, Diane Keaton [REDACTED], Fran Pavley [REDACTED], "Frank D. Boren" [REDACTED], Henry Waxman <henry@waxmanstrategies.com>, Hope Kramer <asff@andrewsabinfamilyfoundation.org>, Jamie Durrell <JDurrell@angelides.com>, Jared Diamond <jdiamond@geog.ucla.edu>, Jordan Kaplan <jkaplan@douglasemmett.com>, Kassie Siegel <ksiegel@biologicaldiversity.org>, Mary Nichols <mnichols@arb.ca.gov>, Michael B Gerrard <michael.gerrard@law.columbia.edu>, Nicholette Fuhrman <nfuhrman@douglasemmett.com>, Phil Angelides <phil@riverviewci.com>, Rae Emmett [REDACTED], Shirley Shapiro [REDACTED], Ted Lieu <Joey.Apodaca@mail.house.gov>, TT [REDACTED], Tina Quinn [REDACTED], Miguel Koenig [REDACTED], Evan Graham [REDACTED]
Cc: "Sean B. Hecht" <hecht@law.ucla.edu>, "Parson, Edward" <PARSON@law.ucla.edu>
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Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Horowitz, Cara <HOROWITZ@law.ucla.edu>

Sent: Thursday, January 21, 2021 2:14 PM PST

To: MIGUEL KOENIG [REDACTED]; Carlson, Ann <carlson@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; Andrew Sabin [REDACTED]; Carmen Garcia <cgarcia@douglasemmett.com>; Daniel Emmett [REDACTED]; Daniel Emmett <daniel@nextenergytech.com>; Dan Emmett <demmett@douglasemmett.com>; Diane Keaton [REDACTED]; Frances J. Pavley [REDACTED]; Frank D. Boren [REDACTED]; Henry Waxman <henry@waxmanstrategies.com>; Hope Kramer <asff@andrewsabinfamilyfoundation.org>; Jamie Durrell <JDurrell@angelides.com>; Jared Diamond <jdiamond@geog.ucla.edu>; Jordan Kaplan <jkaplan@douglasemmett.com>; Kassie Siegel <ksiegel@biologicaldiversity.org>; Mary Nichols <mnichols@arb.ca.gov>; Michael B Gerrard <michael.gerrard@law.columbia.edu>; Nicholette Fuhrman <nfuhrman@douglasemmett.com>; Phil Angelides <phil@riverviewci.com>; Rae Emmett [REDACTED]; Shirley Shapiro [REDACTED]; Ted Lieu <Joey.Apodaca@mail.house.gov>; Terry Tamminen [REDACTED]; Tina Quinn [REDACTED]; Evan Graham [REDACTED]

CC: Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>

Subject: Re: sharing some personal news with you

Ann (and all):

I could not be more thrilled for you and for our country, and I welcome this as further evidence of the seriousness of purpose of the Biden-Harris team in tackling climate change. Having you as the driver of NHTSA's legal strategies will be a revolutionary change. What an opportunity to make a difference in a sector that poses real challenges. Thank you for taking it on, Ann!

I'm especially willing to be graceful about this transition because I know it's only temporary. We'll miss you tremendously, Ann, but will work hard every day to keep moving forward.

Here's to progress!

Cara Horowitz
Andrew Sabin Family Foundation Co-Executive Director
Emmett Institute on Climate Change and the Environment
UCLA School of Law

From: MIGUEL KOENIG [REDACTED]

Sent: Thursday, January 21, 2021 12:33 PM

To: Carlson, Ann <carlson@law.ucla.edu>; Horowitz, Cara <HOROWITZ@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; Andrew Sabin [REDACTED]; Carmen Garcia <cgarcia@douglasemmett.com>; Daniel Emmett [REDACTED]; Daniel Emmett <daniel@nextenergytech.com>; Dan Emmett <demmett@douglasemmett.com>; Diane Keaton [REDACTED]; Frances J. Pavley [REDACTED]; Frank D. Boren [REDACTED]; Henry Waxman <henry@waxmanstrategies.com>; Hope Kramer <asff@andrewsabinfamilyfoundation.org>; Jamie Durrell <JDurrell@angelides.com>; Jared Diamond <jdiamond@geog.ucla.edu>; Jordan Kaplan <jkaplan@douglasemmett.com>; Kassie Siegel <ksiegel@biologicaldiversity.org>; Mary Nichols <mnichols@arb.ca.gov>; Michael B Gerrard <michael.gerrard@law.columbia.edu>; Nicholette Fuhrman <nfuhrman@douglasemmett.com>; Phil Angelides <phil@riverviewci.com>; Rae Emmett [REDACTED]; Shirley Shapiro [REDACTED]; Ted Lieu <Joey.Apodaca@mail.house.gov>; Terry Tamminen [REDACTED]; Tina Quinn [REDACTED]; Evan Graham [REDACTED]

Cc: Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>

Subject: RE: sharing some personal news with you

Congratulations Ann!, thank you for everything you do on behalf of the environment and sustainability.

Best regards,

Miguel

From: Carlson, Ann <carlson@law.ucla.edu>

Sent: Thursday, January 21, 2021 10:02 AM

To: Horowitz, Cara <HOROWITZ@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; Andrew Sabin [REDACTED]; Carmen Garcia <cgarcia@douglasemmett.com>; Daniel Emmett [REDACTED]; Daniel Emmett <daniel@nextenergytech.com>; Dan Emmett <demmett@douglasemmett.com>; Diane Keaton [REDACTED]; Frances J. Pavley [REDACTED]; Frank D. Boren [REDACTED]; Henry Waxman <henry@waxmanstrategies.com>; Hope Kramer <asff@andrewsabinfamilyfoundation.org>; Jamie Durrell <JDurrell@angelides.com>; Jared Diamond <jdiamond@geog.ucla.edu>; Jordan Kaplan <jkaplan@douglasemmett.com>; Kassie Siegel <ksiegel@biologicaldiversity.org>; Mary Nichols <mnichols@arb.ca.gov>; Michael B Gerrard <michael.gerrard@law.columbia.edu>; Nicholette Fuhrman <nfuhrman@douglasemmett.com>; Phil Angelides <phil@riverviewci.com>; Rae Emmett [REDACTED]; Shirley Shapiro [REDACTED]

[REDACTED]; Ted Lieu <Joey.Apodaca@mail.house.gov>; Terry Tamminen [REDACTED]; Tina Quinn [REDACTED]; Miguel Koenig [REDACTED]; Evan Graham [REDACTED]
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Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: ANDREW SABIN [REDACTED]
Sent: Saturday, January 23, 2021 5:00 PM PST
To: Carlson, Ann <carlson@law.ucla.edu>
CC: Horowitz, Cara <HOROWITZ@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; Carmen Garcia <cgarcia@douglasemmett.com>; Daniel Emmett [REDACTED]; Daniel Emmett <daniel@nextenergytech.com>; Dan Emmett <demmett@douglasemmett.com>; Diane Keaton [REDACTED]; Frances J. Pavley [REDACTED]; Frank D. Boren [REDACTED]; Henry Waxman <henry@waxmanstrategies.com>; Hope Kramer <asff@andrewsabinfamilyfoundation.org>; Jamie Durrell <JDurrell@angelides.com>; Jared Diamond <jdiamond@geog.ucla.edu>; Jordan Kaplan <jkaplan@douglasemmett.com>; Kassie Siegel <ksiegel@biologicaldiversity.org>; Mary Nichols <mnichols@arb.ca.gov>; Michael B Gerrard <michael.gerrard@law.columbia.edu>; Nicholette Fuhrman <nfuhrman@douglasemmett.com>; Phil Angelides <phil@riverviewci.com>; Rae Emmett [REDACTED]; Shirley Shapiro [REDACTED]; Ted Lieu <Joey.Apodaca@mail.house.gov>; Terry Tamminen [REDACTED]; Tina Quinn [REDACTED]; Miguel Koenig [REDACTED]; Evan Graham [REDACTED]; Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>
Subject: Re: sharing some personal news with you

Hi Ann

Wishing you much success and happiness in your new role, Hopefully ☐ you make a big difference.

Best Andy

Sent from my iPad

On Jan 21, 2021, at 1:02 PM, Carlson, Ann <carlson@law.ucla.edu> wrote:

Dear Board Members,

I am writing to share some news with you about next steps for me. Yesterday, I was sworn in to serve as Chief Counsel of the National Highway Traffic Safety Administration and will be taking a leave from UCLA for the near future. NHTSA, as you may know, has joint responsibility for greenhouse gas and fuel economy standards for the transportation sector. I view my appointment (and a number of others) as evidence that the Biden Administration is truly committed to a "whole of government" approach to addressing climate change.

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Thank you so much for all you do for the planet and for all your support.

All the best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Terry Tamminen [REDACTED]
Sent: Thursday, January 21, 2021 10:20 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>; Horowitz, Cara <HOROWITZ@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; Andrew Sabin [REDACTED]; Carmen Garcia <cgarcia@douglasemmett.com>; Daniel Emmett [REDACTED]; Daniel Emmett <daniel@nextenergytech.com>; Dan Emmett <demmett@douglasemmett.com>; Diane Keaton [REDACTED]; Frances J. Pavley [REDACTED]; Frank D. Boren [REDACTED]; Henry Waxman <henry@waxmanstrategies.com>; Hope Kramer <asff@andrewsabinfamilyfoundation.org>; Jamie Durrell <JDurrell@angelides.com>; Jared Diamond <jdiamond@geog.ucla.edu>; Jordan Kaplan <jkaplan@douglasemmett.com>; Kassie Siegel <ksiegel@biologicaldiversity.org>; Mary Nichols <mnichols@arb.ca.gov>; Michael B Gerrard <michael.gerrard@law.columbia.edu>; Nicholette Fuhrman <nfuhrman@douglasemmett.com>; Phil Angelides <phil@riverviewci.com>; Rae Emmett [REDACTED]; Shirley Shapiro [REDACTED]; Ted Lieu <Joey.Apodaca@mail.house.gov>; Tina Quinn [REDACTED]; Miguel Koenig [REDACTED]; Evan Graham [REDACTED]
CC: Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>
Subject: Re: sharing some personal news with you

Bravo Ann. Exciting opportunity and I hope you'll come back to the Emmett Institute to give us an update on your work.
Best
TT

Terry Tamminen
+1-424-259-3730

From: Ann Carlson <carlson@law.ucla.edu>
Date: Thursday, January 21, 2021 at 10:02 AM
To: Cara Horowitz <HOROWITZ@law.ucla.edu>, Adriano Martinez <amartinez@earthjustice.org>, Andy Sabin [REDACTED], Carmen Garcia <cgarcia@douglasemmett.com>, Daniel Emmett [REDACTED] Daniel Emmett <daniel@nextenergytech.com>, "demmett@douglasemmett.com" <demmett@douglasemmett.com>, Diane Keaton [REDACTED], Fran Pavley [REDACTED], "Frank D. Boren" [REDACTED], Henry Waxman <henry@waxmanstrategies.com>, Hope Kramer <asff@andrewsabinfamilyfoundation.org>, Jamie Durrell <JDurrell@angelides.com>, Jared Diamond <jdiamond@geog.ucla.edu>, Jordan Kaplan <jkaplan@douglasemmett.com>, Kassie Siegel <ksiegel@biologicaldiversity.org>, Mary Nichols <mnichols@arb.ca.gov>, Michael B Gerrard <michael.gerrard@law.columbia.edu>, Nicholette Fuhrman <nfuhrman@douglasemmett.com>, Phil Angelides <phil@riverviewci.com>, Rae Emmett [REDACTED], Shirley Shapiro [REDACTED], Ted Lieu <Joey.Apodaca@mail.house.gov>, TT [REDACTED], Tina Quinn [REDACTED], Miguel Koenig [REDACTED], Evan Graham [REDACTED]
Cc: "Sean B. Hecht" <hecht@law.ucla.edu>, "Parson, Edward" <PARSON@law.ucla.edu>
Subject: sharing some personal news with you

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All the best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:16 PM PST
To: Adriano Martinez <amartinez@earthjustice.org>
Subject: Re: sharing some personal news with you

Thanks, Adrian. It's already been a bit crazy! Let's keep in touch.

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Adrian Martinez <amartinez@earthjustice.org>
Sent: Thursday, January 21, 2021 10:09 AM
To: henry@waxmanstrategies.com <henry@waxmanstrategies.com>; Carlson, Ann <carlson@law.ucla.edu>; Horowitz, Cara <HOROWITZ@law.ucla.edu>; [REDACTED] <cgarcia@douglasemmett.com>; [REDACTED] <cgarcia@douglasemmett.com>; [REDACTED] <daniel@nextenergytech.com>; [REDACTED] <daniel@nextenergytech.com>; demmett@douglasemmett.com <demmett@douglasemmett.com>; [REDACTED]; [REDACTED]; [REDACTED]

asff@andrewsabinfamilyfoundation.org <asff@andrewsabinfamilyfoundation.org>; jdurrell@angelides.com <jdurrell@angelides.com>; jdiamond@geog.ucla.edu <jdiamond@geog.ucla.edu>; jkaplan@douglasemmett.com <jkaplan@douglasemmett.com>; ksiegel@biologicaldiversity.org <ksiegel@biologicaldiversity.org>; mnichols@arb.ca.gov <mnichols@arb.ca.gov>; michael.gerrard@law.columbia.edu <michael.gerrard@law.columbia.edu>; nfuhrman@douglasemmett.com <nfuhrman@douglasemmett.com>; phil@riverviewci.com <phil@riverviewci.com>; [REDACTED]; [REDACTED] <joeypodaca@mail.house.gov>; [REDACTED] <joeypodaca@mail.house.gov>; [REDACTED]; [REDACTED]; [REDACTED]

Cc: Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>
Subject: Re: sharing some personal news with you

This is terrific news! Congrats!

Get [Outlook for iOS](#)

From: Henry Waxman <henry@waxmanstrategies.com>
Sent: Thursday, January 21, 2021 10:05 AM
To: carlson@law.ucla.edu; horowitz@law.ucla.edu; Adriano Martinez; [REDACTED]; cgarcia@douglasemmett.com; [REDACTED]; daniel@nextenergytech.com; demmett@douglasemmett.com; [REDACTED]; [REDACTED]; asff@andrewsabinfamilyfoundation.org; jdurrell@angelides.com; jdiamond@geog.ucla.edu; jkaplan@douglasemmett.com; ksiegel@biologicaldiversity.org; mnichols@arb.ca.gov; michael.gerrard@law.columbia.edu; nfuhrman@douglasemmett.com; phil@riverviewci.com; [REDACTED]; [REDACTED]; joey.apodaca@mail.house.gov; [REDACTED]; [REDACTED]; [REDACTED]

Cc: hecht@law.ucla.edu; parson@law.ucla.edu
Subject: Re: sharing some personal news with you

Congratulations. I know you will do a great job. Best wishes, Henry

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From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 1:02:16 PM
To: Horowitz, Cara <HOROWITZ@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; Andrew Sabin [REDACTED]; Carmen Garcia <cgarcia@douglasemmett.com>; Daniel Emmett [REDACTED]; Daniel Emmett <daniel@nextenergytech.com>; Dan Emmett <demmett@douglasemmett.com>; Diane Keaton [REDACTED]; Frances J. Pavley [REDACTED]; Frank D. Boren [REDACTED]; Henry Waxman <henry@waxmanstrategies.com>; Hope Kramer <asff@andrewsabinfamilyfoundation.org>; Jamie Durrell <JDurrell@angelides.com>; Jared Diamond <jdiamond@geog.ucla.edu>; Jordan Kaplan <jkaplan@douglasemmett.com>; Kassie Siegel <ksiegel@biologicaldiversity.org>; Mary Nichols <mnichols@arb.ca.gov>; Michael B Gerrard <michael.gerrard@law.columbia.edu>; Nicholette Fuhrman <nfuhrman@douglasemmett.com>; Phil Angelides <phil@riverviewci.com>; Rae Emmett [REDACTED] Shirley Shapiro [REDACTED]; Ted Lieu <Joey.Apodaca@mail.house.gov>; Terry Tamminen [REDACTED]; Tina Quinn [REDACTED]; Miguel Koenig [REDACTED]; Evan Graham [REDACTED]
Cc: Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>
Subject: sharing some personal news with you

External sender. Use caution opening attachments or links.

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Thank you so much for all you do for the planet and for all your support.

All the best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:17 PM PST
To: Carmen Garcia <cgarcia@douglasemmett.com>
Subject: Re: sharing some personal news with you

Thank you, Carmen!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Carmen Garcia <cgarcia@douglasemmett.com>
Sent: Thursday, January 21, 2021 10:18 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: sharing some personal news with you

Congratulations, Ann!

They are lucky to have you.

Take care,
Carmen
Carmen Garcia
Executive Assistant to Jordan Kaplan

Douglas Emmett Management, LLC
1299 Ocean Avenue, Suite 1000
Santa Monica, CA 90401
(T) 310.255.7721
cgarcia@douglasemmett.com
www.douglasemmett.com

On Thu, Jan 21, 2021 at 10:02 AM Carlson, Ann <carlson@law.ucla.edu> wrote:

Dear Board Members,

I am writing to share some news with you about next steps for me. Yesterday, I was sworn in to serve as Chief Counsel of the National Highway Traffic Safety Administration and will be taking a leave from UCLA for the near future. NHTSA, as you may know, has joint responsibility for greenhouse gas and fuel economy standards for the transportation sector. I view my appointment (and a number of others) as evidence that the Biden Administration is truly committed to a "whole of government" approach to addressing climate change.

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Ann

Ann Carlson
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Faculty Co-Director, Emmett Institute on Climate Change and the Environment
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From: Nicholette Fuhrman <nfuhrman@douglasemmett.com>

Sent: Friday, January 22, 2021 9:40 AM PST

To: Carlson, Ann <carlson@law.ucla.edu>

Subject: Re: sharing some personal news with you

Best wishes to you, Ann!

Nicholette Fuhrman

Executive Assistant

Douglas Emmett Management, LLC

1299 Ocean Avenue, Suite 1000

Santa Monica, CA 90401

(T) 310.255.7725

nfuhrman@douglasemmett.com

www.douglasemmett.com

On Thu, Jan 21, 2021 at 10:02 AM Carlson, Ann <carlson@law.ucla.edu> wrote:

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Ann

Ann Carlson

Shirley Shapiro Professor of Environmental Law

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From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:13 PM PST
To: Jordan Kaplan <jkaplan@douglasemmett.com>
Subject: Re: sharing some personal news with you

Thanks, Jordan. I'll work remotely until they tell me I have to come to D.C, and then move there and commute back and forth to see Carl. I'll be back! And I'll check in when I come up for air :)

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
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From: Jordan Kaplan <jkaplan@douglasemmett.com>
Sent: Thursday, January 21, 2021 2:14 PM
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: sharing some personal news with you

Congratulations Ann; you will be missed at UCLA and certainly by Dan and me. Are you moving to Washington?

Jordan Kaplan
President and CEO

Douglas Emmett (DEI:NYSE)
1299 Ocean Avenue, Suite 1000
Santa Monica, CA 90401-1889
(310) 255-7711
JKaplan@DouglasEmmett.com
www.DouglasEmmett.com
CA DRE License No. 00801760

The best index to a person's character is:
(a) How they treat people who can't do him any good, and
(b) How they treat people that can't fight back.

From: Carlson, Ann [mailto:carlson@law.ucla.edu]
Sent: Thursday, January 21, 2021 10:02 AM
To: Horowitz, Cara <HOROWITZ@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; Andrew Sabin [REDACTED]; Carmen Garcia <cgarcia@douglasemmett.com>; Daniel Emmett [REDACTED]; Daniel Emmett <daniel@nextenergytech.com>; Dan Emmett <demmett@douglasemmett.com>; Diane Keaton [REDACTED]; Frances J. Pavley [REDACTED]; Frank D. Boren [REDACTED]; Henry Waxman <henry@waxmanstrategies.com>; Hope Kramer <asff@andrewsabinfamilyfoundation.org>; Jamie Durrell <JDurrell@angelides.com>; Jared Diamond <jdiamond@geog.ucla.edu>; Jordan Kaplan <jkaplan@douglasemmett.com>; Kassie Siegel <ksiegel@biologicaldiversity.org>; Mary Nichols <mnichols@arb.ca.gov>; Michael B Gerrard <michael.gerrard@law.columbia.edu>; Nicholette Fuhrman <nfuhrman@douglasemmett.com>; Phil Angelides <phil@riverviewci.com>; Rae Emmett [REDACTED]; Shirley Shapiro [REDACTED]; Ted Lieu <Joey.Apodaca@mail.house.gov>; Terry Tamminen [REDACTED]; Tina Quinn [REDACTED]; Miguel Koenig [REDACTED]; Evan Graham [REDACTED]
Cc: Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>
Subject: sharing some personal news with you

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From: Adrian Martinez <amartinez@earthjustice.org>

Sent: Thursday, January 21, 2021 10:09 AM PST

To: henry@waxmanstrategies.com <henry@waxmanstrategies.com>; Carlson, Ann <carlson@law.ucla.edu>; Horowitz, Cara <HOROWITZ@law.ucla.edu>; [REDACTED]; cgarcia@douglasemmett.com <cgarcia@douglasemmett.com>; [REDACTED]; daniel@nextenergytech.com <daniel@nextenergytech.com>; demmett@douglasemmett.com <demmett@douglasemmett.com>; [REDACTED]

asff@andrewsabinfamilyfoundation.org <asff@andrewsabinfamilyfoundation.org>; jdurrell@angelides.com <jdurrell@angelides.com>; jdiamond@geog.ucla.edu <jdiamond@geog.ucla.edu>; jkaplan@douglasemmett.com <jkaplan@douglasemmett.com>; ksiegel@biologicaldiversity.org <ksiegel@biologicaldiversity.org>; mnichols@arb.ca.gov <mnichols@arb.ca.gov>; michael.gerrard@law.columbia.edu <michael.gerrard@law.columbia.edu>; nfuhrman@douglasemmett.com <nfuhrman@douglasemmett.com>; phil@riverviewci.com <phil@riverviewci.com>; [REDACTED]; joey.apodaca@mail.house.gov <joey.apodaca@mail.house.gov>; [REDACTED]

CC: Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>

Subject: Re: sharing some personal news with you

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From: Henry Waxman <henry@waxmanstrategies.com>

Sent: Thursday, January 21, 2021 10:05 AM

To: carlson@law.ucla.edu; horowitz@law.ucla.edu; Adrian Martinez; [REDACTED]; cgarcia@douglasemmett.com; [REDACTED]; daniel@nextenergytech.com; demmett@douglasemmett.com; [REDACTED]; asff@andrewsabinfamilyfoundation.org; jdurrell@angelides.com; jdiamond@geog.ucla.edu; jkaplan@douglasemmett.com; ksiegel@biologicaldiversity.org; mnichols@arb.ca.gov; michael.gerrard@law.columbia.edu; nfuhrman@douglasemmett.com; phil@riverviewci.com; [REDACTED]; joey.apodaca@mail.house.gov; [REDACTED]; [REDACTED]

Cc: hecht@law.ucla.edu; parson@law.ucla.edu

Subject: Re: sharing some personal news with you

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From: Carlson, Ann <carlson@law.ucla.edu>

Sent: Thursday, January 21, 2021 1:02:16 PM

To: Horowitz, Cara <HOROWITZ@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; Andrew Sabin [REDACTED]; Carmen Garcia <cgarcia@douglasemmett.com>; Daniel Emmett [REDACTED]; Daniel Emmett <daniel@nextenergytech.com>; Dan Emmett <demmett@douglasemmett.com>; Diane Keaton [REDACTED]; Frances J. Pavley [REDACTED]; Frank D. Boren [REDACTED]; Henry Waxman <henry@waxmanstrategies.com>; Hope Kramer <asff@andrewsabinfamilyfoundation.org>; Jamie Durrell <JDurrell@angelides.com>; Jared Diamond <jdiamond@geog.ucla.edu>; Jordan Kaplan <jkaplan@douglasemmett.com>; Kassie Siegel <ksiegel@biologicaldiversity.org>; Mary Nichols <mnichols@arb.ca.gov>; Michael B Gerrard <michael.gerrard@law.columbia.edu>; Nicholette Fuhrman <nfuhrman@douglasemmett.com>; Phil Angelides <phil@riverviewci.com>; Rae Emmett [REDACTED]; Shirley Shapiro [REDACTED]; Ted Lieu <Joey.Apodaca@mail.house.gov>; Terry Tamminen [REDACTED]; Tina Quinn [REDACTED]; Miguel Koenig [REDACTED]; Evan Graham [REDACTED]

Cc: Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>

Subject: sharing some personal news with you

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All the best,

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Faculty Co-Director, Emmett Institute on Climate Change and the Environment
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(310) 206-9496

From: Tina Quinn [REDACTED]
Sent: Thursday, January 21, 2021 10:10 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
CC: Horowitz, Cara <HOROWITZ@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; Andrew Sabin [REDACTED]; Carmen Garcia <cgarcia@douglasemmett.com>; Daniel Emmett [REDACTED]; Daniel Emmett <daniel@nextenergytech.com>; Dan Emmett <demmett@douglasemmett.com>; Diane Keaton [REDACTED]; Frances J. Pavley [REDACTED]; Frank D. Boren [REDACTED]; Henry Waxman <henry@waxmanstrategies.com>; Hope Kramer <asff@andrewsabinfamilyfoundation.org>; Jamie Durrell <JDurrell@angelides.com>; Jared Diamond <jdiamond@geog.ucla.edu>; Jordan Kaplan <jkaplan@douglasemmett.com>; Kassie Siegel <ksiegel@biologicaldiversity.org>; Mary Nichols <mnichols@arb.ca.gov>; Michael B Gerrard <michael.gerrard@law.columbia.edu>; Nicholette Fuhrman <nfuhrman@douglasemmett.com>; Phil Angelides <phil@riverviewci.com>; Rae Emmett [REDACTED]; Shirley Shapiro [REDACTED]; Ted Lieu <Joev.Apodaca@mail.house.gov>; Terry Tamminen [REDACTED]; Miguel Koenig [REDACTED]; Evan Graham [REDACTED]; Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>
Subject: Re: sharing some personal news with you

Congratulations Ann!

You have much to be proud of at UCLA and it's been an honor to work with you.

They are so smart to have nabbed you. They need your wisdom and expertise now more than ever.

You will be missed and look forward to keeping in touch.

Xo
Tina

On Jan 21, 2021, at 10:02, Carlson, Ann <carlson@law.ucla.edu> wrote:

Dear Board Members,

I am writing to share some news with you about next steps for me. Yesterday, I was sworn in to serve as Chief Counsel of the National Highway Traffic Safety Administration and will be taking a leave from UCLA for the near future. NHTSA, as you may know, has joint responsibility for greenhouse gas and fuel economy standards for the transportation sector. I view my appointment (and a number of others) as evidence that the Biden Administration is truly committed to a "whole of government" approach to addressing climate change.

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Thank you so much for all you do for the planet and for all your support.

All the best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Evan Graham [REDACTED]
Sent: Friday, January 22, 2021 5:59 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: sharing some personal news with you

This is fantastic news Ann. Thank you for taking this opportunity to serve our country and planet. I wish I could have taken a class with you while I was in law school and for now I'll miss getting to work with you on the Emmet board but I know you'll be doing great things and hopefully we'll have the chance to collaborate in the future.

Best,
Evan

Sent from my iPhone

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Ann Carlson
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From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 9:14 PM PST
To: Michael Gerrard <MGerra@law.columbia.edu>
Subject: Re: sharing some personal news with you

Thanks, Mike. What a great message! it's already intense and super interesting. I'm sure we'll be in touch.

Ann Carlson
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From: Michael Gerrard <MGerra@law.columbia.edu>
Sent: Thursday, January 21, 2021 12:25 PM
To: Hope Kramer <asff@andrewsabinfamilyfoundation.org>
Cc: Carlson, Ann <carlson@law.ucla.edu>; Horowitz, Cara <HOROWITZ@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; Andy Sabin [REDACTED]; Carmen Garcia <cgarcia@douglasemmett.com>; Daniel Emmett [REDACTED]; Daniel Emmett <daniel@nextenergytech.com>; Dan Emmett <demmett@douglasemmett.com>; Diane Keaton [REDACTED]; Frances J. Pavley [REDACTED]; Frank D. Boren [REDACTED]; Henry Waxman <henry@waxmanstrategies.com>; Jamie Durrell <JDurrell@angelides.com>; Jared Diamond <jdiamond@geog.ucla.edu>; Jordan Kaplan <jkaplan@douglasemmett.com>; Kassie Siegel <ksiegel@biologicaldiversity.org>; Mary Nichols <mnichols@arb.ca.gov>; Sabin Center for Climate Change Law <michael.gerrard@law.columbia.edu>; Nicholette Fuhrman <nfuhrman@douglasemmett.com>; Phil Angelides <phil@riverviewci.com>; Rae Emmett [REDACTED]; Shirley Shapiro [REDACTED]; Ted Lieu <Joey.Apodaca@mail.house.gov>; Terry Tamminen [REDACTED]; Tina Quinn [REDACTED]; Miguel Koenig [REDACTED]; Evan Graham [REDACTED]; Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>
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All the best,
Hope

Hope Kramer
Executive Director
Andrew Sabin Family Foundation
PO Box 5026
East Hampton, NY 11937
PHONE: 631.329.0010
FAX: 631-329-7102

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Ann Carlson

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Michael B. Gerrard
Andrew Sabin Professor of Professional Practice
Director, Sabin Center for Climate Change Law
Columbia Law School
435 West 116th Street
New York, New York 10027
Telephone: (212) 854-3287
Facsimile: (212) 854-7946
michael.gerrard@law.columbia.edu
www.columbiaclimatelaw.com

From: Daniel Emmett <daniel@nextenergytech.com>

Sent: Tuesday, January 26, 2021 11:52 AM PST

To: Carlson, Ann <carlson@law.ucla.edu>

Subject: Re: sharing some personal news with you

Ann!!

Huge congratulations! It gives me such comfort to know you will be in there fighting the big fight on our behalf! They are so lucky to have you. I'm thrilled you get to work with Mayor Pete! He was my guy in the primary and Henri and I are huge fans and supporters. Good luck and keep us posted!!

Big hugs,
Daniel

Daniel Emmett, CEO
Next Energy Technologies, Inc.
600 Ward Dr., Suite C
Santa Barbara, CA 93111
[\(805\) 222-4546](tel:8052224546) main
[\(805\) 222-4532](tel:8052224532) direct
[\(310\) 600-4887](tel:3106004887) mobile
daniel@nextenergytech.com

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From: Jordan Kaplan <jkaplan@douglasemmett.com>
Sent: Thursday, January 21, 2021 2:14 PM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: sharing some personal news with you

Congratulations Ann; you will be missed at UCLA and certainly by Dan and me. Are you moving to Washington?

Jordan Kaplan
President and CEO

Douglas Emmett (DEI:NYSE)
1299 Ocean Avenue, Suite 1000
Santa Monica, CA 90401-1889
(310) 255-7711
JKaplan@DouglasEmmett.com
www.DouglasEmmett.com
CA DRE License No. 00801760

The best index to a person's character is:
(a) How they treat people who can't do him any good, and
(b) How they treat people that can't fight back.

From: Carlson, Ann [mailto:carlson@law.ucla.edu]
Sent: Thursday, January 21, 2021 10:02 AM
To: Horowitz, Cara <HOROWITZ@law.ucla.edu>; Adriano Martinez <amartinez@earthjustice.org>; Andrew Sabin
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Quinn [REDACTED]; Miguel Koenig [REDACTED] Evan Graham [REDACTED]
Cc: Hecht, Sean <hecht@law.ucla.edu>; Parson, Edward <PARSON@law.ucla.edu>
Subject: sharing some personal news with you

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From: Carmen Garcia <cgarcia@douglasemmett.com>

Sent: Thursday, January 21, 2021 10:18 AM PST

To: Carlson, Ann <carlson@law.ucla.edu>

Subject: Re: sharing some personal news with you

Congratulations, Ann!

They are lucky to have you.

Take care,
Carmen

Carmen Garcia

Executive Assistant to Jordan Kaplan

Douglas Emmett Management, LLC

1299 Ocean Avenue, Suite 1000

Santa Monica, CA 90401

(T) 310.255.7721

cgarcia@douglasemmett.com

www.douglasemmett.com

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--

Michael B. Gerrard

Andrew Sabin Professor of Professional Practice

Director, Sabin Center for Climate Change Law

Columbia Law School

435 West 116th Street

New York, New York 10027

Telephone: (212) 854-3287

Facsimile: (212) 854-7946

michael.gerrard@law.columbia.edu

www.columbiaclimatelaw.com

From: Carlson, Ann on behalf of Carlson, Ann <carlson@law.ucla.edu>

Sent: Thursday, January 21, 2021 9:17 PM PST

To: Tina Quinn [REDACTED]

Subject: Re: sharing some personal news with you

Thanks, Tina! I'll try to keep up with WWF and chat!

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From: Bob Perciasepe <bobperciasepe@c2es.org>

Sent: Thursday, January 21, 2021 10:31 AM PST

To: Carlson, Ann <carlson@law.ucla.edu>; Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com <[REDACTED]>

CC: amurgier@beccarvarela.com <amurgier@beccarvarela.com>; beth.deane@firstsolar.com <beth.deane@firstsolar.com>; bmarten@martenlaw.com <bmarten@martenlaw.com>; Carlton.waterhouse@howard.edu <Carlton.waterhouse@howard.edu>; cjenks@mjbradley.com <cjenks@mjbradley.com>; christopher.reynolds@toyota.com <christopher.reynolds@toyota.com>; g Fleming@vnf.com <g Fleming@vnf.com>; Rachel.Jacobson@wilmerhale.com <Rachel.Jacobson@wilmerhale.com>; jcolopy@fbm.com <jcolopy@fbm.com>; jcannon@law.virginia.edu <jcannon@law.virginia.edu>; kathomso@amazon.com <kathomso@amazon.com>; kpoloncarz@cov.com <kpoloncarz@cov.com>; lg@nijmanfranzetti.com <lg@nijmanfranzetti.com>; john.lovenburg@bnsf.com <john.lovenburg@bnsf.com>; Marisa.Blackshire@bloomenergy.com <Marisa.Blackshire@bloomenergy.com>; mmarrapese@wileyrein.com <mmarrapese@wileyrein.com>; Mason.Emnett@exeloncorp.com <Mason.Emnett@exeloncorp.com>; Michael.G.Mahoney@pfizer.com <Michael.G.Mahoney@pfizer.com>; [REDACTED] nadira.clarke@bakerbotts.com <nadira.clarke@bakerbotts.com>; nrobinson@law.pace.edu <nrobinson@law.pace.edu>; pam.giblin@bakerbotts.com <pam.giblin@bakerbotts.com>; Paul.Davies@lw.com <Paul.Davies@lw.com>; peggy.otum@wilmerhale.com <peggy.otum@wilmerhale.com>; rludwiszewski@gibsondunn.com <rludwiszewski@gibsondunn.com>; Richard.Leahy@walmartlegal.com <Richard.Leahy@walmartlegal.com>; rob.kirsch@wilmerhale.com <rob.kirsch@wilmerhale.com>; [REDACTED] roger.martella@ge.com <roger.martella@ge.com>; [REDACTED] Sally.Fisk@pfizer.com <Sally.Fisk@pfizer.com>; Stacey J. Halliday <SHalliday@bdlaw.com>; stephen.rahaim@dupont.com <stephen.rahaim@dupont.com>; hilary.tompkins@hoganlovells.com <hilary.tompkins@hoganlovells.com>; vpatton@edf.org <vpattton@edf.org>; Wang, Alex <alex.wang@law.ucla.edu>; kevin.wei@bayeco.cn <kevin.wei@bayeco.cn>; Jay Pendergrass <pendergrass@eli.org>; Loretta Reinersmann <reinersmann@eli.org>; Melodie DeMulling <demulling@eli.org>

Subject: Re: Some news about me, thank you to all of you

Great !!!

Bob Perciasepe, President

(C) 202-368-8193

www.C2ES.org | [@C2ES_org](https://twitter.com/C2ES) | [@BobPerch](https://twitter.com/BobPerch)



From: "Carlson, Ann" <carlson@law.ucla.edu>

Date: Thursday, January 21, 2021 at 12:17 PM

To: "Benjamin F. Wilson" <BWilson@bdlaw.com>, Scott Fulton <fulton@eli.org>, Margaret Spring <mspring@mbayaq.org>, Brenda Mallory <bmallory@selcdc.org>, "Brenda com" <[REDACTED]>

Cc: "amurgier@beccarvarela.com" <amurgier@beccarvarela.com>, "beth.deane@firstsolar.com" <beth.deane@firstsolar.com>, Bob Perciasepe <bobperciasepe@c2es.org>, "bmarten@martenlaw.com" <bmarten@martenlaw.com>, "Carlton.waterhouse@howard.edu" <Carlton.waterhouse@howard.edu>, "cjenks@mjbradley.com" <cjenks@mjbradley.com>, "christopher.reynolds@toyota.com" <christopher.reynolds@toyota.com>, "g Fleming@vnf.com" <g Fleming@vnf.com>, "Rachel.Jacobson@wilmerhale.com" <Rachel.Jacobson@wilmerhale.com>, "jcolopy@fbm.com" <jcolopy@fbm.com>, "jcannon@law.virginia.edu" <jcannon@law.virginia.edu>, "kathomso@amazon.com" <kathomso@amazon.com>, "kpoloncarz@cov.com" <kpoloncarz@cov.com>, "lg@nijmanfranzetti.com" <lg@nijmanfranzetti.com>, "john.lovenburg@bnsf.com" <john.lovenburg@bnsf.com>, "Marisa.Blackshire@bloomenergy.com" <Marisa.Blackshire@bloomenergy.com>, "mmarrapese@wileyrein.com" <mmarrapese@wileyrein.com>, "Mason.Emnett@exeloncorp.com" <Mason.Emnett@exeloncorp.com>, "Michael.G.Mahoney@pfizer.com" <Michael.G.Mahoney@pfizer.com>, [REDACTED] "nadira.clarke@bakerbotts.com" <nadira.clarke@bakerbotts.com>, "nrobinson@law.pace.edu" <nrobinson@law.pace.edu>, "pam.giblin@bakerbotts.com" <pam.giblin@bakerbotts.com>, "Paul.Davies@lw.com" <Paul.Davies@lw.com>, "peggy.otum@wilmerhale.com" <peggy.otum@wilmerhale.com>, "rludwiszewski@gibsondunn.com" <rludwiszewski@gibsondunn.com>, "Richard.Leahy@walmartlegal.com" <Richard.Leahy@walmartlegal.com>, "rob.kirsch@wilmerhale.com" <rob.kirsch@wilmerhale.com>, [REDACTED] "roger.martella@ge.com" <roger.martella@ge.com>, [REDACTED] "Sally.Fisk@pfizer.com" <Sally.Fisk@pfizer.com>, "Stacey J. Halliday" <SHalliday@bdlaw.com>, "stephen.rahaim@dupont.com" <stephen.rahaim@dupont.com>, "hilary.tompkins@hoganlovells.com" <hilary.tompkins@hoganlovells.com>, "vpattton@edf.org" <vpattton@edf.org>, "Wang, Alex" <alex.wang@law.ucla.edu>, "kevin.wei@bayeco.cn" <kevin.wei@bayeco.cn>, Jay Pendergrass <pendergrass@eli.org>, Loretta Reinersmann <reinersmann@eli.org>, Melodie DeMulling <demulling@eli.org>

Subject: Some news about me, thank you to all of you

Dear colleagues,

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Thank you all for your friendship, environmental commitment and work for ELI. Let's remain in touch.

All best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Waterhouse, Carlton <carlton.waterhouse@law.howard.edu>

Sent: Thursday, January 21, 2021 10:30 AM PST

To: Marisa Blackshire <Marisa.Blackshire@bloomenergy.com>; Carlson, Ann <carlson@law.ucla.edu>; bwilson@bdlaw.com <bwilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com <[REDACTED]>

CC: amurgier@beccarvarela.com <amurgier@beccarvarela.com>; beth.deane@firstsolar.com <beth.deane@firstsolar.com>; bobperciasepe@c2es.org <bobperciasepe@c2es.org>; bmarten@martenlaw.com <bmarten@martenlaw.com>; cjenks@mjbradley.com <cjenks@mjbradley.com>; christopher.reynolds@toyota.com <christopher.reynolds@toyota.com>; gfleming@vnf.com <gfleming@vnf.com>; Rachel.Jacobson@wilmerhale.com <Rachel.Jacobson@wilmerhale.com>; jcolopy@fbm.com <jcolopy@fbm.com>; jcannon@law.virginia.edu <jcannon@law.virginia.edu>; kathomso@amazon.com <kathomso@amazon.com>; kpoloncarz@cov.com <kpoloncarz@cov.com>; lg@nijmanfranzetti.com <lg@nijmanfranzetti.com>; john.lovenburg@bnsf.com <john.lovenburg@bnsf.com>; mmarrapese@wileyrein.com <mmarrapese@wileyrein.com>; Mason.Emnett@exeloncorp.com <Mason.Emnett@exeloncorp.com>; Michael.G.Mahoney@pfizer.com <Michael.G.Mahoney@pfizer.com>; [REDACTED]; nadira.clarke@bakerbotts.com <nadira.clarke@bakerbotts.com>; nrobinson@law.pace.edu <nrobinson@law.pace.edu>; pam.giblin@bakerbotts.com <pam.giblin@bakerbotts.com>; Paul.Davies@lw.com <Paul.Davies@lw.com>; peggy.otum@wilmerhale.com <peggy.otum@wilmerhale.com>; rludwiszewski@gibsondunn.com <rludwiszewski@gibsondunn.com>; Richard.Leahy@walmartlegal.com <Richard.Leahy@walmartlegal.com>; rob.kirsch@wilmerhale.com <rob.kirsch@wilmerhale.com>; [REDACTED]; roger.martella@ge.com <roger.martella@ge.com>; [REDACTED] Sally.Fisk@pfizer.com <Sally.Fisk@pfizer.com>; Stacey J. Halliday <SHalliday@bdlaw.com>; stephen.rahaim@dupont.com <stephen.rahaim@dupont.com>; hilary.tompkins@hoganlovells.com <hilary.tompkins@hoganlovells.com>; vpatton@edf.org <vpattton@edf.org>; Wang, Alex <alex.wang@law.ucla.edu>; kevin.wei@bayeco.cn <kevin.wei@bayeco.cn>; Jay Pendergrass <pendergrass@eli.org>; Loretta Reinersmann <reinersmann@eli.org>; Melodie DeMulling <demulling@eli.org>

Subject: Re: Some news about me, thank you to all of you

This is wonderful news Ann, not just for you but for all of us! Congratulations, you will be missed!!!

Carlton Waterhouse, J.D., Ph.D.
Professor of Law
Environmental Justice Center, Director
Howard University School of Law
carlton.waterhouse@howard.edu

From: Marisa Blackshire <Marisa.Blackshire@bloomenergy.com>

Sent: Thursday, January 21, 2021 1:26 PM

To: Carlson, Ann <carlson@law.ucla.edu>; bwilson@bdlaw.com <bwilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com <[REDACTED]>

Cc: amurgier@beccarvarela.com <amurgier@beccarvarela.com>; beth.deane@firstsolar.com <beth.deane@firstsolar.com>; bobperciasepe@c2es.org <bobperciasepe@c2es.org>; bmarten@martenlaw.com <bmarten@martenlaw.com>; Waterhouse, Carlton <carlton.waterhouse@law.howard.edu>; cjenks@mjbradley.com <cjenks@mjbradley.com>; christopher.reynolds@toyota.com <christopher.reynolds@toyota.com>; gfleming@vnf.com <gfleming@vnf.com>; Rachel.Jacobson@wilmerhale.com <Rachel.Jacobson@wilmerhale.com>; jcolopy@fbm.com <jcolopy@fbm.com>; jcannon@law.virginia.edu <jcannon@law.virginia.edu>; kathomso@amazon.com <kathomso@amazon.com>; kpoloncarz@cov.com <kpoloncarz@cov.com>; lg@nijmanfranzetti.com <lg@nijmanfranzetti.com>; john.lovenburg@bnsf.com <john.lovenburg@bnsf.com>; mmarrapese@wileyrein.com <mmarrapese@wileyrein.com>; Mason.Emnett@exeloncorp.com <Mason.Emnett@exeloncorp.com>; Michael.G.Mahoney@pfizer.com <Michael.G.Mahoney@pfizer.com>; [REDACTED] nadira.clarke@bakerbotts.com <nadira.clarke@bakerbotts.com>; nrobinson@law.pace.edu <nrobinson@law.pace.edu>; pam.giblin@bakerbotts.com <pam.giblin@bakerbotts.com>; Paul.Davies@lw.com <Paul.Davies@lw.com>; peggy.otum@wilmerhale.com <peggy.otum@wilmerhale.com>; rludwiszewski@gibsondunn.com <rludwiszewski@gibsondunn.com>; Richard.Leahy@walmartlegal.com <Richard.Leahy@walmartlegal.com>; rob.kirsch@wilmerhale.com <rob.kirsch@wilmerhale.com>; [REDACTED] roger.martella@ge.com <roger.martella@ge.com>; [REDACTED] Sally.Fisk@pfizer.com <Sally.Fisk@pfizer.com>; Stacey J. Halliday <SHalliday@bdlaw.com>; stephen.rahaim@dupont.com <stephen.rahaim@dupont.com>; hilary.tompkins@hoganlovells.com <hilary.tompkins@hoganlovells.com>; vpatton@edf.org <vpattton@edf.org>; Wang, Alex <alex.wang@law.ucla.edu>; kevin.wei@bayeco.cn <kevin.wei@bayeco.cn>; Jay Pendergrass <pendergrass@eli.org>; Loretta Reinersmann <reinersmann@eli.org>; Melodie DeMulling <demulling@eli.org>

Subject: RE: Some news about me, thank you to all of you

External Email Warning

WARNING! Please proceed with caution as this message could be a scam. The sender's account may have been compromised and used to send malicious messages. If this message seems suspicious, please **DO NOT CLICK** any of the links and/or attachments. If you believe the contents of this email may be unsafe, please send it as an attachment to the ETS Information Security Team: ets-infosec@howard.edu.

Congrats, Ann! This is great news and I wish you all the best!

From: Carlson, Ann <carlson@law.ucla.edu>

Sent: Thursday, January 21, 2021 9:18 AM

To: Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com> [REDACTED]
Cc: amurgier@beccarvarela.com; beth.deane@firstsolar.com; bobperciasepe@c2es.org; bmarten@martenlaw.com; Carlton.waterhouse@howard.edu; cjenks@mjbradley.com; christopher.reynolds@toyota.com; gfleming@vnf.com; Rachel.Jacobson@wilmerhale.com; jcolopy@fbm.com; jcannon@law.virginia.edu; kathomso@amazon.com; kpoloncarz@cov.com; lg@nijmanfranzetti.com; john.lovenburg@bnsf.com; Marisa Blackshire <Marisa.Blackshire@bloomenergy.com>; mmarrapese@wileyrein.com; Mason.Emnett@exeloncorp.com; Michael.G.Mahoney@pfizer.com; [REDACTED]; nadira.clarke@bakerbotts.com; nrobinson@law.pace.edu; pam.giblin@bakerbotts.com; Paul.Davies@lw.com; peggy.otum@wilmerhale.com; rludwiszewski@gibsondunn.com; Richard.Leahy@walmartlegal.com; rob.kirsch@wilmerhale.com; [REDACTED] roger.martella@ge.com; [REDACTED] Sally.Fisk@pfizer.com; Stacey J. Halliday <SHalliday@bdlaw.com>; stephen.rahaim@dupont.com; hilary.tompkins@hoganlovells.com; vpaton@edf.org; Wang, Alex <alex.wang@law.ucla.edu>; kevin.wei@bayeco.cn; Jay Pendergrass <pendergrass@eli.org>; Loretta Reinersmann <reinersmann@eli.org>; Melodie DeMulling <demulling@eli.org>
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Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment

From: Fisk, Sally R. K. <Sally.Fisk@Pfizer.com>
Sent: Thursday, January 21, 2021 12:21 PM PST
To: Poloncarz, Kevin <KPoloncarz@cov.com>; Giblin, Pam <pam.giblin@bakerbotts.com>; Carlson, Ann <carlson@law.ucla.edu>
CC: Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com <[REDACTED]>
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Marisa.Blackshire@bloomenergy.com <Marisa.Blackshire@bloomenergy.com>; mmarrapese@wileyrein.com
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<reinersmann@eli.org>; Melodie DeMulling <demulling@eli.org>
Subject: RE: Some news about me, thank you to all of you

Congratulations, Ann! Very exciting and very good news!

From: Poloncarz, Kevin <KPoloncarz@cov.com>
Sent: January 21, 2021 3:08 PM
To: Giblin, Pam <pam.giblin@bakerbotts.com>; Carlson, Ann <carlson@law.ucla.edu>
Cc: Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>;
Brenda Mallory <bmallory@selcdc.org>; Brenda com <[REDACTED]> AMurgier@beccarvarela.com;
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jcolopy@fbm.com; jcannon@law.virginia.edu; kathomso@amazon.com; lg@nijmanfranzetti.com; John.Lovenburg@bnsf.com;
Marisa.Blackshire@bloomenergy.com; mmarrapese@wileyrein.com; Mason.Emmett@exeloncorp.com; Mahoney, Michael G. (NYC
LEGAL) <Michael.G.Mahoney@pfizer.com>; [REDACTED] Clarke, Nadira <nadira.clarke@bakerbotts.com>;
NRobinson@law.pace.edu; paul.davies@lw.com; peggy.otum@wilmerhale.com; EXT Ludwiszewski, R
<RLudwiszewski@gibsondunn.com>; Richard.Leahy@walmartlegal.com; rob.kirsch@wilmerhale.com; [REDACTED]
roger.martella@ge.com; [REDACTED] Fisk, Sally R. K. <Sally.Fisk@Pfizer.com>; Stacey J. Halliday
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<reinersmann@eli.org>; Melodie DeMulling <demulling@eli.org>
Subject: [EXTERNAL] RE: Some news about me, thank you to all of you

Wonderful news, Ann, and I'm glad to see Alex's suggestion that you may be returning to UCLA someday because the environmental law program you've helped build has consistently produced my strongest associates. (In fact, I just extended a callback interview to another fantastic UCLA student moments ago.) Congratulations!

Kevin Poloncarz

Pronouns: He/Him/His

Covington & Burling LLP
Salesforce Tower, 415 Mission Street, Suite 5400
San Francisco, CA 94105-2533
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COVINGTON

From: Giblin, Pam <pam.giblin@bakerbotts.com>
Sent: Thursday, January 21, 2021 11:55 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Cc: Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>;
Brenda Mallory <bmallory@selcdc.org>; Brenda com <[REDACTED]> AMurgier@beccarvarela.com;
Beth.Deane@firstsolar.com; bobperciasepe@c2es.org; bmarten@martenlaw.com; Carlton.waterhouse@howard.edu;
cjenks@mjbradley.com; christopher.reynolds@toyota.com; gflaming@vnf.com; Rachel.Jacobson@wilmerhale.com;
jcolopy@fbm.com; jcannon@law.virginia.edu; kathomso@amazon.com; Poloncarz, Kevin <KPoloncarz@cov.com>;
lg@nijmanfranzetti.com; John.Lovenburg@bnsf.com; Marisa.Blackshire@bloomenergy.com; mmarrapese@wileyrein.com;

Mason.Emnett@exeloncorp.com; Michael.G.Mahoney@pfizer.com; [REDACTED] Clarke, Nadira <nadira.clarke@bakerbotts.com>; NRobinson@law.pace.edu; paul.davies@lw.com; peggy.otum@wilmerhale.com; EXT Ludwyszewski, R <RLudwyszewski@gibsondunn.com>; Richard.Leahy@walmartlegal.com; rob.kirsch@wilmerhale.com; [REDACTED] roger.martella@ge.com; [REDACTED] Sally.Fisk@pfizer.com; Stacey J. Halliday <SHalliday@bdlaw.com>; stephen.rahaim@dupont.com; hilary.tompkins@hoganlovells.com; vpatton@edf.org; Wang, Alex <alex.wang@law.ucla.edu>; kevin.wei@bayeco.cn; Jay Pendergrass <pendergrass@eli.org>; Loretta Reinersmann <reinersmann@eli.org>; Melodie DeMulling <demulling@eli.org>

Subject: Re: Some news about me, thank you to all of you

[EXTERNAL]

Here's E&E's announcement. Good picture!

Biden taps climate experts for DOT, eyes clean car rules

[Maxine Joselow](#), E&E News reporter

Published: Thursday, January 21, 2021

President Biden today named two California-based climate experts to top roles at the Department of Transportation.

The appointments signal Biden's commitment to look to the Golden State to establish aggressive nationwide clean car standards. The California Air Resources Board has set greenhouse gas standards for automobiles that are more stringent than federal rules.

[REDACTED]

Steve Cliff. California Air Resources Board

Steve Cliff, the deputy executive officer at CARB, was [named](#) deputy administrator of the National Highway Traffic Safety Administration.

NHTSA (pronounced "NIT-suh") is the division of DOT tasked with setting fuel economy standards for passenger cars and light trucks.

Cliff came to CARB in 2008, leading the development of the state's cap-and-trade program for greenhouse gases.

He left the board from 2014 to 2016 for a stint as the first director of sustainability at the California Department of Transportation under then-Gov. Jerry Brown (D).

Cliff returned to CARB as senior adviser to then-Chair Mary Nichols and later as deputy executive officer, according to a [bio](#) on the board's website.

Asked for comment, CARB Executive Officer Richard Corey said in an email to E&E News: "Dr. Cliff has played an integral role in leading California's actions to clean the air and protect public health. He is uniquely suited to work with states, industry and communities to expedite the move to a safe, efficient, and pollution-free transportation system. We look forward to renewing our partnership with the federal government."

[REDACTED]

Ann Carlson. UCLA School of Law

In addition to Cliff, Biden today selected UCLA School of Law professor Ann Carlson as NHTSA chief counsel.

At UCLA, Carlson served as faculty co-director of the Emmett Institute on Climate Change and the Environment, where she published numerous articles on climate and the law.

Former President Trump directed EPA and NHTSA to roll back the clean car standards established by former President Obama.

Biden has made reinstating strong clean car standards a top priority as part of his broader climate agenda.

Soon after being inaugurated yesterday, Biden signed an [executive order](#) on the environment that called for "establishing ambitious, job-creating fuel economy standards" in consultation with "labor unions, states and industry."

In an interview with E&E News last month, Carlson said the Biden administration could show international leadership on climate change by targeting 100% electric vehicle sales and phasing out sales of new gasoline-powered cars.

"It would be symbolically really important on the climate front for the world's second-biggest emitter — and biggest emitter historically — to be phasing out the internal combustion engine," she said at the time ([Climatewire](#), Dec. 7, 2020).

Carlson didn't respond to a request for comment in time for publication.

Pamela M. Giblin
Office (512) 322-2509
Cell (512) 422-6821

On Jan 21, 2021, at 11:17 AM, Carlson, Ann <carlson@law.ucla.edu> wrote:

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All best,

Ann

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UCLA School of Law
(310) 206-9496

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From: Margaret Spring <mspring@mbayaq.org>

Sent: Thursday, January 21, 2021 10:14 AM PST

To: Carlson, Ann <carlson@law.ucla.edu>; Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com>

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Subject: RE: Some news about me, thank you to all of you

Ann, I saw that and it's terrific! So glad you will be there. My colleague David Strickland was Administrator under Obama and worked on those standards with EPA. Tremendously important work!

Margaret

From: Carlson, Ann <carlson@law.ucla.edu>

Sent: Thursday, January 21, 2021 9:18 AM

To: Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com>

Cc: amurgier@beccarvarela.com; beth.deane@firstsolar.com; bobperciasepe@c2es.org; bmarten@martenlaw.com; Carlton.waterhouse@howard.edu; cjenks@mjbradley.com; christopher.reynolds@toyota.com; gfleming@vnf.com; Rachel.Jacobson@wilmerhale.com; jcolopy@fbm.com; jcannon@law.virginia.edu; kathomso@amazon.com; kpoloncarz@cov.com; lg@nijmanfranzetti.com; john.lovenburg@bnsf.com; Marisa.Blackshire@bloomenergy.com; mmarrapese@wileyrein.com; Mason.Emnett@exeloncorp.com; Michael.G.Mahoney@pfizer.com; nadira.clarke@bakerbotts.com; nrobinson@law.pace.edu; pam.giblin@bakerbotts.com; Paul.Davies@lw.com; peggy.otum@wilmerhale.com; rludwiszewski@gibsondunn.com; Richard.Leahy@walmartlegal.com; rob.kirsch@wilmerhale.com; roger.martella@ge.com; Sally.Fisk@pfizer.com; Stacey J. Halliday <SHalliday@bdlaw.com>; stephen.rahaim@dupont.com; hilary.tompkins@hoganlovells.com; vpatton@edf.org; Wang, Alex <alex.wang@law.ucla.edu>; kevin.wei@bayeco.cn; Jay Pendergrass <pendergrass@eli.org>; Loretta Reinersmann <reinersmann@eli.org>; Melodie DeMulling <demulling@eli.org>

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All best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law

Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Carlson, Ann
Sent: Friday, January 22, 2021 3:25 PM PST
To: Brenda Mallory [REDACTED]
Subject: Re: Some news about me, thank you to all of you

Thank you, Brenda! I really hope we'll get to work together. I'm so heartened at the staffing choices they've made!

On Jan 21, 2021, at 9:22 AM, Brenda Mallory [REDACTED] wrote:

AWESOME! Congratulations!!! I look forward to seeing you and working with you in some capacity. Thanks for stepping forward. B

On Thu, Jan 21, 2021 at 12:17 PM Carlson, Ann <carlson@law.ucla.edu> wrote:

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From: Giblin, Pam <pam.giblin@bakerbotts.com>
Sent: Thursday, January 21, 2021 9:54 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
CC: Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com <[REDACTED]>; AMurgier@beccarvarela.com <AMurgier@beccarvarela.com>; Beth.Deane@firstsolar.com <Beth.Deane@firstsolar.com>; bobperciasepe@c2es.org <bobperciasepe@c2es.org>; bmarten@martenlaw.com <bmarten@martenlaw.com>; Carlton.waterhouse@howard.edu <Carlton.waterhouse@howard.edu>; cjenks@mjbradley.com <cjenks@mjbradley.com>; christopher.reynolds@toyota.com <christopher.reynolds@toyota.com>; gfleming@vnf.com <gfleming@vnf.com>; Rachel.Jacobson@wilmerhale.com <Rachel.Jacobson@wilmerhale.com>; jcolopy@fbm.com <jcolopy@fbm.com>; jcannon@law.virginia.edu <jcannon@law.virginia.edu>; kathomso@amazon.com <kathomso@amazon.com>; kpoloncarz@cov.com <kpoloncarz@cov.com>; lg@nijmanfranzetti.com <lg@nijmanfranzetti.com>; John.Lovenburg@bnsf.com <John.Lovenburg@bnsf.com>; Marisa.Blackshire@bloomenergy.com <Marisa.Blackshire@bloomenergy.com>; mmarrapese@wileyrein.com <mmarrapese@wileyrein.com>; Mason.Emnett@exeloncorp.com <Mason.Emnett@exeloncorp.com>; Michael.G.Mahoney@pfizer.com <Michael.G.Mahoney@pfizer.com>; [REDACTED] Clarke, Nadira <nadira.clarke@bakerbotts.com>; NRobinson@law.pace.edu <NRobinson@law.pace.edu>; paul.davies@lw.com <paul.davies@lw.com>; peggy.otum@wilmerhale.com <peggy.otum@wilmerhale.com>; EXT Ludwiszewski, R <RLudwiszewski@gibsondunn.com>; Richard.Leahy@walmartlegal.com <Richard.Leahy@walmartlegal.com>; rob.kirsch@wilmerhale.com <rob.kirsch@wilmerhale.com>; [REDACTED] Sally.Fisk@pfizer.com <Sally.Fisk@pfizer.com>; Stacey J. Halliday <SHalliday@bdlaw.com>; stephen.rahaim@dupont.com <stephen.rahaim@dupont.com>; hilary.tompkins@hoganlovells.com <hilary.tompkins@hoganlovells.com>; vpatton@edf.org <vpatton@edf.org>; Wang, Alex <alex.wang@law.ucla.edu>; kevin.wei@bayeco.cn <kevin.wei@bayeco.cn>; Jay Pendergrass <pendergrass@eli.org>; Loretta Reinersmann <reinersmann@eli.org>; Melodie DeMulling <demulling@eli.org>
Subject: Re: Some news about me, thank you to all of you

This is so exciting and our country is very lucky to have you working on these crucial issues!!

Pamela M. Giblin
Office (512) 322-2509
Cell (512) 422-6821

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From: Jay Pendergrass <penderggrass@eli.org>

Sent: Thursday, January 21, 2021 9:53 AM PST

To: Carlson, Ann <carlson@law.ucla.edu>; Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com <[REDACTED]>

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Subject: RE: Some news about me, thank you to all of you

Attachment(s): "image001.png"

Ann,
Congratulations! This is great news for the country. Thank you for serving us.
Best wishes,
Jay



Jay Pendergrass
Vice President, Programs and Publications
Environmental Law Institute
1730 M Street NW, Suite 700
Washington DC 20036
Ph: 202-939-3846; Fx: 202-939-3868

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Subject: Some news about me, thank you to all of you

External Email - If suspicious, please contact blain@eli.org

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Sent: Thursday, January 21, 2021 9:52 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
CC: Benjamin F. Wilson <BWilson@bdlaw.com>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com <[REDACTED]> amurgier@beccarvarela.com <amurgier@beccarvarela.com>; beth.deane@firstsolar.com <beth.deane@firstsolar.com>; bobperciasepe@c2es.org <bobperciasepe@c2es.org>; bmarten@martenlaw.com <bmarten@martenlaw.com>; Carlton.waterhouse@howard.edu <Carlton.waterhouse@howard.edu>; cjenks@mjbradley.com <cjenks@mjbradley.com>; christopher.reynolds@toyota.com <christopher.reynolds@toyota.com>; gfleming@vnf.com <gfleming@vnf.com>; Rachel.Jacobson@wilmerhale.com <Rachel.Jacobson@wilmerhale.com>; jcolopy@fbm.com <jcolopy@fbm.com>; jcannon@law.virginia.edu <jcannon@law.virginia.edu>; kathomso@amazon.com <kathomso@amazon.com>; kpoloncarz@cov.com <kpoloncarz@cov.com>; lg@nijmanfranzetti.com <lg@nijmanfranzetti.com>; john.lovenburg@bnsf.com <john.lovenburg@bnsf.com>; Marisa.Blackshire@bloomenergy.com <Marisa.Blackshire@bloomenergy.com>; mmarrapese@wileyrein.com <mmarrapese@wileyrein.com>; Mason.Emnett@exeloncorp.com <Mason.Emnett@exeloncorp.com>; Michael.G.Mahoney@pfizer.com <Michael.G.Mahoney@pfizer.com>; [REDACTED] nadira.clarke@bakerbotts.com <nadira.clarke@bakerbotts.com>; nrobinson@law.pace.edu <nrobinson@law.pace.edu>; pam.giblin@bakerbotts.com <pam.giblin@bakerbotts.com>; Paul.Davies@lw.com <Paul.Davies@lw.com>; peggy.otum@wilmerhale.com <peggy.otum@wilmerhale.com>; rludwizewski@gibsondunn.com <rludwizewski@gibsondunn.com>; Richard.Leahy@walmartlegal.com <Richard.Leahy@walmartlegal.com>; rob.kirsch@wilmerhale.com <rob.kirsch@wilmerhale.com>; [REDACTED] roger.martella@ge.com <roger.martella@ge.com>; [REDACTED] Sally.Fisk@pfizer.com <Sally.Fisk@pfizer.com>; Stacey J. Halliday <SHalliday@bdlaw.com>; stephen.rahaim@dupont.com <stephen.rahaim@dupont.com>; hilary.tompkins@hoganlovells.com <hilary.tompkins@hoganlovells.com>; vpatton@edf.org <vpatton@edf.org>; Wang, Alex <alex.wang@law.ucla.edu>; kevin.wei@bayeco.cn <kevin.wei@bayeco.cn>; Jay Pendergrass <pendergrass@eli.org>; Loretta Reinersmann <reinersmann@eli.org>; Melodie DeMulling <demulling@eli.org>
Subject: Re: Some news about me, thank you to all of you

Congrats, Ann. Fantastic. Go do great things and come back to us when you're done!

Scott Fulton
President
Environmental Law Institute (ELI)
www.eli.org

On 21 Jan 2021, at 6:18 pm, Carlson, Ann <carlson@law.ucla.edu> wrote:

External Email - If suspicious, please contact blain@eli.org

Dear colleagues,

I am writing to let you know that I am taking on a new role and, as a result, will have to resign from the ELI Board. Yesterday, I was sworn in as Chief Counsel of NHTSA. As you of course know, NHTSA plays a key role in reducing carbon emissions from the transportation sector and my appointment is, I think, an indication that President Biden is serious about a "whole government" approach to climate change.

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Thank you all for your friendship, environmental commitment and work for ELI. Let's remain in touch.

All best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Loretta Reinersmann <reinersmann@eli.org>

Sent: Thursday, January 21, 2021 9:48 AM PST

To: Carlson, Ann <carlson@law.ucla.edu>; Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com <[REDACTED]>

CC: amurgier@beccarvarela.com <amurgier@beccarvarela.com>; beth.deane@firstsolar.com <beth.deane@firstsolar.com>; bobperciasepe@c2es.org <bobperciasepe@c2es.org>; bmarten@martenlaw.com <bmarten@martenlaw.com>; Carlton.waterhouse@howard.edu <Carlton.waterhouse@howard.edu>; cjenks@mjbradley.com <cjenks@mjbradley.com>; christopher.reynolds@toyota.com <christopher.reynolds@toyota.com>; gffleming@vnf.com <gffleming@vnf.com>; Rachel.Jacobson@wilmerhale.com <Rachel.Jacobson@wilmerhale.com>; jcolopy@fbm.com <jcolopy@fbm.com>; jcannon@law.virginia.edu <jcannon@law.virginia.edu>; kathomso@amazon.com <kathomso@amazon.com>; kpoloncarz@cov.com <kpoloncarz@cov.com>; lg@nijmanfranzetti.com <lg@nijmanfranzetti.com>; john.lovenburg@bnsf.com <john.lovenburg@bnsf.com>; Marisa.Blackshire@bloomenergy.com <Marisa.Blackshire@bloomenergy.com>; mmarrapese@wileyrein.com <mmarrapese@wileyrein.com>; Mason.Emnett@exeloncorp.com <Mason.Emnett@exeloncorp.com>; Michael.G.Mahoney@pfizer.com <Michael.G.Mahoney@pfizer.com>; [REDACTED]; [REDACTED]; nadira.clarke@bakerbotts.com <nadira.clarke@bakerbotts.com>; nrobinson@law.pace.edu <nrobinson@law.pace.edu>; pam.giblin@bakerbotts.com <pam.giblin@bakerbotts.com>; Paul.Davies@lw.com <Paul.Davies@lw.com>; peggy.otum@wilmerhale.com <peggy.otum@wilmerhale.com>; rludwiszewski@gibsondunn.com <rludwiszewski@gibsondunn.com>; Richard.Leahy@walmartlegal.com <Richard.Leahy@walmartlegal.com>; rob.kirsch@wilmerhale.com <rob.kirsch@wilmerhale.com>; [REDACTED]; [REDACTED]; roger.martella@ge.com <roger.martella@ge.com>; [REDACTED]; Sally.Fisk@pfizer.com <Sally.Fisk@pfizer.com>; Stacey J. Halliday <SHalliday@bdlaw.com>; stephen.rahaim@dupont.com <stephen.rahaim@dupont.com>; hiliary.tompkins@hoganlovells.com <hiliary.tompkins@hoganlovells.com>; vpatton@edf.org <vpatton@edf.org>; Wang, Alex <alex.wang@law.ucla.edu>; kevin.wei@bayeco.cn <kevin.wei@bayeco.cn>; Jay Pendergrass <pendergrass@eli.org>; Melodie DeMulling <demulling@eli.org>

Subject: RE: Some news about me, thank you to all of you

Congratulations Ann! Wonderful news for you!

--Loretta

From: Carlson, Ann <carlson@law.ucla.edu>

Sent: Thursday, January 21, 2021 12:18 PM

To: Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com <[REDACTED]>

Cc: amurgier@beccarvarela.com; beth.deane@firstsolar.com; bobperciasepe@c2es.org; bmarten@martenlaw.com; Carlton.waterhouse@howard.edu; cjenks@mjbradley.com; christopher.reynolds@toyota.com; gffleming@vnf.com; Rachel.Jacobson@wilmerhale.com; jcolopy@fbm.com; jcannon@law.virginia.edu; kathomso@amazon.com; kpoloncarz@cov.com; lg@nijmanfranzetti.com; john.lovenburg@bnsf.com; Marisa.Blackshire@bloomenergy.com; mmarrapese@wileyrein.com; Mason.Emnett@exeloncorp.com; Michael.G.Mahoney@pfizer.com; [REDACTED]; nadira.clarke@bakerbotts.com; nrobinson@law.pace.edu; pam.giblin@bakerbotts.com; Paul.Davies@lw.com; peggy.otum@wilmerhale.com; rludwiszewski@gibsondunn.com; Richard.Leahy@walmartlegal.com; rob.kirsch@wilmerhale.com; [REDACTED]; roger.martella@ge.com; [REDACTED]; Sally.Fisk@pfizer.com; Stacey J. Halliday <SHalliday@bdlaw.com>; stephen.rahaim@dupont.com; hiliary.tompkins@hoganlovells.com; vpatton@edf.org; Wang, Alex <alex.wang@law.ucla.edu>; kevin.wei@bayeco.cn; Jay Pendergrass <pendergrass@eli.org>; Loretta Reinersmann <reinersmann@eli.org>; Melodie DeMulling <demulling@eli.org>

Subject: Some news about me, thank you to all of you

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All best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law

Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Thomson, Katie <kathomso@amazon.com>

Sent: Thursday, January 21, 2021 9:48 AM PST

To: Carlson, Ann <carlson@law.ucla.edu>; Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com <[REDACTED]>

CC: amurgier@beccarvarela.com <amurgier@beccarvarela.com>; beth.deane@firstsolar.com <beth.deane@firstsolar.com>; bobperciasepe@c2es.org <bobperciasepe@c2es.org>; bmarten@martenlaw.com <bmarten@martenlaw.com>; Carlton.waterhouse@howard.edu <Carlton.waterhouse@howard.edu>; cjenks@mjbradley.com <cjenks@mjbradley.com>; christopher.reynolds@toyota.com <christopher.reynolds@toyota.com>; gffleming@vnf.com <gffleming@vnf.com>; Rachel.Jacobson@wilmerhale.com <Rachel.Jacobson@wilmerhale.com>; jcolopy@fbm.com <jcolopy@fbm.com>; jcannon@law.virginia.edu <jcannon@law.virginia.edu>; kpoloncarz@cov.com <kpoloncarz@cov.com>; lg@nijmanfranzetti.com <lg@nijmanfranzetti.com>; john.lovenburg@bnsf.com <john.lovenburg@bnsf.com>; Marisa.Blackshire@bloomenergy.com <Marisa.Blackshire@bloomenergy.com>; mmarrapese@wileyrein.com <mmarrapese@wileyrein.com>; Mason.Emnett@exeloncorp.com <Mason.Emnett@exeloncorp.com>; Michael.G.Mahoney@pfizer.com <Michael.G.Mahoney@pfizer.com>; [REDACTED] nadira.clarke@bakerbotts.com <nadira.clarke@bakerbotts.com>; nrobinson@law.pace.edu <nrobinson@law.pace.edu>; pam.giblin@bakerbotts.com <pam.giblin@bakerbotts.com>; Paul.Davies@lw.com <Paul.Davies@lw.com>; peggy.otum@wilmerhale.com <peggy.otum@wilmerhale.com>; rludwiszewski@gibsondunn.com <rludwiszewski@gibsondunn.com>; Richard.Leahy@walmartlegal.com <Richard.Leahy@walmartlegal.com>; rob.kirsch@wilmerhale.com <rob.kirsch@wilmerhale.com>; [REDACTED] roger.martella@ge.com <roger.martella@ge.com>; [REDACTED] Sally.Fisk@pfizer.com <Sally.Fisk@pfizer.com>; Stacey J. Halliday <SHalliday@bdlaw.com>; stephen.rahaim@dupont.com <stephen.rahaim@dupont.com>; hilary.tompkins@hoganlovells.com <hilary.tompkins@hoganlovells.com>; vpatton@edf.org <vpattton@edf.org>; Wang, Alex <alex.wang@law.ucla.edu>; kevin.wei@bayeco.cn <kevin.wei@bayeco.cn>; Jay Pendergrass <pendergrass@eli.org>; Loretta Reinersmann <reinersmann@eli.org>; Melodie DeMulling <demulling@eli.org>

Subject: RE: Some news about me, thank you to all of you

Congratulations, Ann! Transportation safety and sustainability are two of my passions, and NHTSA plays such a vital role in both areas. I am delighted to see you appointed to NHTSA Chief Counsel and so many others with sustainability experienced named to other significant roles at DOT. It is great to see American government back in the lead on sustainability. Best wishes!

Katie

From: Carlson, Ann <carlson@law.ucla.edu>

Sent: Thursday, January 21, 2021 9:18 AM

To: Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com <[REDACTED]>

Cc: amurgier@beccarvarela.com; beth.deane@firstsolar.com; bobperciasepe@c2es.org; bmarten@martenlaw.com; Carlton.waterhouse@howard.edu; cjenks@mjbradley.com; christopher.reynolds@toyota.com; gffleming@vnf.com; Rachel.Jacobson@wilmerhale.com; jcolopy@fbm.com; jcannon@law.virginia.edu; Thomson, Katie <kathomso@amazon.com>; kpoloncarz@cov.com; lg@nijmanfranzetti.com; john.lovenburg@bnsf.com; Marisa.Blackshire@bloomenergy.com; mmarrapese@wileyrein.com; Mason.Emnett@exeloncorp.com; Michael.G.Mahoney@pfizer.com; [REDACTED] nadira.clarke@bakerbotts.com; nrobinson@law.pace.edu; pam.giblin@bakerbotts.com; Paul.Davies@lw.com; peggy.otum@wilmerhale.com; rludwiszewski@gibsondunn.com; Richard.Leahy@walmartlegal.com; rob.kirsch@wilmerhale.com; [REDACTED] roger.martella@ge.com; [REDACTED] Sally.Fisk@pfizer.com; Stacey J. Halliday <SHalliday@bdlaw.com>; stephen.rahaim@dupont.com; hilary.tompkins@hoganlovells.com; vpatton@edf.org; Wang, Alex <alex.wang@law.ucla.edu>; kevin.wei@bayeco.cn; Jay Pendergrass <pendergrass@eli.org>; Loretta Reinersmann <reinersmann@eli.org>; Melodie DeMulling <demulling@eli.org>

Subject: [EXTERNAL] Some news about me, thank you to all of you

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

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All best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Lovenburg, John D <John.Lovenburg@BNSF.com>
Sent: Thursday, January 21, 2021 9:39 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: Some news about me, thank you to all of you

Hi Ann,

Congratulations on this exciting new chapter in your career! I've enjoyed working with you on the ELI Board.

Perhaps our paths will cross in your new role as you look at highway/railway grade crossing safety and help advance lower carbon transportation solutions.

Best Regards,
John

John Lovenburg
Vice President, Environmental
BNSF Railway
2500 Lou Menk Drive
Fort Worth, TX 76131
817.352.1459 office
817.876.8261 mobile



From: Carlson, Ann [mailto:carlson@law.ucla.edu]
Sent: Thursday, January 21, 2021 11:18 AM
To: Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com <[REDACTED]>
Cc: amurgier@beccarvarela.com; beth.deane@firstsolar.com; bobperciasepe@c2es.org; bmarten@martenlaw.com; Carlton.waterhouse@howard.edu; cjenks@mjbradley.com; christopher.reynolds@toyota.com; gfleming@vnf.com; Rachel.Jacobson@wilmerhale.com; jcolopy@fbm.com; jcannon@law.virginia.edu; kathomso@amazon.com; kpoloncarz@cov.com; lg@nijmanfranzetti.com; Lovenburg, John D <John.Lovenburg@BNSF.com>; Marisa.Blackshire@bloomenergy.com; mmarrapese@wileyrein.com; Mason.Emnett@exeloncorp.com; Michael.G.Mahoney@pfizer.com; [REDACTED]; nadira.clarke@bakerbotts.com; nrobinson@law.pace.edu; pam.giblin@bakerbotts.com; Paul.Davies@lw.com; peggy.otum@wilmerhale.com; rludwiszewski@gibsondunn.com; Richard.Leahy@walmartlegal.com; rob.kirsch@wilmerhale.com; [REDACTED]; roger.martella@ge.com; [REDACTED]; Sally.Fisk@pfizer.com; Stacey J. Halliday <SHalliday@bdlaw.com>; stephen.rahaim@dupont.com; hiliary.tompkins@hoganlovells.com; vpatton@edf.org; Wang, Alex <alex.wang@law.ucla.edu>; kevin.wei@bayeco.cn; Jay Pendergrass <pendergrass@eli.org>; Loretta Reinersmann <reinersmann@eli.org>; Melodie DeMulling <demulling@eli.org>
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EXTERNAL EMAIL

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Ann

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Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Lynn Grayson <lg@nijmanfranzetti.com>
Sent: Thursday, January 21, 2021 9:36 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: Some news about me, thank you to all of you

Congratulations! Another wonderful appointment by the Biden administration.

E. Lynn Grayson
Nijman Franzetti LLP
10 S. LaSalle Street, Suite 3600
Chicago, IL 60603
ph: 312-262-6007
cell: 312-543-5613
fax: 312-251-4610
lg@nijmanfranzetti.com



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Sent: Thursday, January 21, 2021 11:18 AM
To: Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com <[REDACTED]>
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From: Carrie Jenks <cjenks@mjbradley.com>
Sent: Thursday, January 21, 2021 9:33 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: RE: Some news about me, thank you to all of you

Such good news for you and NHTSA!

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Sent: Thursday, January 21, 2021 12:18 PM
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Thank you all for your friendship, environmental commitment and work for ELI. Let's remain in touch.

All best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Brenda Mallory [REDACTED]
Sent: Thursday, January 21, 2021 9:22 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
Subject: Re: Some news about me, thank you to all of you

AWESOME! Congratulations!!! I look forward to seeing you and working with you in some capacity. Thanks for stepping forward. B

On Thu, Jan 21, 2021 at 12:17 PM Carlson, Ann <carlson@law.ucla.edu> wrote:

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From: Gwen Keyes Fleming <gfleming@vnf.com>

Sent: Thursday, January 21, 2021 9:22 AM PST

To: Carlson, Ann <carlson@law.ucla.edu>; Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com <[REDACTED]>

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Subject: RE: Some news about me, thank you to all of you

Congrats Ann!!

Gwendolyn Keyes Fleming | Partner



1050 Thomas Jefferson Street, NW
Washington, DC 20007
O: (202) 298-1928 | C: (202) 594-7481 | gfleming@vnf.com | vnf.com

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Caution: External Email.

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From: Colopy, James <JColopy@fbm.com>

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To: Carlson, Ann <carlson@law.ucla.edu>; Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com <[REDACTED]>

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Subject: RE: Some news about me, thank you to all of you

Congratulations Ann on this terrific new opportunity with the Administration, and you will be an excellent advocate on these important issues. You will be missed on the ELI Board...

Jim

James H. Colopy

Partner

jcolopy@fbm.com

D 415.954.4978



235 Montgomery Street 17th FL

San Francisco, CA 94104

www.fbm.com

From: Carlson, Ann [mailto:carlson@law.ucla.edu]

Sent: Thursday, January 21, 2021 9:18 AM

To: Benjamin F. Wilson; C. Scott Fulton; Margaret Spring; Brenda Mallory; Brenda com <[REDACTED]>

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From: Jacobson, Rachel <Rachel.Jacobson@wilmerhale.com>

Sent: Thursday, January 21, 2021 9:20 AM PST

To: Carlson, Ann <carlson@law.ucla.edu>; Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com <[REDACTED]>

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Subject: RE: Some news about me, thank you to all of you

Fantastic news, Ann! Congratulations!!

Rachel Jacobson | WilmerHale

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Washington, DC 20006 USA

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rachel.jacobson@wilmerhale.com

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From: Carlson, Ann <carlson@law.ucla.edu>

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**EXTERNAL
SENDER**

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Subject: Re: Some news about me, thank you to all of you

Ann:

Thank you so much for sharing this wonderful news. We will miss you dearly but are grateful you will be lending your talents to the new Administration.

Wishing you all the best.

Sincerely,

Ben

On Jan 21, 2021, at 12:17 PM, Carlson, Ann <carlson@law.ucla.edu> wrote:

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From: Tompkins, Hilary <hilary.tompkins@hoganlovells.com>
Sent: Thursday, January 21, 2021 4:44 PM PST
To: Mahoney, Michael G. (NYC LEGAL) <Michael.G.Mahoney@pfizer.com>; Carlson, Ann <carlson@law.ucla.edu>; Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com <[REDACTED]>
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From: Kirsch, Rob <Rob.Kirsch@wilmerhale.com>

Sent: Thursday, January 21, 2021 5:08 PM PST

To: Tompkins, Hilary <hilary.tompkins@hoganlovells.com>

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How encouraging!!

Thank you Ann - what good news for our country and planet.

Rob

Sent from my hand-held device.

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From: Ludwiszewski, Raymond B. <RLudwiszewski@gibsondunn.com>

Sent: Thursday, January 21, 2021 2:00 PM PST

To: Carlson, Ann <carlson@law.ucla.edu>

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Congratulations, Ann. I look forward to working with you in your new role.

RAY

Raymond B. Ludwiszewski

GIBSON DUNN

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1050 Connecticut Avenue, N.W., Washington, DC 20036-5306
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[REDACTED] nadira.clarke@bakerbotts.com; nrobinson@law.pace.edu; pam.giblin@bakerbotts.com; Paul.Davies@lw.com; peggy.otum@wilmerhale.com; rludwiszewski@gibsondunn.com; Richard.Leahy@walmartlegal.com; rob.kirsch@wilmerhale.com; [REDACTED] roger.martella@ge.com; [REDACTED] Fisk, Sally R. K. <Sally.Fisk@Pfizer.com>; Stacey J. Halliday <SHalliday@bdlaw.com>; stephen.rahaim@dupont.com; hilary.tompkins@hoganlovells.com; vpatton@edf.org; Wang, Alex <alex.wang@law.ucla.edu>; kevin.wei@bayeco.cn; Jay Pendergrass <pendergrass@eli.org>; Loretta Reinersmann <reinersmann@eli.org>; Melodie DeMulling <demulling@eli.org>

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Thank you all for your friendship, environmental commitment and work for ELI. Let's remain in touch.

All best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Martella, Roger(GE Corporate) <Roger.Martella@ge.com>

Sent: Thursday, January 21, 2021 1:08 PM PST

To: Carlson, Ann <carlson@law.ucla.edu>; Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com <[REDACTED]>

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Ann, thank you for all your critical contributions to ELI and environmental law. It's so reassuring to hear you're be bringing your talents to the incredible team moving these issues forward in the new Administration. We'll be cheering for you. -- Roger

From: "Carlson, Ann" <carlson@law.ucla.edu>

Date: Thursday, January 21, 2021 at 12:18 PM

To: "Benjamin F. Wilson" <BWilson@bdlaw.com>, "C. Scott Fulton" <fulton@eli.org>, Margaret Spring <mspring@mbayaq.org>, Brenda Mallory <bmallory@selcdc.org>, "Brenda com" <[REDACTED]>

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Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Poloncarz, Kevin <KPoloncarz@cov.com>
Sent: Thursday, January 21, 2021 12:08 PM PST
To: Giblin, Pam <pam.giblin@bakerbotts.com>; Carlson, Ann <carlson@law.ucla.edu>
CC: Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com <[REDACTED]>; AMurgier@beccarvarela.com <AMurgier@beccarvarela.com>; Beth.Deane@firstsolar.com <Beth.Deane@firstsolar.com>; bobperciasepe@c2es.org <bobperciasepe@c2es.org>; bmarten@martenlaw.com <bmarten@martenlaw.com>; Carlton.waterhouse@howard.edu <Carlton.waterhouse@howard.edu>; cjenks@mjb Bradley.com <cjenks@mjb Bradley.com>; christopher.reynolds@toyota.com <christopher.reynolds@toyota.com>; g Fleming@vnf.com <g Fleming@vnf.com>; Rachel.Jacobson@wilmerhale.com <Rachel.Jacobson@wilmerhale.com>; jcolopy@fbm.com <jcolopy@fbm.com>; jcannon@law.virginia.edu <jcannon@law.virginia.edu>; kathomso@amazon.com <kathomso@amazon.com>; lg@nijmanfranzetti.com <lg@nijmanfranzetti.com>; John.Lovenburg@bnsf.com <John.Lovenburg@bnsf.com>; Marisa.Blackshire@bloomenergy.com <Marisa.Blackshire@bloomenergy.com>; mmarrapese@wileyrein.com <mmarrapese@wileyrein.com>; Mason.Emnett@exeloncorp.com <Mason.Emnett@exeloncorp.com>; Michael.G.Mahoney@pfizer.com <Michael.G.Mahoney@pfizer.com>; [REDACTED] Clarke, Nadira <nadira.clarke@bakerbotts.com>; NRobinson@law.pace.edu <NRobinson@law.pace.edu>; paul.davies@lw.com <paul.davies@lw.com>; peggy.otum@wilmerhale.com <peggy.otum@wilmerhale.com>; EXT Ludwizewski, R <RLudwizewski@gibsondunn.com>; Richard.Leahy@walmartlegal.com <Richard.Leahy@walmartlegal.com>; rob.kirsch@wilmerhale.com <rob.kirsch@wilmerhale.com>; [REDACTED] roger.martella@ge.com <roger.martella@ge.com>; [REDACTED] Sally.Fisk@pfizer.com <Sally.Fisk@pfizer.com>; Stacey J. Halliday <SHalliday@bdlaw.com>; stephen.rahaim@dupont.com <stephen.rahaim@dupont.com>; hiliary.tompkins@hoganlovells.com <hiliary.tompkins@hoganlovells.com>; vpatton@edf.org <vpattton@edf.org>; Wang, Alex <alex.wang@law.ucla.edu>; kevin.wei@bayeco.cn <kevin.wei@bayeco.cn>; Jay Pendergrass <pendergrass@eli.org>; Loretta Reinersmann <reinersmann@eli.org>; Melodie DeMulling <demulling@eli.org>
Subject: RE: Some news about me, thank you to all of you

Wonderful news, Ann, and I'm glad to see Alex's suggestion that you may be returning to UCLA someday because the environmental law program you've helped build has consistently produced my strongest associates. (In fact, I just extended a callback interview to another fantastic UCLA student moments ago.) Congratulations!

Kevin Poloncarz

Pronouns: He/Him/His

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Salesforce Tower, 415 Mission Street, Suite 5400
San Francisco, CA 94105-2533
T +1 415 591 7070 | kpoloncarz@cov.com
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COVINGTON

From: Giblin, Pam <pam.giblin@bakerbotts.com>
Sent: Thursday, January 21, 2021 11:55 AM
To: Carlson, Ann <carlson@law.ucla.edu>
Cc: Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com <[REDACTED]>; AMurgier@beccarvarela.com; Beth.Deane@firstsolar.com; bobperciasepe@c2es.org; bmarten@martenlaw.com; Carlton.waterhouse@howard.edu; cjenks@mjb Bradley.com; christopher.reynolds@toyota.com; g Fleming@vnf.com; Rachel.Jacobson@wilmerhale.com; jcolopy@fbm.com; jcannon@law.virginia.edu; kathomso@amazon.com; Poloncarz, Kevin <KPoloncarz@cov.com>; lg@nijmanfranzetti.com; John.Lovenburg@bnsf.com; Marisa.Blackshire@bloomenergy.com; mmarrapese@wileyrein.com; Mason.Emnett@exeloncorp.com; Michael.G.Mahoney@pfizer.com; [REDACTED] Clarke, Nadira <nadira.clarke@bakerbotts.com>; NRobinson@law.pace.edu; paul.davies@lw.com; peggy.otum@wilmerhale.com; EXT Ludwizewski, R <RLudwizewski@gibsondunn.com>; Richard.Leahy@walmartlegal.com; rob.kirsch@wilmerhale.com; [REDACTED] roger.martella@ge.com; [REDACTED] Sally.Fisk@pfizer.com; Stacey J. Halliday <SHalliday@bdlaw.com>; stephen.rahaim@dupont.com; hiliary.tompkins@hoganlovells.com; vpatton@edf.org; Wang, Alex <alex.wang@law.ucla.edu>; kevin.wei@bayeco.cn; Jay Pendergrass <pendergrass@eli.org>; Loretta Reinersmann <reinersmann@eli.org>; Melodie DeMulling <demulling@eli.org>
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EXTERNAL

Here's E&E's announcement. Good picture!

Biden taps climate experts for DOT, eyes clean car rules

[Maxine Joselow](#), E&E News reporter

Published: Thursday, January 21, 2021

President Biden today named two California-based climate experts to top roles at the Department of Transportation.

The appointments signal Biden's commitment to look to the Golden State to establish aggressive nationwide clean car

standards. The California Air Resources Board has set greenhouse gas standards for automobiles that are more stringent than federal rules.

[Redacted]
Steve Cliff, California Air Resources Board

Steve Cliff, the deputy executive officer at CARB, was [named](#) deputy administrator of the National Highway Traffic Safety Administration.

NHTSA (pronounced "NIT-suh") is the division of DOT tasked with setting fuel economy standards for passenger cars and light trucks.

Cliff came to CARB in 2008, leading the development of the state's cap-and-trade program for greenhouse gases.

He left the board from 2014 to 2016 for a stint as the first director of sustainability at the California Department of Transportation under then-Gov. Jerry Brown (D).

Cliff returned to CARB as senior adviser to then-Chair Mary Nichols and later as deputy executive officer, according to a [bio](#) on the board's website.

Asked for comment, CARB Executive Officer Richard Corey said in an email to E&E News: "Dr. Cliff has played an integral role in leading California's actions to clean the air and protect public health. He is uniquely suited to work with states, industry and communities to expedite the move to a safe, efficient, and pollution-free transportation system. We look forward to renewing our partnership with the federal government."

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In addition to Cliff, Biden today selected UCLA School of Law professor Ann Carlson as NHTSA chief counsel.

At UCLA, Carlson served as faculty co-director of the Emmett Institute on Climate Change and the Environment, where she published numerous articles on climate and the law.

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In an interview with E&E News last month, Carlson said the Biden administration could show international leadership on climate change by targeting 100% electric vehicle sales and phasing out sales of new gasoline-powered cars.

"It would be symbolically really important on the climate front for the world's second-biggest emitter — and biggest emitter historically — to be phasing out the internal combustion engine," she said at the time ([Climatewire](#), Dec. 7, 2020).

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Pamela M. Giblin
Office (512) 322-2509
Cell (512) 422-6821

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To: Carlson, Ann <carlson@law.ucla.edu>
CC: Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com <[REDACTED]>; AMurgier@beccarvarela.com <AMurgier@beccarvarela.com>; Beth.Deane@firstsolar.com <Beth.Deane@firstsolar.com>; bobperciasepe@c2es.org <bobperciasepe@c2es.org>; bmarten@martenlaw.com <bmarten@martenlaw.com>; Carlton.waterhouse@howard.edu <Carlton.waterhouse@howard.edu>; cjenks@mjb Bradley.com <cjenks@mjb Bradley.com>; christopher.reynolds@toyota.com <christopher.reynolds@toyota.com>; gfleming@vnf.com <gfleming@vnf.com>; Rachel.Jacobson@wilmerhale.com <Rachel.Jacobson@wilmerhale.com>; jcolopy@fbm.com <jcolopy@fbm.com>; jcannon@law.virginia.edu <jcannon@law.virginia.edu>; kathomso@amazon.com <kathomso@amazon.com>; kpoloncarz@cov.com <kpoloncarz@cov.com>; lg@nijmanfranzetti.com <lg@nijmanfranzetti.com>; John.Lovenburg@bnsf.com <John.Lovenburg@bnsf.com>; Marisa.Blackshire@bloomenergy.com <Marisa.Blackshire@bloomenergy.com>; mmarrapese@wileyrein.com <mmarrapese@wileyrein.com>; Mason.Emnett@exeloncorp.com <Mason.Emnett@exeloncorp.com>; Michael.G.Mahoney@pfizer.com <Michael.G.Mahoney@pfizer.com>; [REDACTED] Clarke, Nadira <nadira.clarke@bakerbotts.com>; NRobinson@law.pace.edu <NRobinson@law.pace.edu>; paul.davies@lw.com <paul.davies@lw.com>; peggy.otum@wilmerhale.com <peggy.otum@wilmerhale.com>; EXT Ludwiszewski, R <RLudwiszewski@gibsondunn.com>; Richard.Leahy@walmartlegal.com <Richard.Leahy@walmartlegal.com>; rob.kirsch@wilmerhale.com <rob.kirsch@wilmerhale.com>; [REDACTED] Sally.Fisk@pfizer.com <Sally.Fisk@pfizer.com>; Stacey J. Halliday <SHalliday@bdlaw.com>; stephen.rahaim@dupont.com <stephen.rahaim@dupont.com>; hiliary.tompkins@hoganlovells.com <hiliary.tompkins@hoganlovells.com>; vpatton@edf.org <vpattton@edf.org>; Wang, Alex <alex.wang@law.ucla.edu>; kevin.wei@bayeco.cn <kevin.wei@bayeco.cn>; Jay Pendergrass <pendergrass@eli.org>; Loretta Reinersmann <reinersmann@eli.org>; Melodie DeMulling <demulling@eli.org>
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From: Ruth Ann Castro [REDACTED]
Sent: Thursday, January 21, 2021 11:21 AM PST
To: Clarke, Nadira <nadira.clarke@bakerbotts.com>
CC: Carlson, Ann <carlson@law.ucla.edu>; Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com <[REDACTED]>; amurgier@beccarvarela.com <amurgier@beccarvarela.com>; beth.deane@firstsolar.com <beth.deane@firstsolar.com>; bobperciasepe@c2es.org <bobperciasepe@c2es.org>; bmarten@martenlaw.com <bmarten@martenlaw.com>; Carlton.waterhouse@howard.edu <Carlton.waterhouse@howard.edu>; cjenks@mjbradley.com <cjenks@mjbradley.com>; christopher.reynolds@toyota.com <christopher.reynolds@toyota.com>; gffleming@vnf.com <gffleming@vnf.com>; Rachel.Jacobson@wilmerhale.com <Rachel.Jacobson@wilmerhale.com>; jcolopy@fbm.com <jcolopy@fbm.com>; jcannon@law.virginia.edu <jcannon@law.virginia.edu>; kathomso@amazon.com <kathomso@amazon.com>; kpoloncarz@cov.com <kpoloncarz@cov.com>; lg@nijmanfranzetti.com <lg@nijmanfranzetti.com>; john.lovenburg@bnsf.com <john.lovenburg@bnsf.com>; Marisa.Blackshire@bloomenergy.com <Marisa.Blackshire@bloomenergy.com>; mmarrapese@wileyrein.com <mmarrapese@wileyrein.com>; Mason.Emnett@exeloncorp.com <Mason.Emnett@exeloncorp.com>; Michael.G.Mahoney@pfizer.com <Michael.G.Mahoney@pfizer.com>; [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>; nrobinson@law.pace.edu <nrobinson@law.pace.edu>; Giblin, Pam <pam.giblin@bakerbotts.com>; Paul.Davies@lw.com <Paul.Davies@lw.com>; peggy.otum@wilmerhale.com <peggy.otum@wilmerhale.com>; EXT Ludwiszewski, R <RLudwiszewski@gibsondunn.com>; Richard.Leahy@walmartlegal.com <Richard.Leahy@walmartlegal.com>; rob.kirsch@wilmerhale.com <rob.kirsch@wilmerhale.com>; [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>; roger.martella@ge.com <roger.martella@ge.com>; Sally.Fisk@pfizer.com <Sally.Fisk@pfizer.com>; Stacey J. Halliday <SHalliday@bdlaw.com>; stephen.rahaim@dupont.com <stephen.rahaim@dupont.com>; hilary.tompkins@hoganlovells.com <hilary.tompkins@hoganlovells.com>; vpatton@edf.org <vpatton@edf.org>; Wang, Alex <alex.wang@law.ucla.edu>; kevin.wei@bayeco.cn <kevin.wei@bayeco.cn>; Jay Pendergrass <pendergrass@eli.org>; Loretta Reinersmann <reinersmann@eli.org>; Melodie DeMulling <demulling@eli.org>
Subject: Re: Some news about me, thank you to all of you

Congratulations, Ann! We will miss you but know you'll be doing great things in this role and for our country!

On Thu, Jan 21, 2021 at 10:53 AM Clarke, Nadira <nadira.clarke@bakerbotts.com> wrote:

Ann:

This is very exciting and you will be superb in this role. Congratulations!

Nadira Clarke

Partner

Baker Botts L.L.P.

nadira.clarke@bakerbotts.com

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M +1.202.702.1401

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Washington, DC 20001

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From: Carlson, Ann <carlson@law.ucla.edu>
Sent: Thursday, January 21, 2021 12:18 PM
To: Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com <[REDACTED]>
Cc: amurgier@beccarvarela.com; beth.deane@firstsolar.com; bobperciasepe@c2es.org; bmarten@martenlaw.com; Carlton.waterhouse@howard.edu; cjenks@mjbradley.com; christopher.reynolds@toyota.com; gffleming@vnf.com; Rachel.Jacobson@wilmerhale.com; jcolopy@fbm.com; jcannon@law.virginia.edu; kathomso@amazon.com; kpoloncarz@cov.com; lg@nijmanfranzetti.com; john.lovenburg@bnsf.com; Marisa.Blackshire@bloomenergy.com; mmarrapese@wileyrein.com; Mason.Emnett@exeloncorp.com; Michael.G.Mahoney@pfizer.com; [REDACTED] <[REDACTED]>; Clarke, Nadira <nadira.clarke@bakerbotts.com>; nrobinson@law.pace.edu; Giblin, Pam <pam.giblin@bakerbotts.com>; Paul.Davies@lw.com; peggy.otum@wilmerhale.com; EXT Ludwiszewski, R <RLudwiszewski@gibsondunn.com>; Richard.Leahy@walmartlegal.com; rob.kirsch@wilmerhale.com; [REDACTED] <[REDACTED]>; roger.martella@ge.com; [REDACTED] <[REDACTED]>; Sally.Fisk@pfizer.com; Stacey J. Halliday <SHalliday@bdlaw.com>; stephen.rahaim@dupont.com; hilary.tompkins@hoganlovells.com; vpatton@edf.org; Wang, Alex <alex.wang@law.ucla.edu>; kevin.wei@bayeco.cn; Jay Pendergrass <pendergrass@eli.org>; Loretta Reinersmann

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Thank you all for your friendship, environmental commitment and work for ELI. Let's remain in touch.

All best,

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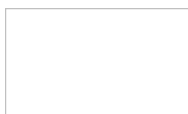
Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
[\(310\) 206-9496](tel:(310)206-9496)

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Ruth Ann Castro | Senior
Counsel Environmental Health
and Safety
San Francisco CA, USA | 650-
214-5557

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Nadira Clarke

Partner

Baker Botts L.L.P.

nadira.clarke@bakerbotts.com

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Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

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From: Wang, Alex <alex.wang@law.ucla.edu>
Sent: Thursday, January 21, 2021 10:52 AM PST
To: Stacey J. Halliday <SHalliday@bdlaw.com>; Bob Perciasepe <bobperciasepe@c2es.org>; Carlson, Ann <carlson@law.ucla.edu>; Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com <[REDACTED]>
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Subject: Re: Some news about me, thank you to all of you

A (temporary) loss for UCLA Law, but a big win for the country and for climate action!

Best,
Alex

Alex Wang
Professor of Law
UCLA School of Law

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From: Stacey J. Halliday <SHalliday@bdlaw.com>
Sent: Thursday, January 21, 2021 10:41
To: Bob Perciasepe; Carlson, Ann; Benjamin F. Wilson; C. Scott Fulton; Margaret Spring; Brenda Mallory; Brenda com <[REDACTED]>
Cc: amurgier@beccarvarela.com; beth.deane@firstsolar.com; bmarten@martenlaw.com; Carlton.waterhouse@howard.edu; cjenks@mjbradley.com; christopher.reynolds@toyota.com; gfleming@vnf.com; Rachel.Jacobson@wilmerhale.com; jcolopy@fbm.com; jcannon@law.virginia.edu; kathomso@amazon.com; kpoloncarz@cov.com; lg@nijmanfranzetti.com; john.lovenburg@bnsf.com; Marisa.Blackshire@bloomenergy.com; mmarrapese@wileyrein.com; Mason.Emnett@exeloncorp.com; Michael.G.Mahoney@pfizer.com; [REDACTED] nadira.clarke@bakerbotts.com; nrobinson@law.pace.edu; pam.giblin@bakerbotts.com; Paul.Davies@lw.com; peggy.otum@wilmerhale.com; rludwiszewski@gibsondunn.com; Richard.Leahy@walmartlegal.com; rob.kirsch@wilmerhale.com; [REDACTED] roger.martella@ge.com; [REDACTED] Sally.Fisk@pfizer.com; stephen.rahaim@dupont.com; hilary.tompkins@hoganlovells.com; vpatton@edf.org; Wang, Alex; kevin.wei@bayeco.cn; Jay Pendergrass; Loretta Reinersmann; Melodie DeMulling
Subject: RE: Some news about me, thank you to all of you

Congratulations, Ann! Though you'll be missed, it's wonderful news for the country and the fine folks at NHTSA. Wishing you the best and looking forward to all of the great things to come!

Stacey J. Sublett Halliday
Independent Consultant
for Beveridge & Diamond, P.C.

BEVERIDGE & DIAMOND PC
O +1.202.789.6074 ~ M +1.617.817.9239 ~ SHalliday@bdlaw.com

From: Bob Perciasepe <bobperciasepe@c2es.org>
Sent: Friday, January 22, 2021 1:32 AM
To: Carlson, Ann <carlson@law.ucla.edu>; Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com <[REDACTED]>
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Great !!!

Bob Perciasepe, President

(C) 202-368-8193

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Ann Carlson

Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Robinson, Prof. Nicholas A. <nrobinson@law.pace.edu>
Sent: Thursday, January 21, 2021 10:47 AM PST
To: Carlson, Ann <carlson@law.ucla.edu>
CC: Benjamin Wilson <bwilson@bdlaw.com>
Subject: Re: Some news about me, thank you to all of you

Dear Ann,

How wonderful for this new opportunity! All best wishes and good luck!

The academic door will always open for you when you are ready to re-enter legal education.

I'll miss seeing you at ELI.

Be well,

Nick

Prof. Nicholas A. Robinson.

From: "carlson@law.ucla.edu" <carlson@law.ucla.edu>
Date: Thursday, January 21, 2021 at 12:17 PM
To: Benjamin Wilson <BWilson@bdlaw.com>, "fulton@eli.org" <fulton@eli.org>, Margaret Spring <mspring@mbayaq.org>, Brenda Mallory <bmallory@selcdc.org>, [REDACTED], [REDACTED]
Cc: "amurgier@beccarvarela.com" <amurgier@beccarvarela.com>, Beth Deane <beth.deane@firstsolar.com>, "bobperciasepe@c2es.org" <bobperciasepe@c2es.org>, Brad Marten <bmarten@martenlaw.com>, "Carlton.waterhouse@howard.edu" <Carlton.waterhouse@howard.edu>, Carrie Jenks <cjenks@mjbradley.com>, Chris Toyota <christopher.reynolds@toyota.com>, "gfleming@vnf.com" <gfleming@vnf.com>, "Rachel.Jacobson@wilmerhale.com" <Rachel.Jacobson@wilmerhale.com>, Jim Colopy <jcolopy@fbm.com>, Jonathan Cannon <jcannon@law.virginia.edu>, Katie Thomson <kathomso@amazon.com>, "kpoloncarz@cov.com" <kpoloncarz@cov.com>, "lg@nijmanfranzetti.com" <lg@nijmanfranzetti.com>, "john.lovenburg@bnsf.com" <john.lovenburg@bnsf.com>, "Marisa.Blackshire@bloomenergy.com" <Marisa.Blackshire@bloomenergy.com>, Martha Marrapese <mmarrapese@wileyrein.com>, "Mason.Emnett@exeloncorp.com" <Mason.Emnett@exeloncorp.com>, "Michael.G.Mahoney@pfizer.com" <Michael.G.Mahoney@pfizer.com>, [REDACTED], [REDACTED] "nadira.clarke@bakerbotts.com" <nadira.clarke@bakerbotts.com>, "Robinson, Prof. Nicholas A." <nrobinson@law.pace.edu>, Pam Giblin <pam.giblin@bakerbotts.com>, "Paul.Davies@lw.com" <Paul.Davies@lw.com>, "peggy.otum@wilmerhale.com" <peggy.otum@wilmerhale.com>, Raymond Ludwiszewski <rludwiszewski@gibsondunn.com>, "Richard.Leahy@walmartlegal.com" <Richard.Leahy@walmartlegal.com>, "rob.kirsch@wilmerhale.com" <rob.kirsch@wilmerhale.com>, [REDACTED], [REDACTED] Roger Martella <roger.martella@ge.com>, [REDACTED], [REDACTED] "Sally.Fisk@pfizer.com" <Sally.Fisk@pfizer.com>, "Stacey J. Halliday" <SHalliday@bdlaw.com>, Steve Rahaim <stephen.rahaim@dupont.com>, "hilary.tompkins@hoganlovells.com" <hilary.tompkins@hoganlovells.com>, Vickie Patton <vpatton@edf.org>, "Wang, Alex" <alex.wang@law.ucla.edu>, "kevin.wei@bayeco.cn" <kevin.wei@bayeco.cn>, "pendergrass@eli.org" <pendergrass@eli.org>, Loretta Reinersmann <reinersmann@eli.org>, Melodie DeMulling <demulling@eli.org>
Subject: Some news about me, thank you to all of you

Dear colleagues,

I am writing to let you know that I am taking on a new role and, as a result, will have to resign from the ELI Board.

Yesterday, I was sworn in as Chief Counsel of NHTSA. As you of course know, NHTSA plays a key role in reducing carbon emissions from the transportation sector and my appointment is, I think, an indication that President Biden is serious about a "whole government" approach to climate change.

I'm incredibly excited about my new role but very sad that I will no longer be able to serve on the ELI board. Serving with all of you has been a remarkably enriching experience and seeing ELI's influence and effectiveness grow under Scott's leadership has been so rewarding. I will miss all of you, though can perhaps see more of some of you once I move east when the pandemic recedes and the Department of Transportation brings more of its workforce back into the building. For now I'll remain in L.A. working remotely.

Thank you all for your friendship, environmental commitment and work for ELI. Let's remain in touch.

All best,

Ann

Ann Carlson
Shirley Shapiro Professor of Environmental Law
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From: Stacey J. Halliday <SHalliday@bdlaw.com>

Sent: Thursday, January 21, 2021 10:41 AM PST

To: Bob Perciasepe <bobperciasepe@c2es.org>; Carlson, Ann <carlson@law.ucla.edu>; Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com> [REDACTED]

CC: amurgier@beccarvarela.com <amurgier@beccarvarela.com>; beth.deane@firstsolar.com <beth.deane@firstsolar.com>; bmarten@martenlaw.com <bmarten@martenlaw.com>; Carlton.waterhouse@howard.edu <Carlton.waterhouse@howard.edu>; cjenks@mjbradley.com <cjenks@mjbradley.com>; christopher.reynolds@toyota.com <christopher.reynolds@toyota.com>; gfleming@vnf.com <gfleming@vnf.com>; Rachel.Jacobson@wilmerhale.com <Rachel.Jacobson@wilmerhale.com>; jcolopy@fbm.com <jcolopy@fbm.com>; jcannon@law.virginia.edu <jcannon@law.virginia.edu>; kathomso@amazon.com <kathomso@amazon.com>; kpoloncarz@cov.com <kpoloncarz@cov.com>; lg@nijmanfranzetti.com <lg@nijmanfranzetti.com>; john.lovenburg@bnsf.com <john.lovenburg@bnsf.com>; Marisa.Blackshire@bloomenergy.com <Marisa.Blackshire@bloomenergy.com>; mmarrapese@wileyrein.com <mmarrapese@wileyrein.com>; Mason.Emnett@exeloncorp.com <Mason.Emnett@exeloncorp.com>; Michael.G.Mahoney@pfizer.com <Michael.G.Mahoney@pfizer.com>; [REDACTED] nadira.clarke@bakerbotts.com <nadira.clarke@bakerbotts.com>; nrobinson@law.pace.edu <nrobinson@law.pace.edu>; pam.giblin@bakerbotts.com <pam.giblin@bakerbotts.com>; Paul.Davies@lw.com <Paul.Davies@lw.com>; peggy.otum@wilmerhale.com <peggy.otum@wilmerhale.com>; rludwizewski@gibsondunn.com <rludwizewski@gibsondunn.com>; Richard.Leahy@walmartlegal.com <Richard.Leahy@walmartlegal.com>; rob.kirsch@wilmerhale.com <rob.kirsch@wilmerhale.com>; [REDACTED] roger.martella@ge.com <roger.martella@ge.com>; [REDACTED] Sally.Fisk@pfizer.com <Sally.Fisk@pfizer.com>; stephen.rahaim@dupont.com <stephen.rahaim@dupont.com>; hilary.tompkins@hoganlovells.com <hilary.tompkins@hoganlovells.com>; vpatton@edf.org <vpattton@edf.org>; Wang, Alex <alex.wang@law.ucla.edu>; kevin.wei@bayeco.cn <kevin.wei@bayeco.cn>; Jay Pendergrass <pendergrass@eli.org>; Loretta Reinersmann <reinersmann@eli.org>; Melodie DeMulling <demulling@eli.org>

Subject: RE: Some news about me, thank you to all of you

Congratulations, Ann! Though you'll be missed, it's wonderful news for the country and the fine folks at NHTSA. Wishing you the best and looking forward to all of the great things to come!

Stacey J. Sublett Halliday

Independent Consultant
for Beveridge & Diamond, P.C.

BEVERIDGE & DIAMOND PC

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From: Bob Perciasepe <bobperciasepe@c2es.org>

Sent: Friday, January 22, 2021 1:32 AM

To: Carlson, Ann <carlson@law.ucla.edu>; Benjamin F. Wilson <BWilson@bdlaw.com>; C. Scott Fulton <fulton@eli.org>; Margaret Spring <mspring@mbayaq.org>; Brenda Mallory <bmallory@selcdc.org>; Brenda com> [REDACTED]

Cc: amurgier@beccarvarela.com; beth.deane@firstsolar.com; bmarten@martenlaw.com; Carlton.waterhouse@howard.edu; cjenks@mjbradley.com; christopher.reynolds@toyota.com; gfleming@vnf.com; Rachel.Jacobson@wilmerhale.com; jcolopy@fbm.com; jcannon@law.virginia.edu; kathomso@amazon.com; kpoloncarz@cov.com; lg@nijmanfranzetti.com; john.lovenburg@bnsf.com; Marisa.Blackshire@bloomenergy.com; mmarrapese@wileyrein.com; Mason.Emnett@exeloncorp.com; Michael.G.Mahoney@pfizer.com; [REDACTED] nadira.clarke@bakerbotts.com; nrobinson@law.pace.edu; pam.giblin@bakerbotts.com; Paul.Davies@lw.com; peggy.otum@wilmerhale.com; rludwizewski@gibsondunn.com; Richard.Leahy@walmartlegal.com; rob.kirsch@wilmerhale.com; [REDACTED] roger.martella@ge.com; [REDACTED] Sally.Fisk@pfizer.com; Stacey J. Halliday <SHalliday@bdlaw.com>; stephen.rahaim@dupont.com; hilary.tompkins@hoganlovells.com; vpatton@edf.org; Wang, Alex <alex.wang@law.ucla.edu>; kevin.wei@bayeco.cn; Jay Pendergrass <pendergrass@eli.org>; Loretta Reinersmann <reinersmann@eli.org>; Melodie DeMulling <demulling@eli.org>

Subject: Re: Some news about me, thank you to all of you

Great !!!

Bob Perciasepe, President

(C) 202-368-8193

www.C2ES.org | [@C2ES.org](https://www.C2ES.org) | [@BobPerch](https://www.C2ES.org)



From: "Carlson, Ann" <carlson@law.ucla.edu>

Date: Thursday, January 21, 2021 at 12:17 PM

To: "Benjamin F. Wilson" <BWilson@bdlaw.com>, Scott Fulton <fulton@eli.org>, Margaret Spring <mspring@mbayaq.org>, Brenda Mallory <bmallory@selcdc.org>, "Brenda com"> [REDACTED]

Cc: "amurgier@beccarvarela.com" <amurgier@beccarvarela.com>, "beth.deane@firstsolar.com" <beth.deane@firstsolar.com>, Bob Perciasepe <bobperciasepe@c2es.org>, "bmarten@martenlaw.com"

<bmarten@martenlaw.com>, "Carlton.waterhouse@howard.edu" <Carlton.waterhouse@howard.edu>, "cjenks@mjb Bradley.com" <cjenks@mjb Bradley.com>, "christopher.reynolds@toyota.com" <christopher.reynolds@toyota.com>, "gfleming@vnf.com" <gfleming@vnf.com>, "Rachel.Jacobson@wilmerhale.com" <Rachel.Jacobson@wilmerhale.com>, "jcolopy@fbm.com" <jcolopy@fbm.com>, "jcannon@law.virginia.edu" <jcannon@law.virginia.edu>, "kathomso@amazon.com" <kathomso@amazon.com>, "kpoloncarz@cov.com" <kpoloncarz@cov.com>, "lg@nijmanfranzetti.com" <lg@nijmanfranzetti.com>, "john.lovenburg@bnsf.com" <john.lovenburg@bnsf.com>, "Marisa.Blackshire@bloomenergy.com" <Marisa.Blackshire@bloomenergy.com>, "mmarrapese@wileyrein.com" <mmarrapese@wileyrein.com>, "Mason.Emnett@exeloncorp.com" <Mason.Emnett@exeloncorp.com>, "Michael.G.Mahoney@pfizer.com" <Michael.G.Mahoney@pfizer.com>, "nadira.clarke@bakerbotts.com" <nadira.clarke@bakerbotts.com>, "nrobinson@law.pace.edu" <nrobinson@law.pace.edu>, "pam.giblin@bakerbotts.com" <pam.giblin@bakerbotts.com>, "Paul.Davies@lw.com" <Paul.Davies@lw.com>, "peggy.otum@wilmerhale.com" <peggy.otum@wilmerhale.com>, "rludwizewski@gibsondunn.com" <rludwizewski@gibsondunn.com>, "Richard.Leahy@walmartlegal.com" <Richard.Leahy@walmartlegal.com>, "rob.kirsch@wilmerhale.com" <rob.kirsch@wilmerhale.com>, "roger.martella@ge.com" <roger.martella@ge.com>, "Sally.Fisk@pfizer.com" <Sally.Fisk@pfizer.com>, "Stacey J. Halliday" <SHalliday@bdlaw.com>, "stephen.rahaim@dupont.com" <stephen.rahaim@dupont.com>, "hilary.tompkins@hoganlovells.com" <hilary.tompkins@hoganlovells.com>, "vpatton@edf.org" <vpatton@edf.org>, "Wang, Alex" <alex.wang@law.ucla.edu>, "kevin.wei@bayeco.cn" <kevin.wei@bayeco.cn>, Jay Pendergrass <pendergrass@eli.org>, Loretta Reinersmann <reinersmann@eli.org>, Melodie DeMulling <demulling@eli.org>

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