



Sierra Club Unearthed Report

A Big Green Bust? A Report on “Green” Spending in the 2014 Election Cycle

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Introduction

One undisputed fact concerning the 2014 election cycle is that the “green” movement, more specifically groups such as the Sierra Club, dedicated to fighting climate change/global warming through anti-energy policies, ran their “largest electoral program ever” and lost.

“We are poised to make, by far, the biggest investment we’ve ever made in elections,” as one senior “green” executive put it.¹ The overarching goal of these groups was to “mak(e) climate change part of the conversation.”² Indeed, spending by the League of Conservation Voters (LCV) alone increased five-fold from the 2010 midterms, from approximately \$5 million to approximately \$25 million.³ This is also up significantly from the 2012 Presidential election, when LCV spent only \$15 million. One of the biggest spenders this past cycle, NextGen Climate, was not even in existence in past election cycles.⁴ The largest and most visible groups, counting only money directly spent on electioneering, bragged about spending upwards of \$85 million dollars for the midterms.⁵ It was likely larger if you were to include other forms of indirect spending and smaller groups with similar ideological outlooks and backgrounds, or that were created to appear independent but merely served to allow the funder the opportunity to spend more than the rules otherwise allow. Over \$40 million of this targeted specific races for the U.S. Senate,⁶ with the explicit goal of maintaining Democratic control of the Senate.⁷ The

¹ Memo - To: Interested Parties, From: Joe Bonfiglio (Environmental Defense Action Fund), Sky Gallegos (NextGen Climate), Heather Taylor-Miesle (NRDC Action Fund), Daniel J. Weiss (LCV), and Melissa Williams (Sierra Club), Re: 12 days out: Climate Groups Are Poised to Make Their Mark in the 2014 Midterm Elections, Date: October 24, 2014. Available at: <http://www.lcv.org/assets/pdf/election-memo-from-climate-10-24-14.pdf> Last retrieved: 11/18/2014.

² “Environmental groups are spending an unprecedented \$85 million in the 2014 elections,” The Washington Post, By: Chris Mooney, October 27, 2014. Available at: <http://www.washingtonpost.com/blogs/wonkblog/wp/2014/10/27/environmental-groups-are-spending-an-unprecedented-85-million-in-the-2014-elections/>. Last retrieved: 11/18/2014.

³ Id.

⁴ NextGen Climate was founded in 2013. See NextGen Climate - About. Available at: <https://nextgenclimate.org/about/>. Last retrieved: 11/18/2014.

⁵ Memo - To: Interested Parties, From: Joe Bonfiglio (Environmental Defense Action Fund), Sky Gallegos (NextGen Climate), Heather Taylor-Miesle (NRDC Action Fund), Daniel J. Weiss (LCV), and Melissa Williams (Sierra Club), Re: 12 days out: Climate Groups Are Poised to Make Their Mark in the 2014 Midterm Elections, Date: October 24, 2014. Available at: <http://www.lcv.org/assets/pdf/election-memo-from-climate-10-24-14.pdf> Last retrieved: 11/18/2014.

⁶ Id.

⁷ LCV President Gene Karpinski said explicitly that, “(A) majority of the five-fold increase in spending would go to Senate races, as Democrats control of the upper chamber hangs in the balance.” See, “Green group expects huge jump in spending for midterms,” By: Laura Barron-Lopez, The Hill, September 5,

explicit desire of these “Green” groups was to demonstrate that their issues, climate change in particular, was an electoral winner. “We want 2014 to be a pivot year for climate—the year we can demonstrate that you can use climate change as a wedge issue to win in political races,” said Chris Lehane, a longtime Democratic political consultant who became NextGen Climate’s chief strategist.⁸

That didn’t happen. The green spending monsoon didn’t yield much in terms of electoral victories. In terms of the Senate races, the greens spent heavily on six races, winning only two. Even in the cases of the two victories, there were important qualifiers. In one case, the “Green” endorsed candidate only won after refuting the charge that she supported a carbon tax.⁹ In the other case, the race was never truly competitive. The greens didn’t do a whole lot better in races for Governor, the House of Representatives, or even state legislatures. The “greens” bet big on the 2014 mid-terms and lost almost every major race they invested in.

Yet it is already apparent that this defeat is not considered permanent by the greens. The day after the election, Elizabeth Thompson, president of the Environmental Defense Action Fund said that, “Yesterday was not a referendum on climate or rejection of environmental protections that Americans overwhelmingly support.”¹⁰ Her belief is not unique amongst the leaders of the well-moneyed “green” movement. What’s more, the “green” movement intended this effort to build awareness and infrastructure for future campaigns. The money all but certainly didn’t all evaporate on TV ads. Tony Kreindler, senior director for communications at the Environmental Defense Fund (EDF), was explicit on this point, “We’re very much taking the long view here... It’s going to take a long time to shift the politics and get politicians at the federal level re-engaged.”¹¹

This massive, unprecedented expenditure on behalf of “green” groups is new to the political scene. Its impact on the electorate, and future implications, deserve some serious analysis and discussion. This report will examine the money spent by greens this cycle, how it compares to previous cycles, what effects it had, what messages were used, and what it means going forward. Of course, “greens” are famously opaque, and it is hard to predict the future. But there is a lot we can learn from what has happened, and a lot of available information gives us insight into what is likely to happen next.

2014. Available at: <http://thehill.com/policy/energy-environment/216773-green-group-expects-huge-jump-in-spending-for-midterms>. Last retrieved: 11/18/2014.

⁸ “How Green Was My Election” Slate, By: Josh Voorhees, November 3, 2014. Available at: www.slate.com/articles/news_and_politics/politics/2014/11/tom_steyer_spent_57_million_to_get_voters_to_care_about_climate_change_it.html. Last retrieved: 11/18/2014.

⁹ “Tilting at (or for) Windmills”, Inside Sources, By: Shawn McCoy, November 5, 2014. Available at: <http://www.insidesources.com/tilting-at-or-for-windmills/>. Last retrieved: 11/18/2014.

¹⁰ “Greens beaten back but not broken after election,” The Hill, By: Timothy Cama, November 11, 2014. Available at: <http://thehill.com/policy/energy-environment/223090-greens-beaten-back-but-not-broken-after-election>. Last retrieved: 11/18/2014.

¹¹ “Greens spent millions on midterm elections and lost. Or did they?” Christian Science Monitor, By: Jered Gilmour, November 5, 2014. Available at: www.csmonitor.com/Environment/Energy-Voices/2014/1105/Greens-spent-millions-on-midterm-elections-and-lost.-Or-did-they. Last retrieved: 11/18/2014

Background

A Brief History of “Green” Spending

While concern about preservation of natural wonders and concern about pollution is as old as human civilization, the modern green movement can probably be traced back to the life of John Muir. Muir, a contemporary of Henry David Thoreau, was primarily concerned with the preservation of open wilderness space, and is known as the “Father of National Parks” for his enthusiasm for wilderness preservation and role in passing the 1890 National Parks Bill, and for his role in founding the Sierra Club, which was originally a club for hiking and camping enthusiasts.¹²

Yet in the words of philosopher Eric Hoffer, “Every great cause begins as a movement, becomes a business, and eventually degenerates into a racket.” Indeed, the club Muir founded, one of the flagship “green” organizations, bears little resemblance to the ragtag group of mountaineers Muir assembled all those years ago. Sierra Club, and its many allied organizations, is now a big business that primarily employs people in San Francisco, Washington D.C. and other big cities. Muir’s ideas of preserving tracts of untouched land for future enjoyment and recreation, something most Americans enthusiastically support, is increasingly seen by modern “greens” as being out of touch with what they see as more important priorities. Instead, many modern “greens”, such as said Jon Christensen, a historian with the University of California, Los Angeles’ Institute of Environment and Sustainability, claim that, “Muir’s legacy has to go...It’s just not useful anymore,” as Muir was unconcerned with issues such as population growth, urban sprawl, demographic shifts, smaller parks in cities, and climate change.¹³

Indeed, far from being outdoorsman who spend most of their time deep in wilderness areas, big business is the only way to describe the modern “green” movement. For example, take Muir’s legacy, the Sierra Club: Not only does the modern day Sierra Club’s budget run nearly \$100 million a year according to most recent available data, it is increasingly funded by industries that want to use their activism to damage competitor industries, such as natural gas,¹⁴ or other “green” energy business interests.¹⁵ In other words, as the greens have become a big

¹² "Who Was John Muir?", Sierra Club. Available at: vault.sierraclub.org/john_muir_exhibit/about/. Last retrieved: 11/26/2014.

¹³ "Enviros debate relevance of Muir's legacy 100 years after his death", E&E Publishing, Thursday, November 13, 2014. Available at: <http://www.eenews.net/greenwire/2014/11/13/stories/1060008855>. Last retrieved: 11/18/2014 (subscription required).

¹⁴ "Sierra Club took \$26M from gas industry to fight coal-fired plants", The Hill, By: Ben German, February 3, 2012. Available at: <http://thehill.com/policy/energy-environment/208477-sierra-club-took-26m-from-gas-industry-to-fight-coal>. Last retrieved: 11/18/2014.

¹⁵ See "You'd Never Know He's a Sun King," New York Times, May 8, 2010 By: Todd Woody. Available at: <http://www.nytimes.com/2010/05/09/business/09green.html?gwh=E29851C0BD74D46376E783C883DD>

business, and in so doing, they have become much like any other big business, seeking their own interests and the interests of those that support them, their altruistic founding aside. They are different from other interest group lobbyists in Washington DC only in terms of how they file their taxes, not in substance.

It is important to keep this in mind when thinking about how these “green” groups have been spending their money. This is especially true as spending by the “greens” on elections has ramped up substantially over the last few cycles. No longer a small collection of people trying to attract attention to their issues, the “green” lobby is now every bit as big of a major player in electoral politics as explicitly for-profit industries, and bigger than many.

The expansion of the “green” movement in terms of their direct spending on elections is dramatic. In 1994, total “green” spending on elections was shy of \$2 million dollars.¹⁶ This trend actually went downward for several cycles, then inched back up, and only took a noticeable jump in 2004, when “greens” spent about \$3.4 million.¹⁷ But even this was a relatively modest bump compared to what has happened in the past few cycles. In 2008, spending was clearly going up relatively to previous cycles, reaching about \$5.5 million, and a slight down-tick for the 2010 mid-terms, which yielded about \$5 million in election spending.¹⁸ Yet nothing matched the dramatic increase that came next.

The 2012 Presidential election cycle saw a record \$17 million spent by “green” environmental groups.¹⁹ This amounted to more than triple what they had spent in the previous election cycle. But what was truly shocking was just how much was spent in the 2014 mid-terms. Historically, spending would go down during a mid-term election. Instead, it skyrocketed to about \$85 million dollars, a *five-fold* increase.²⁰ To put this massive number in perspective, the defense industry spent just shy of \$24 million dollars in 2014.²¹ Indeed, the “green” groups spent nearly matches the amount of money spent by all of the players in the energy/natural resources industries combined, which spent about \$96 million.²²

If it strikes you as odd that industries that generate billions of dollars of revenue are roughly at parity with those who are supposedly merely lobbying for responsible extraction and

[5A0D&gwt=pay](#). Last retrieved: 11/18/2014. This article discusses how “green” energy billionaire David Gelbaum has given about \$200 million to Sierra Club.

¹⁶ OpenSecrets.org, Home/Influence and Lobbying/Interest Groups/Ideology/Single-Issue/Environment/Totals. Available at: <https://www.opensecrets.org/industries/totals.php?ind=Q11++>. Last retrieved: 11/19/2014

¹⁷ Id.

¹⁸ Id.

¹⁹ Id.

²⁰ Id.

²¹ OpenSecrets.org, Home/Influence&Lobbying/Interest Groups/Defense/Totals. Available at: <https://www.opensecrets.org/industries/totals.php?cycle=2014&ind=D> Last retrieved: 11/19/2014.

²² OpenSecrets.org, Home/Influence&Lobbying/Interest Groups/Energy and Natural Resources. Available at: <https://www.opensecrets.org/industries/totals.php?ind=E>. Last retrieved: 11/19/2014.

use of such materials, it should.²³ More than anything else, it should demonstrate that the modern “green” movement is not run by altruistic mountain climbers and hikers. It is a big business intent on seeking its own self-interest. It should be thought of accordingly, and not given any special seat at the table. However, it is precisely the fact that “green” groups are being given a special seat at the table that all of this spending is happening in the first place.

Reasons for the Spending Binge

The seeds for this massive increase of spending on the part of the “green” movement can be traced back to a major Supreme Court case, *Massachusetts v. EPA*. In *Massachusetts v. EPA*, the United States Supreme Court ruled, in a 5-4 opinion, that EPA has the authority to establish regulatory standards for greenhouse gasses as “pollutants” under the Clean Air Act.²⁴ Nothing required the EPA to regulate greenhouse gasses, however, and initially, under the so-called “Johnson Memo,” which laid out EPA policy in light of *Massachusetts v. EPA*, it did not do so. However, that was during the Bush Administration. When Barack Obama was elevated to the Presidency, things changed substantially.

Previously, when President Obama was still Candidate Obama, he gave an important interview to The San Francisco Chronicle. In this interview, he said that while his energy plan would not technically outlaw coal as an energy source, under his plan, “If someone wants to build a new coal-fired power plant they can, but it will bankrupt them because they will be charged a huge sum for all the greenhouse gas that’s being emitted.”²⁵ Needless to say, this sort of extreme statement was new to the national stage. Coal produces roughly 40% of all electricity in America and 20% of all of our energy consumption.²⁶ While coal is not the only producer of carbon dioxide, the most prevalent “greenhouse gas,” it has become the primary boogiemans of the “green” movement, in spite of the fact that carbon dioxide in and of its self is not only harmless, but necessary for life.

While the Obama, first as a candidate then as President, has repeatedly tried to walk back on this statement, insisting he’s not waging a “War on Coal” in spite of evidence to the contrary. However, other statements by senior Obama Administration EPA officials have echoed these

²³ Of course, as briefly discussed, certain energy sector actors have turned to “green” groups to battle their competitors within the sector, such as the massive amounts of money Sierra Club has gotten from the natural gas industry. This should be seen as reinforcing the idea that “green” groups are big business, and should not be treated as altruistic actors.

²⁴ *Massachusetts v. Environmental Protection Agency*, 549 U.S. 497 (2007).

²⁵ “Obama’s Promise the Bankrupt the Coal Industry”. Available at: <http://www.youtube.com/watch?v=DpTlhyMa-Nw>. Last retrieved 1/31/2014.

²⁶ According to the Institute for Energy Research, coal accounts for 37.5% of all electricity produced in the U.S., although this is a reduction in recent years. Graphs available here: <http://www.instituteforenergyresearch.org/wp-content/uploads/2013/05/Coal-Overview-Graph-02.png>, Last retrieved 1/31/2014. <http://www.instituteforenergyresearch.org/wp-content/uploads/2013/05/Coal-Overview-Graph-01.png>, Last retrieved 1/31/2014.

comments at various times.²⁷ Moreover, the Obama EPA has relentlessly pursued heavily regulating greenhouse gasses from the very first day of his administration. As discussed in more detail in a previous E&E Legal report, overturning the “Johnson Memo” and regulating carbon dioxide became the obsession of Obama-era EPA Administration officials from the instant they walked in the door, a feat that was made official in late 2009.²⁸ Since then, ever increasing regulations on greenhouse gasses, but particularly (but not exclusively) on coal, has been EPA’s myopic obsession, with more and more draconian rules being promulgated as the Obama Administration goes forward with their agenda, regardless of what happens in Congress.

These rules have the dual effect, both of shrinking the metaphorical energy “pie” while greatly increasing the share of the “pie” that would go to particular energy sector actors, such as natural gas, solar, wind and other forms of “green” energy that could not otherwise compete with fossil fuels in an open marketplace. In other words, while there is a large net economic loss, there is a lot of money to be made for those who wind up in the “right” politically favored industries.²⁹

But whether it is old-fashioned rent-seeking or altruism by people who believe in the apocalyptic claims of some in the “green” movement concerning climate change, or more likely a mix of both actors, the simple truth of the matter is that this is the “greens” moment, and they will do anything to seize it. Indeed, the Obama Administration’s senior political appointees at the EPA are stacked with former “green” group members. E&E Legal’s research of all available information reveals that there is no member of EPA’s appointed political leadership that has any significant experience in the private sector, in union leadership, or even as a former elected official. All senior political appointees at EPA are either career bureaucrats, or former “green” group activists.³⁰

Perhaps even more important is the fact that even at the height of the Obama Administration’s power, it could not pass the so-called “Cap and Trade” law through Congress to

²⁷ See, e.g. "Did Gina McCarthy Declare a 'War on Coal'? Yes." National Review Online, By: Greg Pollowitz, June 17, 2014. Available at: <http://www.nationalreview.com/planet-gore/380573/did-gina-mccarthy-declare-war-coal-yes-greg-pollowitz>. Last retrieved: 11/19/2014.

²⁸ “Improper Collusion Between Environmental Pressure Groups and the Environmental Protection Agency As Revealed by Freedom of Information Act Requests - Interim Report”, By: Chris Horner, September, 2014 Available at: eelegal.org/wp-content/uploads/2014/09/EE-Legal-FOIA-Collusion-Report-9-15-2014.pdf. Last retrieved: 11/19/2014.

²⁹ See generally, "EPA Carbon Plan and Power Plant Regulations Will Cause Energy Prices to Soar" Market Watch, November 20, 2014. Available at: www.marketwatch.com/story/epa-carbon-plan-and-power-plant-regulations-will-cause-energy-prices-to-soar-2014-11-20. Last retrieved: 11/26/2014. "All Economic Pain, No Environmental Gain", The Heritage Foundation, Research - Commentaries, By: Nicholas Loris. Available at: www.heritage.org/research/commentary/2014/6/all-economic-pain-no-environmental-gain

³⁰ “Improper Collusion Between Environmental Pressure Groups and the Environmental Protection Agency As Revealed by Freedom of Information Act Requests - Interim Report”, By: Chris Horner, September, 2014 Available at: eelegal.org/wp-content/uploads/2014/09/EE-Legal-FOIA-Collusion-Report-9-15-2014.pdf. Last retrieved: 11/19/2014.

accomplish similar ends.³¹ In other words, while this agenda has the support of a lot of moneyed interests as well as the fanatical devotion of some activists, it does not command the public support necessary to implement it through Congress, or anything close to it. However, since the “greens” and their allies have a friend in the White House and because of him, friends at the EPA, coupled with friendly court rulings, they can achieve much of the same thing through administrative regulations. However, as any first-year law student could tell you, regulations promulgated by one Administration can be undone by the next one, and they are more vulnerable to legal challenge as being beyond the authority of the agency. Thus, the gains the “greens” have made may be temporary. Congressional hostility to many of these regulations has been clear for years,³² and numerous bills have been introduced and even passed through the House of Representatives, that would repeal or neuter the Obama Administration’s regulations.³³ Thus, the “greens” and their allies best bet is to entrench these regulations and eliminate any constituency that would fight too hard to undo them, before the circumstances change.

Beyond that, the full consequences of these rules, and both the science and law behind them, is highly suspect. Indeed, as shown by a recent Senate investigation, some very foundational rules that make up EPA’s regulatory scheme have since been revealed to be based, not only on a misinterpretation of science, but in some cases science that never existed or is unrepeatable.³⁴ Legally, some of these rules not only face scrutiny in terms of potential executive overreach, but also in terms of the rules EPA is required to follow in order to enact them. For example, in order to mandate carbon capture and storage technology (CCS), the EPA must demonstrate that it is commercially viable.³⁵ However, the only project that currently uses

³¹ The bill passed in the House of Representatives, 219-212, *see*: <http://clerk.house.gov/evs/2009/roll477.xml>, last retrieved 1/31/2014, but failed to overcome a threatened filibuster in the Senate. Senator Kerry was quoted as saying, “In order to pass comprehensive legislation, you have to have 60 votes. To get 60 votes, you’ve got to have Republicans. As of today, we don’t have one Republican.” *See*: Christian Science Monitor, “Harry Reid: Senate will abandon cap-and-trade energy reform” By: Gail Russell Chaddock. Available at <http://www.csmonitor.com/USA/Politics/2010/0722/Harry-Reid-Senate-will-abandon-cap-and-trade-energy-reform>, last retrieved 1/31/2013. However, it was not Republicans who were primarily responsible for its demise. Several moderate Democrats also urged the President to drop the legislation. *See* “Senate Democrats to W.H.: Drop cap and trade,” Politico, By: Lisa Lerer, 12/27/2009, available at: <http://www.politico.com/news/stories/1209/30984.html>, last retrieved 3/17/2014. Without 60 votes to overcome a filibuster, which would have included every Democrat, the bill could not pass.

³² “Republicans vow to repeal EPA regulations on coal plants,” The Washington Examiner, By: Steve Contorno, September 20, 2013. Available at: www.washingtonexaminer.com/republicans-vow-to-repeal-epa-regulations-on-coal-plants/article/2536155. Last retrieved: 11/19/2014.

³³ *See*, “House Passes Anti-EPA Legislation,” U.S. News and World Report, By: Jessica Rettig, April 7, 2011. Available at: www.usnews.com/news/articles/2011/04/07/house-passes-anti-epa-legislation. Last retrieved: 11/19/2014. *See also*, H.R. 5300 - EPA Regulatory Domestic Benefit Act of 2014. Sponsor: Rep. Ann Wanger. Introduced 7/30/2014. Referred to the Subcommittee on Energy and Power on 8/1/2014.

³⁴ EPA’s Playbook Unveiled: A Story of Fraud, Deceit, and Secret Science,” United States Senate Committee on Environment and Public Works - Minority Staff Report, March 19, 2014. Available at: http://www.epw.senate.gov/public/index.cfm?FuseAction=Files.View&FileStore_id=b90f742e-b797-4a82-a0a3-e6848467832a. Last retrieved: 11/19/2014.

³⁵ CITE

this technology is heavily subsidized by the Government, which is illegal under a law passed by Congress in 2005.³⁶ This is just one example. The bottom line is, that the “green” movement fears Congressional oversight or possible legislation, because their current position is based on regulations that are politically and legally vulnerable. This further helps to explain the massive increase in “green” spending in the elections since 2008.

Finally, much of this “green” money comes from very few actors. Wealthy hedge-fund manager Tom Steyer was a major source of funding for the “green” spending binge this past cycle.³⁷ Also, a recent Senate investigations revealed that the overwhelming majority of the money that goes to the “green” environmental movement comes from a very select few billionaires that work together behind the scenes to underwrite most of the “greens” activity.³⁸ This is not all explicitly dedicated to election spending, but it underscores the amount of influence such actors have. All of this information is very relevant to understanding the spending of these various “green” groups in this past election, and tells a larger story about rent seeking and regulatory capture that has become a mainstay of various Obama Administration allies seeing to influence the EPA.

The Evolving Big Green Strategy

The Sierra Club’s 2012 political strategy document explains how Big Green seeks to capture the nation’s local, state and federal agenda. Because the Sierra Club local organizations, like labor unions, are free to electioneer, the national leadership applied top-down mandates on their local clubs – mandates that were directly coordinated with “Obama campaign staff.”³⁹ The Sierra Club recruited more than 12,000 of its members to join Environmentalists for Obama, to participate in “Get Out the Vote” shifts on Election Day, and to plug into the Obama campaign's dashboard, making over 30,000 phone calls in the final two weeks before the election. During the summer, Sierra Club deployed 328 leaders in nine important states, spending the summer and early fall building grassroots support for the president. The Sierra Club, alone, deployed 66 staff to work on 53 contests. Their staff trained 350 volunteer team leaders and mobilized more than 3,300 of members to go door to door or make phone calls, providing personalized contact in the final critical days of the election. For the first time ever, the Sierra Club also shut its doors across

³⁶ CITE

³⁷ "How Green Was My Election", Slate, By: Josh Voorhees, Nov. 3, 2014. Available at: http://www.slate.com/articles/news_and_politics/politics/2014/11/tom_steyer_spent_57_million_to_get_voters_to_care_about_climate_change_it.html. Last retrieved: 11/21/2014.

³⁸ “The Chain of Command: How a Club of Billionaires and Their Foundations Control the Environmental Movement and Obama’s EPA”, Senate Committee on the Environment and Public Works - Minority Report, July 30, 2014. Available at: http://www.epw.senate.gov/public/index.cfm?FuseAction=Files.View&FileStore_id=8af3d005-1337-4bc3-bcd6-be947c523439. Last retrieved: 11/21/2014.

³⁹ Sierra Club, “WINNING BIG AGAINST THE SPECIAL INTERESTS - Building Power and Credibility for a Clean Energy Future.” Available at: <http://content.sierraclub.org/politics-elections/impact-2012>. Last retrieved 3/22/2015. Note, the Sierra Club fails to admit that it, too, is a special interest.

the nation on Election Day to provide all staff the opportunity to volunteer with Obama for America or another competitive federal or local race in their areas.

The 2012 Sierra Club strategy, however, was neither particularly large nor particularly effective. The Club has chapters in every state and boasts of a membership that exceeds 1 million.⁴⁰ They were able to rouse to action only 0.3 percent of their membership. In comparison to the 3,300 Sierra Club members, the nation's labor unions put 128,000 volunteers working on the "final four days" of the 2012 campaign. The union members knocked on 5.5 million doors and made 5.2 million phone calls.⁴¹

Claiming that grass-roots organizing is their specialty, the Sierra Club operated like a political party, not relying exclusively on the ground game, but putting money into media outlets to advertise for propositions they helped get onto the ballot. In Michigan, they backed a renewable energy ballot initiative – one that would increase the cost of electricity with no concomitant improvement in electrical reliability or service. The Club deployed four additional full-time staff, two online and media staff, and a portion of time from field organizers around the country. In so doing, they completed 66% of all voter conversations through the coalition predictive dialer, composed 64% of the online rapid responders, supplied more than 30% of the volunteer poll greeters on Election Day, and recruited 23% of the businesses and grasstops endorsements. Despite this effort and a "sizable direct contribution" of funds to support this campaign, the proposition failed.⁴² One has to ask, what could that money and local organizing have done to forward the foundational principles of John Muir – could they have accomplished actual environmental improvement and preservation of unique places.

Only three of the six Sierra-Club backed House candidates in 2012 won election, an election year that was generally very successful for liberal candidates, and the winning candidates ones that local politicians suggested were likely to win with or without the Sierra Club's help. Despite their proclamations of political success, the Sierra Club shifting its focus in 2014, relying more on direct political funding instead of grassroots organizing, essentially attempting to be a "green" party without the burden of actually being an election-law authorized party, thus avoiding the rules that apply to political parties.

2014 "Green" Election Spending

The Sierra Club, and other environmental alarmist organizations, spent a lot of money in the 2014 election cycle. They were part of a complex of liberal environmental activists ultimately backed by a small number of very large donors. To see what they did, and on whose personal agenda, one must follow the money. Breaking down how the "greens" spent money in this past election cycle, and how it affected the outcome, is not, however, an exact science. For

⁴⁰ Sierra Club "About Us". Available at <http://california2.sierraclub.org/about#.VQ7xso7F8d0>. Accessed on 3/22/2015.

⁴¹ New York Times, "Labor Unions to Have 128,000 Campaign Volunteers," Nov. 1, 2012, Available at: http://thecaucus.blogs.nytimes.com/2012/11/01/labor-unions-to-have-128000-campaign-volunteers/?_r=0. Accessed 3/22/2015.

⁴² Sierra Club, "WINNING BIG AGAINST THE SPECIAL INTERESTS, *op cite*.

one thing, the obvious causal problems that always present themselves when figuring out why an election went one way or another is always fraught with uncertainty. Also, it is all-but-certain that the figures discussed in this report are incomplete because of the complexity of how money flows and is reported. For example, NextGen Climate, which spent heavily in its own right on numerous races, also donated \$5.5 million to Senate Majority PAC,⁴³ an organization headed primarily by Senate Majority Leader Harry Reid and his allies to keep Democrats in the majority in the Senate.⁴⁴ Senate Majority PAC spent nearly \$47.5 million dollars this past cycle,⁴⁵ much of it in support of the same candidates the “greens” were supporting,⁴⁶ yet it is impossible to tell just how much of this money flowed from the “greens” to any particular race. So while the below facts and figures are accurate insofar as publicly available and legally required disclosure tells us, it is incomplete and in many cases, the real number for “green” spending is higher than the figures this report cites.

Nonetheless, much can be learned from the information publicly available, which does make up the majority of “green” spending on elections this cycle, and intelligent observations as to what messages worked and didn’t, while inexact, can be made in each race. This is particularly true when patterns emerge across races.

Senate Races

The “green” movement spent especially heavily in Senate races this cycle, dedicating a large majority of their money to this purpose. The “green” movement spent heavily in six races in particular, that is, in favor of incumbent senators in Alaska, Colorado, New Hampshire, and North Carolina, and on behalf of candidates for open seats in Michigan and Iowa.

This was done explicitly with the goal of maintaining Democratic control of the Senate,⁴⁷ as the Senate has refused to act on any of the bills that the Republican-controlled House has passed that would reign in EPA’s recent regulatory bonanza. Indeed, while not technically partisan, the biggest of the “big green” organizations spent exclusively in support of Democrats.

⁴³ OpenSecrets.org, NextGen Climate Action. Available at: <https://www.opensecrets.org/pacs/expenditures.php?cycle=2014&cmte=C00547349>. Last retrieved: 12/2/2014.

⁴⁴ "Senate Majority Leader Harry Reid Solicits Cash for New Democratic Super PAC", OpenSecrets.org, By: Michael Beckel, June 22, 2011. Available at: www.opensecrets.org/news/2011/06/senate-majority-leader-harry-reid-solicits/. Last retrieved: 12/2/2014.

⁴⁵ OpenSecrets.org, Senate Majority PAC - Summary. Available at: www.opensecrets.org/outsidespending/detail.php?cmte=C00484642&cycle=2014. Last retrieved: 12/2/2014.

⁴⁶ OpenSecrets.org, Senate Majority PAC - Targeted Candidates. Available at: www.opensecrets.org/outsidespending/recips.php?cmte=C00484642&cycle=2014. Last retrieved: 12/2/2014.

⁴⁷ LCV President Gene Karpinski said explicitly that, “(A) majority of the five-fold increase in spending would go to Senate races, as Democrats control of the upper chamber hangs in the balance.” *See*, “Green group expects huge jump in spending for midterms,” By: Laura Barron-Lopez, The Hill, September 5, 2014. Available at: <http://thehill.com/policy/energy-environment/216773-green-group-expects-huge-jump-in-spending-for-midterms>. Last retrieved: 11/18/2014.

The League of Conservation Voters spent over \$17 million either for Democrats or against Republicans, and \$0 for any Republican candidate.⁴⁸ NextGen Climate spent nearly \$41 million either for Democrats or against Republicans, and spent \$0 for any Republican.⁴⁹ The Sierra Club, meanwhile, spent over \$2.5 million either for Democrats or against Republicans, while spending \$10, no not \$10 million but a mere single sawbuck, for Republicans.⁵⁰ So while the legal and public relations veneer of non-partisanship may exist, the actual fact of the matter is that by far the three big-dollar “green” organizations are functionally arms of the Democratic party and should be seen as such when analyzing their behavior and spending patterns.

Alaska

The Alaska Senate race was the last race to be called by news agencies, in spite of the fact that now Senator-elect Dan Sullivan, a Republican, was ahead by several percentage points on Election Day. This was due mostly to the large number of remote precincts in this vast, wilderness-covered state. However, the end result was the same as it appeared on Election Day: Sullivan defeated green-backed incumbent Senator Mark Begich by about 2.2%, Sullivan being both a former Alaska Attorney General and a former Commissioner of Natural Resources.⁵¹ It is true that Alaska leans strongly to the Republican side, and that Senator Begich won his initial race by beating the late Senator Ted Stevens, who had been convicted of a felony at the time of his defeat.⁵² However, Begich was also the former Mayor of Anchorage, the largest city in Alaska, and is the son of Nick Begich, a former Congressman from Alaska.⁵³ He was also credited as running an excellent re-election campaign, so his defeat was far from inevitable.

This narrow loss was a serious blow to the greens, as they invested heavily in Alaska relative to its size and relative cost: it is a relatively cheap state to buy advertising on radio and TV. The League of Conservation Voters spent just shy of \$2 million dollars in independent

⁴⁸ [OpenSecrets.org](https://www.opensecrets.org/outsidespending/detail.php?cmte=League+of+Conservation+Voters&cycle=2014), League of Conservation Voters - Outside Spending Summary 2014. Available at: <https://www.opensecrets.org/outsidespending/detail.php?cmte=League+of+Conservation+Voters&cycle=2014>. Last retrieved: 12/1/2014. LCV did spend about \$120,000 against Democrats, but this was mostly if not exclusively in primary elections.

⁴⁹ [OpenSecrets.org](https://www.opensecrets.org/outsidespending/detail.php?cmte=NextGen+Climate+Action&cycle=2014), NextGen Climate Action - Outside Spending Summary 2014. Available at: <https://www.opensecrets.org/outsidespending/detail.php?cmte=NextGen+Climate+Action&cycle=2014>. Last retrieved: 12/1/2014. NextGen climate did spend about \$435,000 against Democrats, but this was mostly if not exclusively spent in primary elections.

⁵⁰ [OpenSecrets.org](https://www.opensecrets.org/outsidespending/detail.php?cmte=Sierra+Club&cycle=2014), Sierra Club - Outside Spending Summary 2014. Available at: <https://www.opensecrets.org/outsidespending/detail.php?cmte=Sierra+Club&cycle=2014>. Last retrieved: 12/1/2014.

⁵¹ 2014 General Election, November 4, 2014, Unofficial Results: Available at: www.elections.alaska.gov/results/14GENR/data/results.htm. Last retrieved: 11/21/2014.

⁵² Senator Stevens conviction was later overturned, after it was revealed that the prosecutors withheld potentially exculpatory evidence. *See*, "Ted Stevens Conviction To Be Voided", Associated Press, By: Devlin Barrett and Nedra Pickler. Available at: www.huffingtonpost.com/2009/04/01/ted-stevens-conviction-to_n_181632.html. Last retrieved: 11/26/2014.

⁵³ Mark Begich - Biography and Picture, IBiography. Available at: www.ibiography.info/facts/mark-begich.html. Last retrieved: 11/26/2014.

expenditures according to the Federal Elections Commission (FEC).⁵⁴ Alaska Salmon PAC, an arm of Alaska Conservation Voters which in turn is an arm of the League of Conservation Voters, spent an additional \$1.1 million.⁵⁵ While this may be relatively small compared to expenditures in other states, relative to Alaska's size and population, it is a significant sum.

FEC reports show that, while the bulk of "green" money was spent on TV ads and other traditional types of election spending, "green" spending in this race also included a lot of spending on "grassroots" type activities, i.e. doing "get out the vote" operations like door knocking, phone calling, and the like. The TV ads they did run were relatively innocuous and did not tout Begich's stance on major environmental issues, in spite of the fact that Begich himself said that he was "not afraid to talk about climate change," on the campaign trail.⁵⁶ Instead the "greens" ads focused on Begich's efforts to ban genetically modified fish⁵⁷ and for standing up to Alaska's "way of life."⁵⁸ This demonstrates the fact that modern environmentalists are largely detached from those who actually live in the wilderness. A traditional environmentalists message, dedicated toward conservation, would likely play well in a sparsely populated state covered by large amounts of forests, mountains, lakes, rivers and the like. Yet modern environmentalism, driven mostly by and for urban dwellers with utopian schemes, is unappealing to those who actually live in the wilderness. This is to say nothing of the fact that it is also directly opposed to Alaska's economic interests, as Alaska is a major energy producing state.

Colorado

Perhaps the most unexpected and difficult loss for the greens was their defeat in Colorado. Incumbent Senator Mark Udall, the son of the late Representative Mo Udall, a famous champion for "green" causes, had the 5th best score of any Senator in the nation from the League of Conservation voters at 97%,⁵⁹ easily the highest score for any Senator in a "swing" state. He

⁵⁴ 2014 Senate Independent Expenditures - State: Alaska, FEC.gov, Available at: http://www.fec.gov/data/IndependentExpenditure.do?format=html&id=ieNational&election_yr=2014&candidateOfficeState=AK&candOffice=S. Last retrieved: 11/21/2014.

⁵⁵ Alaska's Begich's Super-PAC Help: A Man of the Salmon", Bloomberg, By: Gregory Girouz, Available at: go.bloomberg.com/political-capital/2014-06-05/salmon-super-pac-aids-alaskas-begich/. Last retrieved 11/21/2014. *See also* 2014 Senate Independent Expenditures - State: Alaska, FEC.gov, Available at:

http://www.fec.gov/data/IndependentExpenditure.do?format=html&id=ieNational&election_yr=2014&candidateOfficeState=AK&candOffice=S. Last retrieved: 11/21/2014.

⁵⁶ "Sen. Begich: 'I'm not afraid to talk about climate change'", The Hill, By: Laura Barron-Lopez, June 30, 2014. Available at: thehill.com/policy/energy-environment/211008-sen-begich-im-not-afraid-to-talk-about-climate-change. Last retrieved: 11/21/2014.

⁵⁷ "Senator Mark Begich Bans Frankenfish", Alaska Conservation Voters. Available at: <https://www.youtube.com/watch?v=7iMGRl7ROOg>. Last retrieved: 11/21/2014.

⁵⁸ Senator Mark Begich is Standing Up for Alaska - and Our Way of Life", Alaska Conservation Voters. Available at: <https://www.youtube.com/watch?v=ZAgYMertSRM>. Last retrieved: 11/21/2014.

⁵⁹ League of Conservation Voters Scorecard. Available at: scorecard.lcv.org/members-of-congress. Last retrieved: 11/21/2014.

was both endorsed by the LCV⁶⁰ and was given heavy financial by the “green” movement at large. Even worse for the “greens” is the fact that it was not a race anyone thought would be seriously competitive. Prior to late February of this year, when Congressman Corey Gardner jumped into the race unexpectedly, Udall was facing mediocre opposition and had won his last race by more than 10%.⁶¹ Gardner, a dynamic, young Congressman had previously said “no” to the race, but jumped in when Udall looked increasingly vulnerable.⁶² By the end of the campaign, Udall had raised and spent nearly twice that of now-Senator Gardner.

Perhaps most painful is the amount of money that the “greens” spent in this race in vain. The sheer amount of money spent was staggering. The Steyer-backed NextGen Climate organization spent approximately \$9 million dollars on the Colorado Senate race, while the League of Conservation Voters spent upwards of \$5.4 million.⁶³ In total, Udall spent \$20 million. The Next-Gen/LCV money was spent, for the most part, in addition to the Udall campaign fund. In other words, the NextGen/LCV spending, alone, matched 70 percent of the Udall campaign’s funding. This spending dwarfs the spending even by the Democratic Senatorial Campaign Committee (DSCC), which spent only about \$8.1 million.⁶⁴ Needless to say, a particular special interest group vastly outspending the party committee charged with electing party members is unusual. Even more: The League of Conservation Voters was the #1 direct contributor to Senator Udall’s campaign.⁶⁵ NextEra Energy, a “green” energy company that spends millions lobbying for causes similar to the explicitly “green” groups, was the #5 contributor to his campaign.⁶⁶

Like Alaska, Colorado is a state with significant wilderness areas and a lot of natural beauty. Its mountains are legendary and its tradition of old-school conservation efforts are deep. Different from the “greens” efforts in Alaska, however, is the fact that “green” ads in Colorado were more explicitly in line with their agenda, accusing Gardner of “denying” the science of climate change and presenting his views as “scary.”⁶⁷ Other ads touted farmers who believed in

⁶⁰ LVC Action Fund Endorses Senator Mark Udall For Re-Election - Press Release, League of Conservation Voters. Available at: www.lcv.org/media/press-releases/LCV-Action-Fund-Endorses-Senator-Mark-Udall-for-Re-Election.html. Last retrieved: 11/26/2014.

⁶¹ Election Results, New York Times, December 9, 2008. Available at: elections.nytimes.com/2008/results/states/colorado.html. Last retrieved: 11/19/2014.

⁶² "Cory Gardner to run for Senate in Colorado", Politico, By: James Hohmann, Alexander Burns, and Jake Sherman, February 26, 2014. Available at: www.politico.com/story/2014/02/cory-gardner-colorado-senate-bid-104002.html. Last retrieved: 11/21/2014.

⁶³ 2014 Senate Independent Expenditures - State: Colorado, FEC.gov, Available at: http://www.fec.gov/data/IndependentExpenditure.do?format=html&id=ieNational&election_yr=2014&candIdateOfficeState=CO&candOffice=S. Last retrieved: 11/21/2014.

⁶⁴ Id.

⁶⁵ OpenSecrets.org, Mark Udall, Top 20 Contributors, 2009-2014. Available at: <https://www.opensecrets.org/politicians/contrib.php?cycle=2014&cid=N00008051&type=I&newmem=N>. Last retrieved: 11/24/2014.

⁶⁶ Id.

⁶⁷ "Scary Gardner" - Colorado, NextGen Climate - Colorado. Available at: <https://www.youtube.com/watch?v=eCTsYyHFfgQ>. Last retrieved: 11/21/2014.

NextGen's climate change views.⁶⁸ So unlike in Alaska, they actually believed they could win running on their issues. However, this simply didn't work in the end result. Gardner won by about 2% in a hard fought race.⁶⁹

It is true that Senator Udall was widely viewed to be running a mediocre-at-best campaign, but given all of the advantages he had, a great head start, the advantages of incumbency, legendary name recognition and the fact that Colorado hasn't elected a Republican to Governor or Senator since 2002. It shouldn't have been all that close. Whatever the case, it's clear that the "greens" simply failed to make their campaign issue matter, and because of this, lost one of their biggest champions, in spite of spending nearly \$15 million directly on the race.

New Hampshire

The New Hampshire Senate race is the brightest spot for the "greens" campaign spending, as it is the only race that was considered seriously competitive that they won. Incumbent Democrat Senator Jeanne Shaheen, a former Governor of New Hampshire, defeated former Massachusetts Senator Scott Brown in a close race, ultimately winning by about 3.2%.⁷⁰ The League of Conservation Voters spent about \$900,000 dollars in the race, while NextGen Climate spent \$3.8 million.⁷¹ This amounted to about 1/7th of all outside spending in the New Hampshire Senate race.⁷² Again, the "green" spending was significantly larger than the amount spent by the DSCC, which spent just over \$3.8 million.⁷³

This win by the "greens" has several important qualifiers, however. For one thing, Brown, while an engaging and charismatic politician, had lost his Senate seat in Massachusetts just two years earlier, and had moved to New Hampshire to pursue Shaheen's seat. Attacking his obvious political ambition was very easy, particularly for someone like Shaheen, who had been a mainstay of New Hampshire politics for decades, serving in the State Senate and in the Governor's office before moving over to the Senate. More importantly, for the purposes of the "greens", is the fact that Senator Shaheen explicitly denounced a carbon tax when attacked by Brown, a policy that is a high priority for the "green" movement and one that it continues to push.⁷⁴

⁶⁸ "Farmers Believe in Climate Change", NextGen Climate - Colorado, Available at: <https://www.youtube.com/watch?v=jql6C2FL7-U>. Last retrieved: 11/21/2014.

⁶⁹ Unofficial Results, November 4, 2014 General Election. Available at: results.enr.clarityelections.com/CO/53335/149570/Web01/en/summary.html. Last retrieved: 11/21/2014.

⁷⁰ New Hampshire Election Results, New York Times, November 20, 2014. Available at: elections.nytimes.com/2014/new-hampshire-elections. Last retrieved: 11/21/2014.

⁷¹ 2014 Senate Independent Expenditures - State: New Hampshire, [FEC.gov](http://www.fec.gov). Available at: http://www.fec.gov/data/IndependentExpenditure.do?format=html&id=ieNational&election_yr=2014&candidateOfficeState=NH&candOffice=S. Last retrieved: 11/21/2014.

⁷² OpenSecrets.org, New Hampshire Senate Race, Outside Spending. Available at: <https://www.opensecrets.org/races/index.php?cycle=2014&id=NHS2>. Last retrieved: 11/21/2014.

⁷³ Id.

⁷⁴ "Tilting at (or for) Windmills", Inside Sources, By: Shawn McCoy, November 5, 2014. Available at: <http://www.insidesources.com/tilting-at-or-for-windmills/>. Last retrieved: 11/18/2014.

Also, it is notable that while the “greens” actually attacked Brown for his environmental record at times, something they didn’t do in Alaska, for one example, they didn’t attack him for opposing their climate agenda. Instead, multiple ads from the League of Conservation Voters attacked him of favoring giveaways to “Big Oil”⁷⁵ funded by “out of state billionaires”⁷⁶ and other, similar attacks. But even while there was an environmental tinge to these attacks, the more substantive attack was that he had moved from Massachusetts to New Hampshire and was the tool of out of state interests. Exit polls showed that 53% of New Hampshire voters thought that Brown was too new to their state, and 89% of those voters voted for Shaheen.⁷⁷ So the effect of their environmental attacks is difficult to know, as it wasn’t the thrust of their argument. NextGen Climate didn’t even bother to attack his environmental record. Instead, it attacked him for not creating jobs.⁷⁸ If their goal was to “demonstrate that you can use climate change as a wedge issue to win in political races,”⁷⁹ it is hard to see Shaheen’s uncomfortably close win as a significant victory. Yet ultimately, her victory is the only victory that the “greens” won if you count only Senate races that were seriously competitive. It’s not nothing, but it’s not the kind of victory you would expect given the amount of money spent and level of involvement with respect to the “greens” this cycle.

North Carolina

If Colorado was the “greens” most painful loss, North Carolina was the most surprising. Incumbent Senator Kay Hagan was favored to win all the way up until Election Day, indeed up until the actual votes were counted. In the month before Election Day, she trailed in only one poll and was ahead in seven.⁸⁰ Yet Hagan ultimately lost to the State Speaker of the House, Thom Tillis.

North Carolina is a typical “swing” state, voting for President Obama narrowly in 2008 while voting for Republican Candidate Mitt Romney narrowly in 2012. Likewise, while the state has recently had more Republican Senators than Democratic ones, it elected Democrats to the Senate in 1986, 1998 and 2008, and had Democratic Governors non-stop between 1993 and 2013. Senator Hagan herself was first elected by a wide margin in 2008, outperforming Obama by almost 3%, while her opponent, former Senator Elizabeth Dole, underperformed Republican

⁷⁵ “Scott Brown “Friends” Ad”, League of Conservation Voters. Available at: <https://www.youtube.com/watch?v=Nd9LwJy6hlg>. Last retrieved: 11/28/2014.

⁷⁶ “Scott Brown “Billionaires” Ad”, League of Conservation Voters. Available at: <https://www.youtube.com/watch?v=13jWE4CjAAg>. Last Retrieved: 11/28/2014.

⁷⁷ “Scott Brown Couldn’t Shake Carpetbagger Image,” National Review, By: Katherine Connell. Available at: www.nationalreview.com/corner/392153/scott-brown-couldnt-shake-carpetbagger-image-katherine-connell. Last retrieved: 11/28/2014.

⁷⁸ “Scott Brown’s Scoreboard - New Hampshire”, NextGen Climate. Available at: <https://www.youtube.com/watch?v=r1HePwmhRpg>. Last retrieved: 11/23/2014.

⁷⁹ “How Green Was My Election” Slate, By: Josh Voorhees, November 3, 2014. Available at: www.slate.com/articles/news_and_politics/politics/2014/11/tom_steyer_spent_57_million_to_get_voters_to_care_about_climate_change_it.html. Last retrieved: 11/18/2014.

⁸⁰ North Carolina Senate - Tillis v. Hagan, Real Clear Politics. Available at: www.realclearpolitics.com/epolls/2014/senate/nc/north_carolina_senate_tillis_vs_hagan-3497.html. Last retrieved: 11/23/2014.

Presidential candidate John McCain by nearly 5%.⁸¹ This gave her a reputation as being a strong campaigner that would be tough to beat regardless of other factors. Tillis, on the other hand, was seen by pundits as a “good enough” candidate, not an exceptional one.⁸² He struggled in the primary, and while he ultimately won comfortably, he won with just 46% of the overall vote,⁸³ it was over mediocre opposition, his main opponent Greg Brannon, was so gaffe prone that Senator Hagan tried to influence the primary in Brannon’s favor,⁸⁴ and left some divides in the Republican base.

A particularly given the nature of the state, it is an interesting fact about this race is that Hagan, who sported an 84% rating from the League of Conservation Voters,⁸⁵ openly embraced the “greens” electoral strategy, explicitly trying to use the issue of climate change to win. She forcefully argued for the “greens” solutions with regard to climate change, and argued that it would be an economic winner for her state.⁸⁶ Likewise the League of Conservation voters explicitly attacked Thom Tillis as being a climate “denier” in their ads, while also repeating the familiar refrain of him being in the pocket of big oil.⁸⁷ They also accused him of passing a bill were insufficiently harsh on Duke Energy, a major energy company in North Carolina that was responsible for a destructive coal-ash spill.⁸⁸ If there was a place to test their desire to make climate change a campaign issue that “green” supported candidates can run on and win, this was it.

⁸¹ Election Results 2008 - North Carolina, The New York Times, December 9, 2008. Available at: elections.nytimes.com/2008/results/states/north-carolina.html. Last retrieved: 11/23/2014.

⁸² "Tillis Triumphant", National Review, May 6, 2014, Available at: www.nationalreview.com/article/377405/tillis-triumphant-eliana-johnson. Last retrieved: 12/5/2014.

⁸³ "Thom Tillis wins GOP Senate primary in North Carolina", USA Today, By: Catalina Camia, May 7, 2014. Available at: www.usatoday.com/story/news/politics/2014/05/06/north-carolina-senate-tillis-tea-party/8780335/. Last retrieved: 12/2/2014.

⁸⁴ "Why are Kay Hagan and Rand Paul Backing the Same Dead Horse?", Commentary, By: Jonathan S. Tobin, May 5, 2014. Available at: www.commentarymagazine.com/2014/05/06/why-are-kay-hagan-and-rand-paul-backing-the-same-dead-horse/. Last retrieved: 12/2/2014.

⁸⁵ League of Conservation Voters - National Environmental Scorecard: Senator Kay Hagan (D). Available at: scorecard.lcv.org/moc/kay-r-hagan. Last retrieved: 12/2/2014.

⁸⁶ "Kay Hagan presses Senate for climate action", Washington Examiner, March 14, 2014. Available at: www.washingtonexaminer.com/kay-hagan-presses-senate-for-climate-action/article/2545691. Last retrieved: 11/23/2014.

⁸⁷ "NO LIMITS", League of Conservation Voters, Available at: <https://www.youtube.com/watch?v=nx9OHn31koQ>. Last retrieved: 11/23/2014.

⁸⁸ "Thom Tillis Named to LCV's Dirty Dozen Program", League of Conservation Voters - Press Release. Available at: <http://www.lcv.org/media/press-releases/Thom-Tillis-Named-to-LCV-s-Dirty-Dozen-Program.html>. Last retrieved 11/24/2014. It is worth noting that they used this attack in spite of the fact that Hagan had voted for legislation that exempted Duke Energy from various regulations that may have prevented the spill. "Kay Hagan's Dismal Record on Coal Ash. Thom Tillis for Senate. July 16, 2014. Available at: <http://thomtillis.com/kay-hagans-dismal-record-on-coal-ash/>. Last retrieved: 11/24/2014.

The “Greens” certainly tried to do just that. Environmental Defense spent over \$1.1 million, while the League of Conservation Voters spent just shy of \$5 million.⁸⁹ What’s more, on top of that, the League of Conservation Voters was a major contributor to Hagan’s campaign directly: they were Hagan’s #3 contributor.⁹⁰ This made up roughly 1/20th of all of the spending in the race, which topped \$100 million, making it the most expensive Senate race in history.⁹¹

Yet, when the final votes were counted, Tillis won a surprising victory, about 49% to 47%.⁹² This represented a major defeat for the “greens” because by the time election day hit, it was clear that they were going to lose a number of the races they invested in. But North Carolina was one of the races the “greens” and their allies thought they could win up till the last votes were counted. But the “greens” attacks on Tillis simply don’t appear to have resonated. There is wide agreement that the most important issue areas in the race were education and defense policy.⁹³ In other words, in a race where they appeared to have the strongest hand, and where they used their most direct message, the “greens” still lost, making this an especially hard loss, even beyond the fact that it was so unexpected.

Iowa

One of the green’s biggest losses came in Iowa, and certainly the loss with the most stark contrasts. The “green” candidate, Representative Bruce Braley, has an 88% rating from the League of Conservation Voters,⁹⁴ and was initially the heavy favorite to replace outgoing Senator Tom Harkin, a Democrat with a lifetime rating of 83% from the LCV.⁹⁵ Braley’s opponent, State Senator Joni Ernst, was pilloried both by Braley and by the media for saying she wanted to dismantle the EPA.⁹⁶ Yet Braley ultimately lost by 8.5%,⁹⁷ a near landslide margin

⁸⁹ 2014 Senate Independent Expenditures: State: North Carolina, FEC.gov. Available at: fec.gov/data/IndependentExpenditure.do?format=html&id=ieNational&election_yr=2014&candidateOfficeState=NC&candOffice=S. Last retrieved: 11/23/2014.

⁹⁰ OpenSecrets.org, Kay R. Hagan, Summary Data. Available at: <https://www.opensecrets.org/politicians/summary.php?cid=N00029617>. Last retrieved: 11/23/2014.

⁹¹ "How North Carolina Became the Most Expensive Senate Race Ever", ABC News, By: Benjamin Siegel. Available at: abcnews.go.com/Politics/election-2014-north-carolina-expensive-senate-race/story?id=26612465. Last retrieved: 11/24/2014.

⁹² 11/04/2014 Unofficial General Election Results - Statewide, North Carolina State Board of Elections. Available at: enr.ncsbe.gov/ElectionResults/?election_dt=11/04/2014. Last retrieved: 11/24/2014.

⁹³ "Why Thom Tillis won North Carolina", The Hill, By: Brad Todd and Glen Bolger, 11/17/2014. Available at: thehill.com/opinion/op-ed/224451-why-thom-tillis-won-north-carolina. Last retrieved: 11/29/2014.

⁹⁴ League of Conservation Voters - National Environmental Scorecard Representative Bruce Braley (D). Available at: scorecard.lcv.org/moc/bruce-braley. Last retrieved: 11/24/2014.

⁹⁵ League of Conservation Voters - National Environmental Scorecard - Senator Tom Harkin (D). Available at: scorecard.lcv.org/moc/tom-harkin. Last retrieved: 11/14/2014.

⁹⁶ "Joni Ernst, Bruce Braley clash over EPA in debate", Politico, By: James Hohmann, 10/12/2014. Available at: www.politico.com/story/2014/10/joni-ernst-bruce-braley-clash-over-epa-in-debate-111810.html. Last retrieved: 11/24/2014.

⁹⁷ "Iowa Senate - Ernst v. Braley," Real Clear Politics. Available at: www.realclearpolitics.com/epolls/2014/senate/ia/iowa_senate_ernst_vs_braley-3990.html. Last retrieved: 11/24/2014.

considering where the race started out, the nature of the state, and the fact that it was an open seat.

This dominating performance can be seen from two points of view. On one hand, it was easy to foresee, even if not by quite such a large margin. By the time election day hit, it came as no great surprise that Ernst trounced Braley. She had been leading him in the polls for months, although sometimes narrowly,⁹⁸ and Braley's gaffes, most prominently when he disparaged the state's wildly popular senior Republican Senator Chuck Grassley as "a farmer from Iowa, who never went to law school," as being unfit to wield power in Senate Judiciary Committee,⁹⁹ had rendered him almost radioactive to Iowa's farmers. Needless to say, in a heavily agricultural state like Iowa, winning without farmers and those who work with the agricultural industry is for all practical purposes, impossible. Also, Grassley, a Republican, has been re-elected every 6 years by landslide margins since 1980, and he fully supported Ernst and appeared in multiple ads for her,¹⁰⁰ ads that were especially effective after Braley's gaffe about the wildly popular Grassley's leadership.¹⁰¹

On the other hand, Joni Ernst was a one-term State Senator with little to no recognition when she began her campaign, while Braley was a four-term Congressman who captured a previously Republican-held seat in 2006. Also, as a former President of the Iowa Trial Lawyer's Association¹⁰², Braley was a proliferate fundraiser. What's more, he was replacing Harkin, who, while opposite in terms of party and ideology to Senator Grassley, was also popular in Iowa and had served for 30 years in the Senate. Braley was Harkin's hand-picked replacement. President Obama also carried Iowa twice, which indicates that a Democratic candidate should have a leg up on the competition.

In any event, the "greens" were intent on putting their close ally Braley in office and spent heavily to do so. Environmental Defense, one of the smaller "green" groups, spent about \$364,000 on TV ads.¹⁰³ The League of Conservation Voters spent nearly \$1.5 million in

⁹⁸ Id.

⁹⁹ "Why Bruce Braley's Gaffe Has Legs", U.S. News and World Report, March 27, 2014, By: David Catanese. Available at: www.usnews.com/news/articles/2014/03/27/why-bruce-braleys-gaffe-has-legs-in-the-iowa-senate-race. Last retrieved: 11/24/2014.

¹⁰⁰ See, "Grassley Cuts Ad in Support of Joni Ernst," The Iowa Republican, By: Kevin Hall. Available at: theiowarepublican.com/2014/grassley-cuts-ad-for-ernst/. Last retrieved: 11/24/2014. Joni for Iowa Releases New Ad: "Grassley", Joni Ernst for U.S. Senate. Available at: www.joniforiowa.com/press-releases/joni-iowa-releases-new-ad-grassley/. Last retrieved: 11/24/2014.

¹⁰¹ A recent poll by the Democratic-leaning Public Policy Polling had Senator Grassley by far the most popular Senator in the nation of those Senators that are up for re-election in 2016, with a commanding 59% approval with only 28% disapproval. See, 2016 Senator Approvals, November 6, 2014. Available at: www.publicpolicypolling.com/main/chuck-grassley/. Last retrieved: 11/24/2014.

¹⁰² See, Texas Trial Lawyers Association - Bruce Braley Bio. Available at: <https://www.ttla.com/index.cfm?pg=BruceBraleyBio>. Last retrieved: 11/24/2014.

¹⁰³ 2014 Senate Independent Expenditures: State: Iowa, FEC.gov. Available at: http://fec.gov/data/IndependentExpenditure.do?format=html&id=ieNational&election_yr=2014&candidateOfficeState=IA&candOffice=S. Last retrieved: 11/25/2014.

independent expenditures,¹⁰⁴ and was also the #2 top campaign contributor to Braley's personal campaign fund.¹⁰⁵ NextGen Climate spent over \$5.4 million.¹⁰⁶ Finally, the Sierra Club spent just shy of \$2.5 million.¹⁰⁷ This makes for a grand total of just under \$10 million dollars. Relative to the approximate population of the state, this is an even larger investment by the "greens" than the roughly \$14.5 million they spent in Colorado. This massive amount of money targeted Ernst early and often, and even attracted the attention of Iowa's biggest newspaper as being beyond the norm when it comes to campaign spending.¹⁰⁸

The ads in the race were relatively predictable, they attacked Joni Ernst's call to abolish the EPA and also attacked her connection to "extremists," in particular the "Billionaire Koch Brothers" but also Sarah Palin and others.¹⁰⁹ Ads also attacked her on the issue of education, social security, and other issues unrelated to the environment while continuing to attack her on the familiar themes of ties to the Koch Brothers and environmental issues.¹¹⁰

The attack ads conveniently left out the fact that Ernst's proposal of abolishing the EPA was hardly an end to wanting common sense environmental protections, she merely thought the states should take the lead in most environmental issues. However, abolishing the EPA entirely is certainly a stance that is going to generate a lot of controversy, even amongst people who generally oppose the "green" agenda. The fact that the "greens" still could not make their issues stick even in spite of such a clear-cut line of attack was striking. Braley's partisans complain that Ernst ran a campaign based on personality more than substance, but even to the degree that's true, the "greens" were not able to damage Ernst personally by attempting to paint her as an "extremist." Indeed, such attacks seemed to backfire.

Iowans don't want dirty air or dirty water, they merely were unconvinced that the "greens" agenda was necessary to accomplish these goals. Indeed, it wasn't really about that at all. Even with the clearest line of attack, in a swing-state, for an open seat, with a more

¹⁰⁴ Id.

¹⁰⁵ OpenSecrets.org, Bruce Braley - Top 20 Contributors, 2013-2014. Available at: www.opensecrets.org/politicians/contrib.php?cid=n00027464&cycle=2014. Last retrieved: 11/25/2014.

¹⁰⁶ 2014 Senate Independent Expenditures: State: Iowa, FEC.gov. Available at: http://fec.gov/data/IndependentExpenditure.do?format=html&id=ieNational&election_yr=2014&candidateOfficeState=IA&candOffice=S. Last retrieved: 11/25/2014.

¹⁰⁷ Id.

¹⁰⁸ "Liberal groups target Joni Ernst with nearly \$1 million in attacks," The Des Moines Register, By: Jennifer Jacobs, June 27, 2014. Available at: www.desmoinesregister.com/story/news/politics/elections/2014/06/24/sierra-club-environmental-defense-joni-ernst/11304407/. Available at: 11/25/2014.

¹⁰⁹ Sierra Club and Environmental Defense Action Fund - "Ernst Values". Available at: https://www.youtube.com/watch?v=DLnSM_tbFPQ. Last retrieved: 11/28/2014. Joni Ernst's Dirty Money - NextGen Climate. Available at: <https://www.youtube.com/watch?v=aQ4Tksv55UI>. Last retrieved: 11/25/2014.

¹¹⁰ See, Joni Ernst "Wrong Priorities" Ad - League of Conservation Voters. Available at: <https://www.youtube.com/watch?v=Us6OJI-A3Os>. Last retrieved: 11/29/2014. Enough - League of Conservation Voters. Available at: <https://www.youtube.com/watch?v=xYHYSPFd1j8>. Last retrieved: 11/24/2014.

experienced and well known candidate, in a state Obama won twice, they were not able to sell their message convincingly. In that sense, Braley's loss can be seen as the "greens" biggest failure of the election cycle. In a test-tube case for what they were trying to achieve in terms of making their issues winning campaign issues, they were not only not able to deliver, but not able to prevent a runaway win by Ernst.

Michigan

If Iowa can be seen as the "greens" biggest defeat, Michigan is really the only Senate race that the "greens" spent heavily on that can consider a clear-cut victory. "Green" endorsed candidate, Democratic Congressman Gary Peters, won a commanding victory over the Republican candidate, former Michigan Secretary of State Terri Lynn Land, by over 13%, even while the Republican candidate for Governor won by just over 4%.¹¹¹

Fundamentally, this was a race that "green" backed Peters was always favored to win. While Michigan has been relatively close in some recent Presidential elections, it's fairly solidly Democratic, having voted for the Democratic candidate for President every cycle since 1992. Since 1976, Republicans have won only one Senate race. So Peters started out in a strong position. While Land had been elected to a statewide office, her abortive campaign for Governor during the last mid-term election¹¹² and the low-profile nature of her former job as Secretary of State, left her practically unknown statewide. She was not the first choice of party elders, who preferred Representatives Mike Rogers or David Camp, both of whom declined, and in fact retired from Congress altogether.¹¹³

While Peters struggled a little out of the gate, particularly when conservative organization Americans for Prosperity ran an effective ad that featured a woman who had lost her health care plan because of Obamacare,¹¹⁴ it did not take Peters long to take the lead. When Land actually had to run her own campaign, problems started right away. One of Land's first ads featured her sitting silently with a cup of coffee, looking at the camera for several seconds.¹¹⁵ While it was intended to mock the idea that her opponent could ever accuse her of waging a "war on women," which had become a common campaign refrain from Democrats, it proved to be ineffective and

¹¹¹ Michigan Election Results, New York Times, November 20, 2014. Available at: elections.nytimes.com/2014/michigan-elections. Available at: 11/25/2014.

¹¹² "Terri Lynn Land explains exit strategy", Macomb Daily News, By: Chad Selweski, 7/20/2014. Available at: www.macombdaily.com/20090720/terri-lynn-land-explains-exit-strategy. Last retrieved: 11/25/2014.

¹¹³ "With 4 Senior Lawmakers Retiring, Michigan Faces Loss of Its Clout in Congress", The New York Times, By: Jennifer Steinhauser, August 12, 2014. Available at: www.nytimes.com/2014/08/13/us/politics/with-4-retirements-michigan-will-lose-congressional-clout.html?_r=0. Last retrieved: 12/2/2014.

¹¹⁴ Julie's Story: It's Time to Listen - Americans for Prosperity. Available at: <https://www.youtube.com/watch?v=Kpjyr1x7mC0>. Available at: 11/25/2014.

¹¹⁵ http://www.youtube.com/watch?v=dc_AAje-410. Last retrieved: 11/25/2014.

easy to mock, and was widely considered one of the biggest misfires of the entire electoral cycle.¹¹⁶ Land's campaign was also criticized for not doing enough public events and handling the press poorly.¹¹⁷ Land's campaign never really got going, and by the summer, Peters dominated in the polls.¹¹⁸ With two exceptions, both by a notoriously unreliable pollster, Peters lead in every public poll since April.¹¹⁹

While it can be disputed as to whether Peters victory was inevitable, it is clear that the "greens" invested heavily in the race. The League of Conservation Voters spent more than \$1.6 million in Michigan in independent expenditures,¹²⁰ and was also the #1 contributor directly to Peters campaign.¹²¹ NextGen Climate spent just shy of \$4 million, while Environmental Defense spent nearly \$400,000.¹²² Altogether, the "greens" spent about \$6 million in the Michigan Senate race, which makes up about 1/5th of all outside spending in the Michigan race.¹²³

The "greens" did attack Land's stance on climate change explicitly, claiming her stance on environmental issues was dictated to her by the Koch Brothers, who donated to some of the groups supporting her.¹²⁴ Other ads also attacked her environmental record in a more generic way.¹²⁵ Given the fact that Land's campaign's fundraising was mediocre, and that outside

¹¹⁶ "MI-Sen: Frank Luntz Deems Terri Lynn Land's (R) "Really?" Ad As The Worst Ad Of 2014", Daily Kos. Available at: www.dailykos.com/story/2014/06/27/1309973/-MI-Sen-Frank-Luntz-Deems-Terri-Lynn-Land-s-R-Really-Ad-As-The-Worst-Ad-Of-2014#. Last retrieved: 11/25/2014.

¹¹⁷ "Terri Lynn Land comes out of hiding, but not into focus," Detroit Free Press, By: Brian Dickerson, October 4, 2014. Available at: www.freep.com/story/opinion/columnists/brian-dickerson/2014/10/04/land-senate-michigan/16673985/. Last retrieved: 11/24/2014.

¹¹⁸ Michigan Senate - Land vs. Peters, Real Clear Politics. Available at: www.realclearpolitics.com/epolls/2014/senate/mi/michigan_senate_land_vs_peters-3820.html#polls. Last retrieved: 11/25/2014.

¹¹⁹ Id.

¹²⁰ 2014 Senate Independent Expenditures: State: Michigan, FEC.gov. Available at: http://fec.gov/data/IndependentExpenditure.do?format=html&id=ieNational&election_yr=2014&candidateOfficeState=MI&candOffice=S. Last retrieved: 11/25/2014.

¹²¹ OpenSecrets.org, Rep. Gary Peters. Available at: <https://www.opensecrets.org/politicians/summary.php?cid=N00029277&cycle=2014>. Last retrieved: 11/25/2014.

¹²² 2014 Senate Independent Expenditures: State: Michigan, FEC.gov. Available at: http://fec.gov/data/IndependentExpenditure.do?format=html&id=ieNational&election_yr=2014&candidateOfficeState=MI&candOffice=S. Last retrieved: 11/25/2014.

¹²³ 2014 Senate Independent Expenditures: State: Michigan, FEC.gov. Available at: http://fec.gov/data/IndependentExpenditure.do?format=html&id=ieNational&election_yr=2014&candidateOfficeState=MI&candOffice=S. Last retrieved: 11/25/2014.

¹²⁴ "KochLand 2" - League of Conservation Voters. Available at: <https://www.youtube.com/watch?v=iSbPyLIpeaM>. Last retrieved: 11/25/2014. See also, "Really," NextGen Climate. Available at: <https://www.youtube.com/watch?v=7sWWeQLBdWc>. Last retrieved: 11/25/2014.

¹²⁵ "KochLand", League of Conservation Voters. Available at: https://www.youtube.com/watch?v=82_tupiP15c. Last retrieved: 11/24/2014. See also, Mi Sen - Prepared, EDF Action. Available at: <https://www.youtube.com/watch?v=grScC6PN9FE>. Last retrieved: 11/25/2014.

groups favorable to Land had given up in the race by the summer, these attacks went largely unanswered.

So to the degree the Michigan race was competitive, it represents a win for the “greens.” Given the amount of money they spent that went largely unanswered, it probably helped Peters win more convincingly. But there is considerable evidence that this race was over before it started, and that the “greens” efforts were more “piling on” than a decisive factor in Peters victory. In any event, it represents the only Senate race they invested in that can be seen as a clear-cut win, even if a more careful eye would suggest the race was never truly competitive.

Other Senate Races

While the aforementioned Senate races are the only ones that the “greens” invested heavily in, they were not the only ones that confounded the “greens” stated goal of keeping Democrats in control of the Senate, nor are they the only ones where energy and environmental issues played a role in the outcome. The battleground also included seats in West Virginia,¹²⁶ Montana,¹²⁷ South Dakota,¹²⁸ Arkansas¹²⁹ Louisiana,¹³⁰ Kentucky,¹³¹ Georgia¹³² and Kansas,¹³³ and in each case, the Democrat lost. The League of Conservation Voters did back maverick Republican Susan Collins,¹³⁴ but she was not in a competitive race, winning over 2/3rds of the

¹²⁶ "Shelly Moore Capito wins West Virginia, first GOP Senate Pickup", The Washington Times, By: Stephen Dinan, Tuesday, November 4, 2014. Available at: www.washingtontimes.com/news/2014/nov/4/shelley-moore-capito-wins-west-virginia-first-gop/. Last retrieved: 11/25/2014.

¹²⁷ "Daines wins Montana Senate race", Great Falls Tribune, By: John S. Adams, November 4, 2014. Available at: www.greatfallstribune.com/story/news/politics/2014/11/04/daines-wins-montana-senate-race/18504385/. Last retrieved: 11/25/2014.

¹²⁸ "Mike Rounds easily wins Senate seat," Argus Leader, By: David Montgomery, November 5, 2014. Available at: www.argusleader.com/story/news/politics/2014/11/04/republican-rounds-wins-south-dakota-us-senate-seat/18497937/. Last retrieved 11/25/2014.

¹²⁹ "Election 2014: Cotton Elected to U.S. Senate; Westerman Wins In 4th District," Times Record, By: Peter Urban, November 4, 2014. Available at: swtimes.com/elections/election-2014-cotton-elected-us-senate-westerman-wins-4th-district. Last retrieved: 11/25/2014.

¹³⁰ TBD

¹³¹ "Mitch McConnell wins re-election, poised to be U.S. Senate Majority Leader, WCPO, By: Brian Mains, November 4, 2014. Available at: www.wcpo.com/news/political/elections-local/mitch-mcconnell-wins-re-election-poised-to-be-us-senate-majority-leader. Last retrieved: 11/25/2014.

¹³² "Republican David Perdue Wins Georgia Senate Race," The Wall Street Journal, By: Cameron McWhirter, November 4, 2014. Available at: blogs.wsj.com/washwire/2014/11/04/republican-david-perdue-wins-georgia-senate-race/. Last retrieved: 11/25/2014.

¹³³ "Sen. Pat Roberts survives, defeating challenge from Greg Orman", The Kansas City Star, By: Dave Helling and Steve Kraske, November 4, 2014. Available at: www.kansascity.com/news/government-politics/election/article3565540.html. Last retrieved: 11/14/2014.

¹³⁴ LCV Action Fund Endorses Senator Susan Collins for Re-Election - Press Release, June 30, 2014. Available at: www.lcv.org/media/press-releases/LCV-Action-Fund-Endorses-Senator-Susan-Collins-for-Re-Election.html. Last retrieved: 11/25/2014.

vote,¹³⁵ and while Environmental Defense spent just \$300,000 in Maine,¹³⁶ no other “green” group spent any money in support of Collins.

The reason the “greens” didn’t spend money in these races is fairly obvious. In the cases of the races of West Virginia, Kentucky, and Montana, all states with large coal industries, the support of the “greens” would likely do more harm than good. The “green” agenda is largely seen in those states as being anti-energy and anti-jobs. The “green” message is thus toxic to the voters in those states and any attempt to change that over the course of an election cycle is doomed to failure.

Moreover, in Kentucky and West Virginia, both major party candidates were fundamentally opposed to the “greens” policies with regard to carbon emissions. Indeed, in Kentucky in particular, Democratic candidate Allison Grimes was accused by her opponent, Senate Minority Leader Mitch McConnell, of her pro-coal stance being fraudulent, taken only in public for political gain, while really holding positions identical to the Obama Administration.¹³⁷ This was given some credence by the fact that some of her own campaign staffers seemed to believe this was true as well as McConnell’s camp, and were caught on tape saying so.¹³⁸ In West Virginia, news reports similarly suggested that Democratic candidate Natalie Tennant was hiding her true beliefs for political purposes.¹³⁹ Moreover, Congresswoman Shelly Moore Capito in West Virginia and Senator Mitch McConnell in Kentucky made their fight against Obama’s energy and environmental policies, and their support of their states coal industries, a centerpiece of their campaigns.¹⁴⁰ They won by about 28%¹⁴¹ and over 15%,¹⁴² respectively.

¹³⁵ "Maine Election Results", New York Times, November 20, 2014. Available at: elections.nytimes.com/2014/maine-elections. Last retrieved: 11/25/2014.

¹³⁶ 2014 Senate Independent Expenditures: State: Maine, FEC.gov. Available at: http://fec.gov/data/IndependentExpenditure.do?format=html&id=ieNational&election_yr=2014&candidateOfficeState=ME&candOffice=S. Last retrieved: 11/25/2014.

¹³⁷ "Pro-McConnell group calls Grimes 'two-faced' on coal", The Hill, By: Alexandra Jaffe, June 17, 2014. Available at: thehill.com/blogs/ballot-box/senate-races/209604-pro-mcconnell-group-calls-grimes-two-faced-on-coal. Last retrieved: 11/26/2014.

¹³⁸ “Activists take on Alison Lundergan Grimes’ coal stance with ‘tracking’ video”, The Washington Times, By: Tom Howell Jr., October 6, 2014. Available at: www.washingtontimes.com/news/2014/oct/6/activists-distort-alison-lundergan-grimes-coal-sta/. Last retrieved: 11/25/2014.

¹³⁹ "Democrat Natalie Tennant's curious coal evolution," The Washington Examiner, By: Ashe Schow, June 5, 2014. Available at: www.washingtonexaminer.com/democrat-natalie-tennants-curious-coal-evolution/article/2549384. Last retrieved: 11/25/2014.

¹⁴⁰ See, Shelly Moore Capito - Coal, Family and West Virginia - 30, NRSC, Available at: <https://www.youtube.com/watch?v=5bzOgYw1dvU>. Last retrieved: 11/26/2014. "My Voice," Mitch McConnell, Available at: <https://www.youtube.com/watch?v=RrR8Xe1N1yg>. Last retrieved: 11/26/2014.

¹⁴¹ West Virginia Election Results, New York Times, November 20, 2014. Available at: elections.nytimes.com/2014/west-virginia-elections. Last retrieved: 11/26/2014.

¹⁴² Kentucky Election Results, New York Times. Available at: elections.nytimes.com/2014/kentucky-elections. Last retrieved: 11/26/2014.

McConnell's victory was especially impressive, as virtually all of the public polls showed the race significantly closer.¹⁴³

Montana, also a coal heavy state, is hard to gauge because the appointed incumbent Sen. John Walsh, who had a confused and shifting stance on coal,¹⁴⁴ withdrew from the race following a plagiarism scandal.¹⁴⁵ He was replaced with a far-left state Representative who had "green"-friendly stances,¹⁴⁶ but by that point, the race was essentially over, and Congressman Steve Daines was all but guaranteed to win, which he did by nearly 19%.¹⁴⁷

While Arkansas does have coal-fired power plants, it does not have a large coal industry, and energy was not a centerpiece of anyone's campaign. However, Representative Tom Cotton accused his opponent, Senator Mark Pryor, of being insufficiently pro-energy and insufficiently anti-Obama's EPA, which Pryor vigorously disputed.¹⁴⁸ In South Dakota, energy and environmental issues did not play prominently in the campaign, but eventual winner Mike Rounds was clearly more pro-energy, and anti-Obama's EPA than his major opponents.¹⁴⁹ In Georgia, energy was also not a major issue in the campaign, but the League of Conservation Voters did endorse Democratic candidate Michelle Nunn, who voiced sympathy for the "green" agenda. She was attacked as out of touch since she was against the construction of the Keystone Pipeline and advocated for Obama's war on coal, burdensome EPA regulations, and cap-and-trade."¹⁵⁰ In Kansas, incumbent Pat Roberts repeatedly attacked Obama's "war on coal"¹⁵¹ against an opponent who famously avoided taking hard stances on issues, particularly energy and environmental issues, which lead the "greens" to avoid endorsing him in spite of Senator Roberts

¹⁴³ Kentucky Senate - McConnell vs. Grimes, Real Clear Politics, Available at: www.realclearpolitics.com/epolls/2014/senate/ky/kentucky_senate_mcconnell_vs_grimes-3485.html#polls. Last retrieved: 11/26/2014.

¹⁴⁴ "Walsh Continues Move to the Right on Coal", Media Trackers By: Ron Catlett, July 22, 2014. Available at: mediatrackers.org/montana/2014/07/22/walsh-continues-move-right-coal. Last retrieved: 11/26/2014.

¹⁴⁵ "Walsh drops out of U.S. Senate race", Billings Gazette, By: Charles S. Johnson, August 7, 2014. Available at: billingsgazette.com/news/government-and-politics/walsh-drops-out-of-u-s-senate-race/article_44061fbc-fd60-583b-bc9b-61f41ebb49e0.html. Last retrieved: 11/26/2014.

¹⁴⁶ "U.S. Senate candidate Amanda Curtis' stands on major issues," October 5, 2014. Available at: billingsgazette.com/news/government-and-politics/u-s-senate-candidate-amanda-curtis-stands-on-major-issues/article_4cfd04d9-6cd5-533c-8cf1-604a2c120cf3.html. Last retrieved: 11/26/2014.

¹⁴⁷ Montana Election Results, New York Times, November 20, 2014. Available at: elections.nytimes.com/2014/montana-elections. Last retrieved: 11/26/2014.

¹⁴⁸ #TallTaleTom: EPA Regulations, Pryor for Senate. Available at: pryorforsenate.com/talltaletom-epa-regulations/. Last retrieved: 11/26/2014.

¹⁴⁹ "Senate candidates' views vary on energy issues", Argus Leader, July 2, 2014. Available at: www.argusleader.com/story/news/politics/2014/07/02/senate-candidates-views-vary-energy-issues/11994455/. Last retrieved: 11/26/2014.

¹⁵⁰ "David Perdue Highlights Michelle Nunn's Job Crushing Energy Policies", David Perdue for US Senate, September 23, 2014. Available at: <https://perduesenate.com/2014/09/23/david-perdue-highlights-michelle-nunns-job-crushing-energy-policies/>. Last retrieved: 11/24/2014.

¹⁵¹ "Orman Roberts tangle in Overland Park debate", The Topeka Capital Journal, October 8, 2014. Available at: cjonline.com/news/2014-10-08/orman-roberts-tangle-overland-park-debate. Last retrieved: 11/26/2014.

low rating from the League of Conservation Voters.¹⁵² In all four races, the Republican candidates won easily, and by a greater margin than the polls suggested.¹⁵³

Louisiana was a particularly difficult race for the “greens”. While the major Republican candidate, Congressman Bill Cassidy has a lifetime rating of just 11% from the League of Conservation Voters,¹⁵⁴ Senator Mary Landrieu only had a 51% from the LCV,¹⁵⁵ well below most Democrats. Perhaps even more importantly, Landrieu was Chairwoman of the Energy and Natural Resources Committee. Due to this position, and the fact that she is from a state where the energy issue is very important, she frequently took stances against the “greens”. Moreover, she was a strong proponent of the Keystone Pipeline, the defeat of which has become a cause célèbre amongst the “greens.” Indeed, she made her support for the pipeline a central piece of her runoff election strategy.¹⁵⁶ Nonetheless, Landrieu was clearly more in line with the “greens” agenda than Cassidy, but to the extent that was true, it was harmful to her. Forced into a run-off for lack of a clear majority, Cassidy crushed Landrieu in the final election. Both the mainline democrat party and the greens abandoned her.

Senate Conclusion

The “greens” #1, explicitly stated goal, was to keep the Senate in Democratic hands. They failed at this goal. In the six races they targeted in their massive spending binge, even their two victories come with major qualifiers. In the eight other Senate races that either switched hands, or where the Republican candidate faced a serious challenge, the “greens” didn’t influence the race directly at all, but the reason for that is because their messages would be toxic in those states, that the Democratic challenger was indistinguishable from the Republican in terms of energy and environmental policy, or both.

¹⁵² "Independent shaking up Kan. Senate race a mystery man on energy policy", Greenwire, By: Jennifer Yachnin, October 16, 2014. Available at: www.eenews.net/greenwire/stories/1060007451. Last retrieved: 11/26/2014.

¹⁵³ See, Arkansas Senate - Cotton vs. Pryor, Real Clear Politics. Available at: www.realclearpolitics.com/epolls/2014/senate/ar/arkansas_senate_cotton_vs_pryor-4049.html#polls. Last retrieved: 11/26/2014. S.D. Senate - Rounds vs. Weiland vs. Pressler, Real Clear Politics. Available at: www.realclearpolitics.com/epolls/2014/senate/sd/south_dakota_senate_rounds_vs_weiland-4091.html. Last retrieved: 11/26/2014. Georgia Senate - Perdue vs. Nunn, Real Clear Politics. Available at: www.realclearpolitics.com/epolls/2014/senate/ga/georgia_senate_perdue_vs_nunn-4040.html. Last retrieved: 11/26/2014. Kansas Senate - Roberts v. Orman, Real Clear Politics. Available at: www.realclearpolitics.com/epolls/2014/senate/ks/kansas_senate_roberts_vs_orman-5216.html. Last retrieved: 11/26/2014.

¹⁵⁴ League of Conservation Voters - Scorecard - Representative Bill Cassidy. Available at: scorecard.lcv.org/moc/bill-cassidy. Last retrieved: 11/26/2014.

¹⁵⁵ League of Conservation Voters - Scorecard - Senator Mary Landrieu. Available at: scorecard.lcv.org/moc/mary-l-landrieu. Last retrieved: 11/26/2014.

¹⁵⁶ "Mary Landrieu against the GOP wave," Yahoo News, By: Meredith Shiner, November 20, 2014. Available at: news.yahoo.com/mary-landrieu-against-the-gop-wave-232624587.html; ylt=AwrBT.LFG3ZUINgAzJ1XNy0A; ylu=X3oDMTEzNG5hbmXjBHNIYwNzcgRwb3MDNARjb2xvA2JmMQR2dGikA1ZJUDUwNF8x. Last retrieved: 11/26/2014.

In a sense, the “greens” showed the fundamental problem with their message due to the states they chose to spend money in. They had given away much of the playing field by the time the game started. So their losses in the states where they spent a lot of money should be interpreted as an even harsher rebuke, since the battlefield was partially chosen for them since they simply could not realistically compete in states like Louisiana, West Virginia, or Kansas without a significant risk, indeed a near certainty, of their efforts backfiring. In the case of West Virginia, the race only became a serious race when incumbent Democratic Senator Jay Rockefeller, an ally of coal following his 1972 defeat for Governor,¹⁵⁷ rebuked the coal industry from the Senate floor,¹⁵⁸ signaling his retirement and virtually assuring that the seat would go to Capito.¹⁵⁹ In particular, the Sierra Club spent millions of dollars, claimed to have mounted a grassroots ground game and failed to deliver a single senate seat.

This should not be seen as a rejection of common sense or classical environmental concerns. For example, Louisiana’s Republican Governor Bobby Jindal has made cleanup of the gulf coast one of his biggest priorities as Governor.¹⁶⁰ Instead, it demonstrates modern “green” extremism is fundamentally out of touch and detached from voters everyday lives. This is not to suggest that their message, particularly when backed by significant dollars in different circumstances, could not have a larger impact. But it is to suggest that the modern “green” movement cannot fight on an even playing field and win, as their message is driven by and for elites who are not in touch with everyday voters in vast swaths of the country.

House Races

House races were not the priority of the “greens” this cycle, mostly because virtually no knowledgeable person thought that the Democrats could take control of the House from Republicans. While the “greens” made no explicit statement about their desire for Democratic takeover of the House, or at least make gains, the League of Conservation Voters endorsed 52 Democrats for House seats, and only 1 Republican.¹⁶¹ Nor was the LCV significantly more successful in their efforts in the House. 23 of their endorsed candidates lost.¹⁶² While a majority

¹⁵⁷ "Jay Rockefeller -- the Evolution of a Coal-State Senator" The New York Times, By: Jean Chemnick, January 18, 2011. www.nytimes.com/gwire/2011/01/18/18greenwire-jay-rockefeller-the-evolution-of-a-coal-state-s-4772.html?pagewanted=all. Last retrieved: 12/2/2014.

¹⁵⁸ "Jay Rockefeller's swan song?", Politico, By: Charles Mahtesian, June 21, 2012. Available at: www.politico.com/blogs/charlie-mahtesian/2012/06/jay-rockefellers-swan-song-126924.html. Last retrieved: 12/2/2014.

¹⁵⁹ Following Rockefeller’s speech, but before he announced his retirement, West Virginia Chamber of Commerce President Steve Roberts answered a phonetical from a reporter following the speech, saying, "This is Capito for United States Senate headquarters." *See, Id.*

¹⁶⁰ "Gov. Bobby Jindal's statements on BP are 'campaign of lies,' company says", The Times-Picayune, By: Mark Schleifstein. Available at: www.nola.com/news/gulf-oil-spill/index.ssf/2013/08/gov_jindals_statements_on_bp_a.html. Last retrieved: 11/26/2014.

¹⁶¹ League of Conservation Voters, 2013-2014 Endorsements. Available at: www.lcv.org/elections/endorsements/. Last retrieved: 11/26/2014.

¹⁶² *Id.*

won, this is misleading, as the majority of the candidates they endorsed were in races that were not competitive. If you count only the most seriously competitive races, the “greens” lost big.

In competitive races where the “greens” spent money and still did poorly were neither geographically nor culturally homogeneous. They extended from one border of the country to another. While it would be beyond the scope of this report to discuss every race where any green money was spent or a where “greens” endorsement might have been important, we can highlight a couple of races that are instructive.

Maine’s 2nd Congressional District

Perhaps the most stunning and expensive loss for the “greens” was in Maine’s 2nd Congressional district. This large, sparsely populated district has been held by Democratic candidates for 20 straight years.¹⁶³ and while the seat was open this cycle, it was widely considered likely that they would continue this streak, especially since the district’s incumbent Democratic Congressman, Michael Michaud, was running for Governor against the vulnerable incumbent, Paul LePage, who himself was also a “green” target.

Indeed, this was so widely expected that the “greens” didn’t wait until the general election to get involved. In the Democratic primary, the “greens” endorsed¹⁶⁴ and actively supported State Senator Emily Cain, over State Senate Majority Leader Tory Jackson. The League of Conservation Voters dubbed Troy Jackson part of the “Dirty Dozen”¹⁶⁵ in spite of the fact that he had a 64% rating from the LCV (Cain had a 90% rating)¹⁶⁶ and spent more than any other outside group to achieve his defeat in the primary.¹⁶⁷

The result of this primary can, in many ways, be seen as emblematic of the fundamental fissure in the Democratic party right now, namely, the divide between cultural elites and blue collar workers. The contrast between Cain, a 34-year-old university administrator currently

¹⁶³ This was in one sense unusual, since 1994 was a Republican “wave” year much like 2014 proved to be. But not unusual in as the prior incumbent, moderate Republican Olympia Snowe vacated the seat to run successfully for Senate. Without her independent brand, the voters followed their more natural inclination and elected Democrat John Baldacci, and when he vacated the seat to run successfully for Governor, Democrat Michael Michaud, who also vacated the seat to run for Governor, but lost to incumbent Republican Paul LePage.

¹⁶⁴ "LCV Action Fund Endorses Emily Cain for Congress", Press Release, March 18, 2014. Available at: www.lcv.org/media/press-releases/LCV-Action-Fund-Endorses-Emily-Cain-for-Congress.html. Last retrieved: 12/2/2014.

¹⁶⁵ "LCV Adds Congressional Candidate Troy Jackson To Dirty Dozen Program & Launches Major Mail Campaign," Press Release, May 12, 2014. Available at: www.lcv.org/media/press-releases/LCV-Adds-Congressional-Candidate-Troy-Jackson-to-Dirty-Dozen-Program-Launches-Major-Mail-Campaign.html/ Last retrieved: 12/2/2014.

¹⁶⁶ "LCV Action Fund Endorses Emily Cain for Congress", Press Release, March 18, 2014. Available at: www.lcv.org/media/press-releases/LCV-Action-Fund-Endorses-Emily-Cain-for-Congress.html. Last retrieved: 12/2/2014.

¹⁶⁷ "LCV Congratulates Emily Cain on Win in Maine Democratic Primary", Press Release, June 11, 2014. Available at: www.lcv.org/media/press-releases/LCV-Congratulates-Emily-Cain-on-Win-in-Maine-Democratic-Primary.html. Last retrieved: 12/1/2014.

completing her PhD, and Jackson, a 46-year-old logger, could not be more stark. Cain's support from the LCV and other "greens" was countered by Jackson's support from the AFL-CIO, Maine Labor Council and other assorted labor organizations.¹⁶⁸ In spite of the desire on the part of the "greens" to sell their agenda as pro-worker, claiming their policies will create "green jobs",¹⁶⁹ unions usually know better and are frequently at odds with the "greens", most prominently over the Keystone Pipeline.¹⁷⁰ Yet the most active Democratic primary voters in particular are heavily made up of cultural elites, particularly in regions like New England, and the LCV's attacks on Jackson on the issue of climate change worked.¹⁷¹ Jackson specifically blamed the League of Conservation Voters for his primary defeat at the hands of Cain.¹⁷²

Yet Cain was still heavily favored to win. The independent Cook Political Report had the race as Leans Democratic up till Election Day,¹⁷³ as did the Cook Report's main competitor, the Rothenburg Political Report.¹⁷⁴ Prior to late September, there was only one poll taken of the race, which showed Cain up by 5%.¹⁷⁵ However, in the end, Cain lost by over 5% to former State Treasurer Bruce Poliquin,¹⁷⁶ who had previously lost primary elections for both Governor and Senator.¹⁷⁷ This in spite of the fact that pundits were by all accounts unanimous in their opinion that 3rd party Independent candidate, former Republican Blaine Richardson, likely siphoned votes away from Poliquin.¹⁷⁸

¹⁶⁸ Troy Jackson for Congress - About. Available at: www.troyjacksonforcongress.com/about. Last retrieved: 12/1/2014.

¹⁶⁹ Sierra Club - Green Jobs. Available at: vault.sierraclub.org/greenjobs/. Last retrieved: 12/1/2014.

¹⁷⁰ "On Keystone pipeline, Democratic stalwart Laborers Union finds itself outbid by one enviro-billionaire" Washington Examiner, By: Byron York, April 26, 2014. Available at: www.washingtonexaminer.com/on-keystone-pipeline-democratic-stalwart-laborers-union-finds-itself-outbid-by-one-enviro-billionaire/article/2547737. Last retrieved: 12/1/2014.

¹⁷¹ When It Comes to Addressing Climate Change - Mailer. Available at: www.lcv.org/elections/dirty-dozen/maine-2-mail-2.pdf. Last retrieved: 12/1/2014.

¹⁷² "What kind of congressman will Maine's Bruce Poliquin be?" Kennebec Journal Morning Sentinel, By: Michael Shepherd, November 8, 2014. Available at: www.centralmaine.com/2014/11/08/what-kind-of-a-congressman-will-maines-bruce-poliquin-be/. Last retrieved: 12/1/2014.

¹⁷³ Cool Political Report 2014 House Election Results by Race Rating, November 14, 2014. Available at: cookpolitical.com/house/charts/race-ratings. Last retrieved: 12/1/2014.

¹⁷⁴ The Rothenburg Political Report - House Ratings, October 29, 2014. Available at: <https://rothenbergpollreport.com/ratings/house>. Last retrieved: 12/1/2014.

¹⁷⁵ "Poll shows Cain slightly ahead of Poliquin in District 2", Portland Press Herald, By: Steve Mistler, June 22, 2014. Available at: www.pressherald.com/2014/06/22/poll-shows-cain-slightly-ahead-of-poliquin-in-district-2/. Last retrieved: 12/1/2014.

¹⁷⁶ Maine Election Results, The New York Times, November 20, 2014. Available at: elections.nytimes.com/2014/maine-elections. Last retrieved: 12/1/2014.

¹⁷⁷ "Poliquin, winner of 2nd District race, says he'll 'work with anybody'" Kennebec Journal Morning Sentinel, By: Michael Shepherd, November 4, 2014, Updated: November 7, 2014. Available at: www.centralmaine.com/2014/11/04/turnout-expected-to-be-high-across-maines-2nd-district/. Last retrieved: 12/1/2014.

¹⁷⁸ "Blaine Richardson to run in Maine's 2nd District as independent" Portland Press Herald, By: Michael Shepherd, January 19, 2014. Available at:

This was perhaps the “greens” biggest loss in the House races, both because they worked so hard in the primary to elect their chosen candidate, and because it was one of their bigger expenditures in terms of House races. NextGen Climate spent about \$7500 on the race, while the League of Conservation Voters spent about \$235,000,¹⁷⁹ much of it was spent in the decisive primary,¹⁸⁰ which in turn led to Poliquin’s victory. There can be little doubt that in a district with much wilderness, full of lakes, mountains and forests, a common-sense conservationist message could have been a net benefit for any candidate. However, as previously explained and demonstrated so starkly here, the modern “green” movement is driven more by urban intellectual elites than by people who actually interact with people who spend their lives in rural or wilderness areas. The “greens”, by pushing out a man who made his living off of the land in favor of a college administrator, clearly did not help the overall prospects of the Democratic party, but may have advanced the agenda of the elites who currently do much to drive it. It is highly probable that, in this race, “green” spending, while likely winning Cain the primary, lost the seat for Democrats. Their general election spending didn’t make up for the fact that Cain was a much less electable candidate in any electorate that isn’t made up of the cultural elites that make up the base of the modern Democratic party.

Texas’s 23rd Congressional District

Unlike Maine’s 2nd Congressional district, this was not an open seat and “green” meddling in the primary made no difference in the result. Just like Maine’s 2nd Congressional district, however, it was a district that leaned Democrat according to all independent observers,¹⁸¹ it was a large, sparsely populated district on the border, this time Mexico, and the “greens” invested heavily for a House race.

Also unlike Maine’s 2nd Congressional district, which had been in Democratic hands for 20 years, this is a textbook example of a “swing” district. Republican Henry Bonilla held it for years until 2006, when he was defeated by Democrat Ciro Rodriguez. Rodriguez was defeated after two-terms by Republican Francisco Canseco, who was defeated after one term by Democrat Pete Gallego. This cycle, Republican Will Hurd, a former CIA operative, defeated both former Congressman Canseco, in the primary, and Congressman Gallego in the general election, in spite of never having been the favorite to do so according to pundits.

[www.pressherald.com/2014/01/19/blaine richardson running in 2nd district /](http://www.pressherald.com/2014/01/19/blaine-richardson-running-in-2nd-district/). Last retrieved: 12/1/2014.

¹⁷⁹ 2014 House Independent Expenditures, State: Maine, District: 02. Available at: fec.gov/data/IndependentExpenditure.do?format=html&id=ieState&election_yr=2014&candidateOfficeState=ME&candOffice=H&candidateOfficeDistrict=02. Last retrieved: 12/1/2014.

¹⁸⁰ "LCV Adds Congressional Candidate Troy Jackson To Dirty Dozen Program & Launches Major Mail Campaign," Press Release, May 12, 2014. Available at: www.lcv.org/media/press-releases/LCV-Adds-Congressional-Candidate-Troy-Jackson-to-Dirty-Dozen-Program-Launches-Major-Mail-Campaign.html. Last retrieved: 12/2/2014.

¹⁸¹ The Rothenburg Political Report - House Ratings, October 29, 2014. Available at: <https://rothenbergpoliticalreport.com/ratings/house>. Last retrieved: 12/1/2014. *See also* Cool Political Report 2014 House Election Results by Race Rating, November 14, 2014. Available at: cookpolitical.com/house/charts/race-ratings. Last retrieved: 12/1/2014.

Congressman Gallego was not one of the “greens” greatest allies, but he had a 64% rating from the League of Conservation Voters.¹⁸² Sierra Club, Environmental Defense and the League of Conservation Voters did independent expenditures on behalf of Gallego, amounting to a little less than \$100,000.¹⁸³ Yet in spite of the fact that outside spending was roughly at parity,¹⁸⁴ and that Gallego roughly doubled Hurd in personal fundraising,¹⁸⁵ Hurd prevailed by just over 2%.¹⁸⁶

Given the “swing” nature of the district, and the relatively modest expenditure on behalf of the “greens” unlike in the Senate races, it is difficult to say if any particular message worked or not, or if the natural volatility of the voters in the district merely moved with the tide. What can be said is that in another district in which the “greens” were invested, their message failed to sufficiently register with the voters. This in spite of the fact that the district had a “green” friendly incumbent, and that, like Maine’s 2nd Congressional district, it is large and sparsely populated with a lot of wilderness areas that one might naturally think voters would be keen on giving sufficient protection. Since that is no longer the message of the “green” movement, it has significantly less impact.

State Government Races

Given the deep influences the “greens” have over the federal bureaucracy, and the increasing amount of federal control over “green” issues, it should not come as a surprise that most of the “green” money went to trying to move voters primarily in federal races. Yet the “greens” did make a major play in several state races, most prominently the governors’ races in Florida, Maine and Pennsylvania, and particularly the state legislative races in Oregon and Washington State. The “greens” didn’t fare much better here, winning in races they were all but assured to win anyway, namely the Pennsylvania governor’s race and the Oregon State legislature, but losing the governor’s race in Florida, Maine and the legislature in Washington State. We examine each of these separately.

Florida - Governor

Outside of the top-dollar Senate races, no race was subject to more “green” spending than the Florida Governor’s race. Indeed, while it is difficult to know exactly how much they spent on the Governor’s race per-se, as the reporting requirements aren’t the same for state-level races,

¹⁸² League of Conservation Voters - National Environmental Scorecard - Representative Pete Gallego. Available at: scorecard.lcv.org/moc/pete-p-gallego. Last retrieved: 12/1/2014.

¹⁸³ OpenSecrets.org Texas District 23 Race - Outside Spending. Available at: <https://www.opensecrets.org/races/indexp.php?cycle=2014&id=TX23>. Last retrieved: 12/1/2014.

¹⁸⁴ OpenSecrets.org Texas District 23 Race - Outside Spending. Available at: <https://www.opensecrets.org/races/indexp.php?cycle=2014&id=TX23>. Last retrieved: 12/1/2014.

¹⁸⁵ OpenSecrets.org, Texas District 23 Race - Summary Data. Available at: <https://www.opensecrets.org/races/summary.php?cycle=2014&id=TX23>. Last retrieved: 12/1/2014.

¹⁸⁶ Texas Election Results - The New York Times, Nov. 20, 2014. Available at: elections.nytimes.com/2014/texas-elections. Last retrieved: 12/1/2014.

NextGen Climate spent nearly \$16.5 million,¹⁸⁷ and may have spent as much \$20 million¹⁸⁸ in Florida. Indeed, NextGen Climate Action's Florida chapter was the #1 recipient of NextGen Climate funds.¹⁸⁹ As Florida which had no Senate race and which records show they spent little to nothing on House races, it is all-but-certain most or all of this went toward the race for Governor.

Scott earned the enmity of the "greens" from a great number of his public statements and stances. Indeed, NextGen Climate labeled him their "Stone Age Award Winner."¹⁹⁰ From the very beginning, it looked likely that the "greens" would win their fight. Scott was a controversial figure from before his time in politics, being CEO of Columbia-HCA during a time where this sprawling, multi-billion dollar company committed several felonies and was fined more than \$1.7 billion dollars.¹⁹¹ While he was never implicated in any wrongdoing, this episode has followed him during his entire political career, from his brutal Republican primary victory in 2010 over then-Florida Attorney General Bill McCollum,¹⁹² to his excruciatingly narrow win over then-Florida CFO, Democrat Alex Sink.¹⁹³ His approval ratings even dropped as low as the high 20's and were frequently in the 30's.¹⁹⁴ Given Scott's enmity with the "greens" and the potency of common-sense environmentalism in Florida, which features a gigantic coastline and the world-famous Everglades, "greens" suspected that Scott would be an easy target. Yet in the end, Scott won by a narrow 1.1% margin,¹⁹⁵ much like he did in 2010.¹⁹⁶

¹⁸⁷ NextGen Climate Action Committee - Florida, Expenditures: Available at: election.dos.state.fl.us/cgi-bin/expand.exe. Last retrieved: 12/2/2014.

¹⁸⁸ Florida Division of Elections - Search Committee: NextGen. Available at: election.dos.state.fl.us/cgi-bin/contrib.exe. Last retrieved: 12/2/2014.

¹⁸⁹ OpenSecrets.org, NextGen Climate Action. Available at: <https://www.opensecrets.org/pacs/expenditures.php?cycle=2014&cmte=C00547349>. Last retrieved: 12/2/2014.

¹⁹⁰ NextGen Climate - Your 2014 Stone Age Award Winner: Rick Scott! Available at: <https://nextgenclimate.org/elections/your-2014-stone-age-award-winner-rick-scott/>. Last retrieved: 12/2/2014.

¹⁹¹ "Fact Check: Did Gov. Rick Scott take the Fifth 75 times in a federal criminal case against his former medical company?" The Florida Times Union, By: Carole Fader, July 5, 2014. Available at: jacksonville.com/reason/fact-check/2014-07-05/story/fact-check-did-gov-rick-scott-take-fifth-75-times-federal.

¹⁹² "Rick Scott beats Bill McCollum to end nasty GOP governor's primary fight", Orlando Sentinel, By: Aaron Deslatte and Jennifer Gollan, August 25, 2014. Available at: articles.orlandosentinel.com/2010-08-25/news/os-gop-gubernatorial-primary-results-20100824_1_rick-scott-high-unfavorable-ratings-primary-fight. Last retrieved: 12/2/2014.

¹⁹³ "Sink Concedes Florida Governor's Race to Republican Scott", Fox News, November 3, 2010. Available at: www.foxnews.com/politics/2010/11/03/sink-concedes-floridas-governors-race-republican-scott/. Last retrieved: 12/2/2014.

¹⁹⁴ "Gov. Rick Scott's approval rating rises to 35 percent", Tampa Bay Times, By: Michael Bender, August 5, 2011. Available at: www.tampabay.com/news/politics/national/gov-rick-scotts-approval-rating-rises-to-35-percent/1184412. Last retrieved: 12/2/2014.

¹⁹⁵ Florida Election Results, The New York Times, November 20, 2014. Available at: elections.nytimes.com/2014/florida-elections. Last retrieved: 12/2/2014.

While it is difficult to know for sure, several things seemed to flip this race around for Scott: one, Democrats nominated former Republican Governor Charlie Crist, two, numerous ads attacking Scott from the “greens” were attacked by independent fact-checkers as being inaccurate, and three, Scott ran on a common-sense environmental message that largely quelled legitimate environmental concerns of average voters, while staying away from the “greens” anti-energy agenda. Thus, Scott held his own on environmental issues despite the Sierra Club’s open endorsement of Charlie Crist.

The Democrats nominating former Republican Charlie Crist is not, of course, directly related to the “greens” message, but is necessary to understand the race and how their ads were likely perceived. While doing respectably in federal races, where Florida is a preverbal swing-state, Democrats have done poorly in state offices in Florida. Thus there was no obvious challenger to Scott. So the Democrats, and their allies in the “green” movement had to find someone else to run. They turned to Charlie Crist, a former Republican Governor who, when it became apparent he was going to lose a primary for Senate, ran as an independent, and still lost to now-Senator Marco Rubio.¹⁹⁷ Later, he declared himself a Democrat and claimed he’d left the Republican Party because it was too conservative, this from a man who use to call himself “Chain Gang Charlie” to highlight his “tough on crime” stance¹⁹⁸ and referred to himself as a “true blue Reagan conservative.”¹⁹⁹ This series of reversals on fundamental aspects of who he was as a politician made Crist very suspect, as it did any claim he or his allies made. It dominated the campaign against him. As one voter put it, “Once Crist changed his party because he knew he could not beat Rubio, well, Crist will never get my vote again.”²⁰⁰ So while Crist was a high-profile, well known candidate, with some amount of goodwill from Florida voters, he had serious baggage for his opponents to attack him with as well.

More problematic for the “greens” specifically is that their ads attacking Scott were full of the same kinds of obfuscations, double-talk, and inconsistent attacks that already plagued Crist. Independent “fact checkers” noticed, and noticed repeatedly. For example, one major ad by NextGen Climate accused Rick Scott of essentially being bought off for \$200,000 worth of

¹⁹⁶ Florida Election Results, The New York Times, 2010. Available at: elections.nytimes.com/2010/results/florida. Last retrieved: 12/2/2014.

¹⁹⁷ "Florida Election Results: Marco Rubio Defeats Charlie Crist, Kendrick Meek In 2010 Senate Race" Associated Press, By: Brendan Farrington, November 2, 2010. Available at: www.huffingtonpost.com/2010/11/02/florida-election-results-2_n_765881.html. Last retrieved: 12/3/2014.

¹⁹⁸ "Marc Caputo: From Chain Gang Charlie to being a changeling, Crist stays a political step ahead of his flip flops" Miami Herald, By: Marc Caputo, May 11, 2014. Available at: www.miamiherald.com/news/local/news-columns-blogs/marc-caputo/article1964264.html. Last retrieved: 12/3/2014.

¹⁹⁹ "Crist: I'm a True Blue Reagan Conservative", Newsmax, By: Jim Meyers, February 9, 2010. Available at: www.newsmax.com/InsideCover/crist-florida-governor-rubio/2010/02/08/id/349315/. Last retrieved: 12/3/2014.

²⁰⁰ "Florida Election Results: Marco Rubio Defeats Charlie Crist, Kendrick Meek In 2010 Senate Race" Associated Press, By: Brendan Farrington, November 2, 2010. Available at: www.huffingtonpost.com/2010/11/02/florida-election-results-2_n_765881.html. Last retrieved: 12/3/2014.

campaign contributions by wealthy donors who polluted drinking water for 7 million Floridians, and then covering it up by pleading the Fifth Amendment against self-incrimination to get away with it.²⁰¹

This certainly sounds damning, until you dig into the weeds. In reality, as independent “fact checkers” Polifact Florida noticed, this ad was a conglomeration of other attacks that had been leveled by various groups at Scott, weaved together in a way that made them wildly misleading. For example, the NextGen ad claimed that Scott pled the Fifth Amendment against self-incrimination 75 times. This is technically accurate, as independent fact checkers had previously indicated in relation to another somewhat misleading ad,²⁰² however, in context, it was totally misleading, as none of those times were related in any way to the water contamination issue being discussed. Instead, it was in a civil lawsuit over a communications contract with Scott’s old company, Columbia-HCA,²⁰³ and was done so because the aforementioned criminal fraud case against Columbia-HCA was still ongoing, even though Scott had left the company and had never even been questioned in the case, let alone charged with any wrongdoing.²⁰⁴ In fact, not only did he not plead the Fifth on the water question, he was not in any way a party to the lawsuit concerning possible water contamination.²⁰⁵

Additionally, the Collier family, who donated the \$200,000 to Scott’s Let’s Get to Work Committee, was also not party to the lawsuit. The Collier family leased the mineral rights to Dan A. Hughes, who was working to extract oil from the land, and it was Hughes who was subject to a lawsuit.²⁰⁶ Both the Collier family and Scott were unrelated to the lawsuit.²⁰⁷ Moreover, to top it all off, there had also been no proven instance of water contamination, only allegations of such that lead to the lawsuit.²⁰⁸

These kinds of ads defined the *ad hominem* strategy the “greens” used against Scott. Indeed, they ran multiple ads related to these same facts with similarly misleading

²⁰¹ "Again" - Florida, NextGen Climate. Available at: https://www.youtube.com/watch?v=C-K_0CtmLqQ. Last retrieved: 12/3/2014.

²⁰² "Rick Scott took the 5th Amendment 75 times, Democratic party ad says", PoliFact Florida, By: Amy Sherman, June 17, 2014. Available at: www.politifact.com/florida/statements/2014/jun/17/florida-democratic-party/rick-scott-took-5th-75-times-democratic-party-ad-s/. Last retrieved: 12/3/2014.

²⁰³ "A misleading ad by NextGen Climate against Rick Scott," PoliFact Florida, By: Amy Sherman, August 29, 2014. Available at: www.politifact.com/florida/article/2014/aug/29/misleading-ad-nextgen-climate-against-rick-scott/#. Last retrieved: 12/3/2014.

²⁰⁴ "Fact Check: Did Gov. Rick Scott take the Fifth 75 times in a federal criminal case against his former medical company?" The Florida Times Union, By: Carole Fader, July 5, 2014. Available at: jacksonville.com/reason/fact-check/2014-07-05/story/fact-check-did-gov-rick-scott-take-fifth-75-times-federal. Last retrieved: 12/3/2014.

²⁰⁵ "A misleading ad by NextGen Climate against Rick Scott," PoliFact Florida, By: Amy Sherman, August 29, 2014. Available at: www.politifact.com/florida/article/2014/aug/29/misleading-ad-nextgen-climate-against-rick-scott/#. Last retrieved: 12/3/2014.

²⁰⁶ Id.

²⁰⁷ Id.

²⁰⁸ Id.

information.²⁰⁹ They also accused him of “is letting Duke (Energy) keep collecting billions” after the utility company took in billions for two failed nuclear projects, but failed to note that the only real say in it he had was appointing commissioners who would decide the issue, and all of the commissioners he re-appointed were previously Crist appointees.²¹⁰ Time after time, the “greens” ads were called into serious question by Florida fact checkers. This probably was even more damaging seeming as how the “greens” candidate, Crist, was already facing a trust deficit from his multiple self-serving party switches.

Third, Scott blunted the attacks of the “greens” by running aggressively on his own environmental record and proposals. While he ran on cutting Florida’s budget, he recognized the need to protect those areas that are truly unique and endangered, such as land conservation, protecting water resources and helping the Everglades.²¹¹ Even people who wanted firmer commitments complemented Scott on these efforts, “We agree with Governor Scott that we need to invest in protecting Florida’s water quality, the Everglades, and our treasured natural areas,” said Will Abberger, who was campaign manager for an initiative that would have enshrined proposals similar to Scott’s into the Florida Constitution,²¹² an amendment which passed.²¹³

Whether Scott embraced these environmental initiatives out of genuine conviction, or, as his opponents claim, out of an election-year gamble to blunt criticism,²¹⁴ is almost beside the point. The point is that voters respond to common-sense environmentalism, like protecting the Everglades and common-sense land conservation, and did not buy in to the misleading “green” attacks nor the reflexively anti-energy policies and apocalyptic claims of the “greens”. In the end, the “greens” wildly misleading attack ads didn’t work, even against a candidate vulnerabilities as obvious as Scott’s. While there are certainly other factors at work, particularly given the size of the “greens” investment in this race, the results are instructive.

²⁰⁹ "NextGen ad says Rick Scott takes money from a company that pollutes", PoliFact Florida, By: Amy Sherman, Available at: www.politifact.com/florida/statements/2014/aug/15/nextgen-climate/nextgen-ad-rick-scott-takes-money-polluters/. Last retrieved: 12/3/2014.

²¹⁰ "PAC accuses Rick Scott of letting Duke Energy fleece customers" PoliFact Florida, By: Joshua Gillin, August 13, 2014. Available at: www.politifact.com/florida/statements/2014/aug/13/nextgen-climate/pac-accuses-rick-scott-letting-duke-energy-fleece-/. Last retrieved: 12/3/2014.

²¹¹ "Gov. Rick Scott pitches his \$1B environmental plan", Tallahassee Democrat, By: Jim Turner, August 4, 2014. Available at: www.tallahassee.com/story/news/politics/2014/08/04/florida-gov-pledges-major-spending-environment/13604323/. Last retrieved: 12/3/2014.

²¹² Id.

²¹³ "Pro-environment Amendment 1 a big hit with voters, but no one knows what Legislature will do" Tampa Bay Times, By: Craig Pittman, November 5, 2014. Available at: www.tampabay.com/news/environment/pro-environment-amendment-1-a-big-hit-with-voters-but-no-one-knows-what/2205326. Last retrieved: 12/3/2014. Scott took no position on Amendment 1. See, "Rick Scott avoids taking sides on conservation Amendment 1", Saint Peters Blog, By: Phil Ammann, June 18, 2014. Available at: www.saintpetersblog.com/archives/149159. Last retrieved: 12/2/2014.

²¹⁴ "Just in time for the election, Rick Scott discovers the environment", MSNBC, By: Steve Benen, August 12, 2014. Available at: www.msnbc.com/rachel-maddow-show/just-time-the-election-rick-scott-discovers-the-environment. Last retrieved: 12/3/2014.

Maine - Governor

The Maine Governor's race was another race that looked like an easy win for the "green" movement. Prior to 2010, Maine had been governed by a liberal independent Angus King, a former Democratic Senatorial staffer who previously ran an energy conservation enterprise²¹⁵ and between his time as Governor and later Senator (caucusing with the Democrats) lead a "green" energy company.²¹⁶ After that, Democrat John Baldacci, who was usually in firm agreement with the Maine League of Conservation Voters, served for 8 years.²¹⁷ Incumbent Republican Governor Paul LePage's victory in 2010 was exceedingly narrow, less than 2%, and was largely seen as a fluke, the result of LePage's opposition being split between liberal Independent Elliot Cutler and Democrat Libby Mitchell.²¹⁸ Any potential victory for LePage was seen as requiring the same unique kind of split.

The "greens" opposition to LePage was almost exclusively due to his questioning of their apocalyptic claims with regard to climate change, something the League of Conservation Voters made explicit in their press release naming him to their "dirty dozen" list.²¹⁹ Other "green" allies, such as the far-left publication The Nation, dubbed him the "Worst Governor of all."²²⁰ His brash style undoubtedly inflamed their opposition even more.

Indeed, particularly given the relative population of the state, Maine is roughly 1/15th the population of Florida, for example, the "greens" invested very heavily in ousting LePage. Reports say that a partnership between the Maine League of Conservation Voters and NextGen Climate spent \$1.8 million to defeat LePage.²²¹ Furthermore, the Maine LCV also partnered with Maine Forward, a PAC dedicated to elected Democratic Congressman Mike Michaud, LePage's main opponent, to spend an additional \$2 million.²²² This is particularly notable since Maine Forward worked with labor unions, which were at odds with the greens when it came to

²¹⁵ About Angus, Angus King - United States Senator for Maine. Available at: www.king.senate.gov/about/biography. Last retrieved: 12/3/2014.

²¹⁶ League of Conservation Voters - Environmental Facebook - Angus King. Available at: www.lcv.org/elections/dirty-dozen/2012/angus-king.html. Last retrieved: 12/3/2014.

²¹⁷ "Environmental Report Card for Governor John E. Baldacci, 2008-2010", Maine League of Conservation Voters. Available at: maineconservation.org/assets/gov-report-cards/MLCVgovReportcardbaldacci2008-2010.pdf. Last retrieved: 12/3/2014.

²¹⁸ Election 2010 - Election Results - Maine, The New York Times, Available at: elections.nytimes.com/2010/results/maine. Last retrieved: 12/3/2014.

²¹⁹ "Paul LePage First Incumbent Governor Ever Named to LCV's Dirty Dozen Program", Press Release, League of Conservation Voters. Available at: www.lcv.org/media/press-releases/Paul-LePage-First-Incumbent-Governor-Ever-Named-to-LCV-s-Dirty-Dozen-Program.html. Last retrieved: 12/3/2014.

²²⁰ "http://www.thenation.com/blog/178573/maines-paul-lepage-might-just-be-worst-governor-all", The Nation, By: John Nichols, February 27, 2014. Available at: www.thenation.com/blog/178573/maines-paul-lepage-might-just-be-worst-governor-all#. Last retrieved: 12/3/2014.

²²¹ "Democrats' allies outspending Republican groups in state races," Portland Press Herald, By: Steve Mistler. Available at: www.centralmaine.com/2014/10/23/democrats-allies-outspending-republican-groups-in-state-races/. Last retrieved: 12/3/2014.

²²² Id.

Maine's 2nd Congressional race.²²³ For a sparsely populated, relatively inexpensive state like Maine, this is a staggering sum of money.

While the "greens" main issue in getting involved in Maine was climate change, as was publicly stated,²²⁴ their ads focused on attacking LePage for his record on clean water, accusing him of "gutting" clean water programs,²²⁵ and for supposedly cutting funding for education and medicine for seniors.²²⁶ In other words, everything but climate change. LePage defended his environmental record, pointing to major penalties levied against Chevron for a major oil spill.²²⁷

In the end, LePage stunned just about everyone, including his supporters, by not only winning, but winning easily, 48% to 43%.²²⁸ This is not only 10% better than his victory in 2010, but 7% above the average of polls taken in the run up to the election.²²⁹ Furthermore, this commanding performance would likely have led to victory even if a third party were not in the race, if pre-election polls are to be believed. Public Policy Polling showed that Cutler supporters would break 55% for Michaud and 35% for LePage.²³⁰ Breaking down Cutler's 8.4% of the vote in this way would give LePage an outright majority with just over 51% of the vote.

The "greens" message simply didn't seem to resonate with voters. Any way you cut it, LePage won a commanding victory in spite of the "greens" massive investment, a weak incumbent, and a relatively popular challenger. There aren't really any excuses to be had here, it was a clear-cut loss with no other reasonable explanation.

Pennsylvania - Governor

This race is worth discussing only briefly because it is the only race for Governor that the "greens" won that they invested any money in, but where they had little if any impact. In truth, while incumbent Republican Governor Tom Corbett won a commanding victory in 2010, his

²²³ "New PAC's support of Michaud draws criticism from his opponents", Portland Press Herald, By: Michael Shepherd, April 3, 2014. Available at: www.pressherald.com/2014/04/03/unions_provide_much_funding_of_new_pac_to_back_michaud/. Last retrieved: 12/3/2014.

²²⁴ "Billionaire Tom Steyer's climate-change group aims to influence Maine election", Portland Press Herald, By: Steve Mistler. Last retrieved: www.pressherald.com/2014/08/26/billionaire-tom-steyers-climate-change-group-aims-to-influence-maine-election/. Last retrieved: 12/3/2014.

²²⁵ Maine Conservation Voters Action Fund - "Quality" Available at: <https://www.youtube.com/watch?v=uWY3IA1RDdk>. Last retrieved: 12/3/2014.

²²⁶ Clear Choice - Maine League of Conservation Voters. Available at: <https://www.youtube.com/watch?v=y2IhyZmS85A>. Last retrieved: 12/3/2014.

²²⁷ LePage for Governor - Issues - Safeguarding Maine's Environment. Available at: lepage2014.com/issues/safeguarding-maines-environment/. Last retrieved: 12/3/2014.

²²⁸ Maine Election Results, The New York Times, November 20, 2014. Available at: elections.nytimes.com/2014/maine-elections. Last retrieved: 12/3/2014.

²²⁹ Real Clear Politics - Maine Governor - LePage vs. Michaud vs. Cutler. Available at: www.realclearpolitics.com/epolls/2014/governor/me/maine_governor_lepage_vs_michaud_vs_cutler-3558.html#polls. Last retrieved: 12/3/2014.

²³⁰ Maine's Governor's Race Still Tied, Public Policy Polling, October 24, 2014. Available at: www.publicpolicypolling.com/main/paul-lepage/. Last retrieved: 12/3/2014.

tenure as Governor started out and ended full of controversy, ranging from his handling of the Penn State scandal to education funding.²³¹ Once the Democrats nominated Tom Wolf, a relatively unthreatening businessman,²³² the race was all but over.

Indeed, while Corbett lost by nearly 10%, this was actually a significant improvement from where he was at one point when he trailed by as much as 24%.²³³ The “greens” did spend about \$1 million during the summer, but then stopped when it became obvious Wolf would prevail regardless of what they did.²³⁴ In a state as large and as expensive as Pennsylvania, \$1 million does not go all that far. The “greens” may have favored Wolf’s environmental policies to Corbett’s, but neither their money nor the issue of the environment played a significant role in the campaign. To the degree it accomplished anything, it just piled on to Corbett’s problems that already were going to sink him.

Northwest State Senate Races

The Pacific Northwest states of Oregon and Washington had something in common: both states had Democratic Governors who were very friendly to the “greens”, John Kitzhaber and Jay Inslee, respectively. Also, both wanted to pass climate change regulations locally, and both were blocked by their respective State Senate chambers by just one vote.²³⁵ Finally, in both cases, NextGen Climate intervened and spent millions, specifically to try to ensure that both Kitzhaber and Inslee were able to pass the desired climate change legislation.²³⁶ They were, however, different in the outcomes.

In Oregon, the situation was fairly straightforward. Governor Kitzhaber needed a one more vote in the state Senate and, while it was controlled by his party, there was one Democratic holdout, Democratic state Senator Betsy Johnson, which stalled his climate change legislation by

²³¹ "Tom Wolf poised to buck trend, unseat Pennsylvania Gov. Tom Corbett", The Washington Times, By: David Boyer, October 5, 2014. Available at: www.washingtontimes.com/news/2014/oct/5/democrat-tom-wolf-poised-to-unseat-gov-tom-corbett/?page=all. Last retrieved: 12/3/2014.

²³² "Tom Wolf wins Democratic nomination for Pennsylvania governor", Pittsburgh Post-Gazette, By: James O'Toole, May 21, 2014. Available at: www.post-gazette.com/news/politics-state/2014/05/20/Millionaire-businessman-Tom-Wolf-wins-Democratic-nomination-for-governor-in-Pennsylvania/stories/201405200209. Last retrieved: 12/3/2014.

²³³ Real Clear Politics, Pennsylvania Governor - Corbett vs. Wolf. Available at: www.realclearpolitics.com/epolls/2014/governor/pa/pennsylvania_governor_corbett_vs_wolf-3535.html#polls. Last retrieved: 12/3/2014.

²³⁴ "PA-Gov: NextGen Climate Sees Success in Pennsylvania", Written by: Ryan Fucci, September 4, 2014. Available at: www.politicspa.com/pa-gov-nextgen-climate-sees-success-in-pennsylvania/60173/. Last retrieved: 12/3/2014.

²³⁵ "Kitzhaber And Inslee Face Legislative Roadblocks On Climate Agreement", Northwest Public Radio, By: Cassandra Profita, November 4, 2013. Available at: nwpr.org/post/kitzhaber-and-inslee-face-legislative-roadblocks-climate-agreement. Last retrieved: 12/3/2014.

²³⁶ "NextGen to target state legislature races in Washington, Oregon", The Hill, By: Timothy Cama, September 24, 2014. Available at: thehill.com/policy/energy-environment/218832-nextgen-to-target-state-legislature-races-in-washington-oregon. Last retrieved: 12/3/2014.

voting with the Republicans.²³⁷ The “greens” goal was thus simply to pick up one seat in the state Senate to make Johnson’s vote unnecessary. They targeted Republican state Senator Betsy Close for defeat, and succeeded, she lost in a landslide to Democratic state Representative Sara Gelsler.²³⁸

In the case of Washington State, however, things were a bit more complicated. When “green” ally Governor Inslee was first elected in 2012, his party appeared to control the state Senate. Feeling the state was drifting too far to the left, however, two moderate Democratic State Senators formed a coalition caucus with Republicans, throwing control of the chamber to the “Majority Coalition Caucus” made up of all of the Republicans and two moderate Democrats. Opponents called the move a “coup,”²³⁹ but three other Democrats who were not directly part of the coalition accepted assignments as Committee Chairs.²⁴⁰ Democratic Senator Rodney Tom, originally a moderate Republican-turned-Democrat,²⁴¹ became the state Senate Majority Leader.²⁴² This coalition threatened to doom Inslee’s climate agenda.²⁴³

The “greens”, and specifically NextGen Climate’s Tom Steyer, got involved quickly in a special election in 2013. First, Steyer spent \$525,000, by way of the Washington League of Conservation Voters and She’s Changed PAC, on a special election to replace then state Senator Derek Kilmer, who was elected to Congress in 2012.²⁴⁴ Steyer intended to spend more money on the race, as much as \$3 million, in the final weeks of the race, but was caught in an apparent violation of campaign finance laws,²⁴⁵ which caused him to back off.²⁴⁶ Democrat Nathan

²³⁷ "Republican gains in Wash. Legislature spoil plans for a West Coast bloc of climate action states", ClimateWire, By: Nathanael Massey, E&E Reporter, November 6, 2014. Available at: www.eenews.net/climatewire/stories/1060008481. Last retrieved: 12/3/2014.

²³⁸ "Gelsler takes District 8 Senate seat", Corvallis Gazette-Times, By: Bennett Hall, November 4, 2014. Available at: www.gazettetimes.com/news/gelsler-takes-district-senate-seat/article_5b8ed8da-6490-11e4-bedc-5ffe6409c164.html. Last retrieved: 12/3/2014.

²³⁹ "'Coup' Caucus Takes Over", SeattleMet, By: Josh Feit, January 14, 2013. Available at: www.seattlemet.com/news-and-profiles/publicola/articles/coup-complete-senate-votes-in-sen-toms-committee-structure. Last retrieved: 12/3/2014.

²⁴⁰ Id.

²⁴¹ "Understanding Rodney Tom would teach Democrats a lot", Crosscut.com, By: John Carlson, January 29, 2013. Available at: crosscut.com/2013/01/29/under-the-dome/112623/why-democrats-lost-control-state-senate/. Last retrieved: 12/3/2014.

²⁴² "'Coup' Caucus Takes Over", SeattleMet, By: Josh Feit, January 14, 2013. Available at: www.seattlemet.com/news-and-profiles/publicola/articles/coup-complete-senate-votes-in-sen-toms-committee-structure. Last retrieved: 12/3/2014.

²⁴³ "The Inslee-Steyer Climate Plan?", Secure our Fuels, May 14, 2014. Available at: www.secureourfuels.org/2014/05/14/the-inslee-steyer-climate-plan/. Available at: 12/5/2014.

²⁴⁴ "Washington Governor Finds Wealthy Partner In Fight Against Climate Change," NW News Network, By: Austin Jenkins, May 6, 2014. Available at: nwnewsnetwork.org/post/washington-governor-finds-wealthy-partner-fight-against-climate-change. Last retrieved: 12/5/2014.

²⁴⁵ "Has California Billionaire and Wannabe Green Political Giant Tom Steyer Broken Washington Campaign Finance Law?" Washington Focus, October 22, 2013. Available at: <http://washingtonfocus.net/has-california-billionaire-and-wannabe-green-political-giant-tom-steyer-broken-washington-campaign-finance-law/>. Last retrieved: 12/5/2014.

Schlicher was appointed to the seat till the special election was held, but Republican State Representative Jan Angle won by 4%,²⁴⁷ cementing Republican control of the state Senate.

However, next year, particularly after State Senate Majority Leader Rodney Tom announced his retirement,²⁴⁸ the “greens” decided to redouble their efforts to retake the state Senate: Steyer and his allies decided to spend \$1 million into the effort.²⁴⁹ The two races that were most heavily targeted was moderate Democrat Tim Sheldon,²⁵⁰ part of the Majority Caucus Coalition, who faced liberal Democrat Irene Bowling,²⁵¹ and the seat of retiring Democratic State Senator Tracey Eide, where Republican Mark Miloscia, a former Democratic State Representative who switched parties, faced Democrat Shari Song.²⁵²

While a “green” ally won the seat of retiring Senate Majority Leader Rodney Tom,²⁵³ in spite of the massive “green” spending binge, both Tom and Miloscia won by about 9%²⁵⁴ and

²⁴⁶ "Jan Angel's Victory and Ascent to the State Senate Holds Hard Lessons...for Democrats," November 23, 2014. Available at: washingtonfocus.net/jan-angels-victory-and-ascent-to-the-state-senate-holds-hard-lessons-for-democrats/. Last retrieved: 12/4/2014.

²⁴⁷ "Jan Angel's Victory and Ascent to the State Senate Holds Hard Lessons...for Democrats," November 23, 2014. Available at: washingtonfocus.net/jan-angels-victory-and-ascent-to-the-state-senate-holds-hard-lessons-for-democrats/. Last retrieved: 12/4/2014.

²⁴⁸ "Senate Majority Leader Rodney Tom to retire from Legislature", Seattle Post-Intelligencer, By: Joel Connelly, April 14, 2014. Available at: blog.seattlepi.com/seattlepolitics/2014/04/14/senate-majority-leader-rodney-tom-to-retire-from-legislature/. Last retrieved: 12/5/2014.

²⁴⁹ "Green activist Tom Steyer puts \$1 million into Washington climate PAC", Seattle Post Intelligencer, By: Joel Connelly, Available at: blog.seattlepi.com/seattlepolitics/2014/09/23/green-activist-steyer-puts-1-million-into-washington-climate-pac/. Last retrieved: 12/5/2014.

²⁵⁰ "To win back the Senate, Democrats target ... a Democrat", The Seattle Times, By: Joseph O'Sullivan, November 2, 2014. Available at: seattletimes.com/html/localnews/2024932221_senatebattlegroundxml.html. Last retrieved: 12/5/2014.

²⁵¹ "Maverick Sen. Tim Sheldon winning in 35th district race that his Republican allies needed to keep Senate control", The Olympian, By: Brad Shannon, November 4, 2014. Available at: www.theolympian.com/2014/11/04/3408521_maverick-sen-tim-sheldon-winning.html?rh=1. Last retrieved: 12/5/2014.

Note: Washington State has a “top two” runoff system whereby the party preference of the candidate is included in the initial election, but the final, November election is held between the top-two candidates, regardless of party.

²⁵² "Republicans lead in Senate spending as money gravitates to battlegrounds," The Olympian, By: Jordan Schrader, October 25, 2014. Available at: www.theolympian.com/2014/10/25/3390350/republicans-lead-in-senate-spending.html. Last retrieved: 12/5/2014.

²⁵³ "Democrats trailing in state Senate races", The Seattle Times, By: Lynn Thompson, November 4, 2014. Available at: seattletimes.com/html/localnews/2024953461_elexlegislaturexml.html. Last retrieved: 12/5/2014.

²⁵⁴ November 4, 2014 General Election, Legislative District 35. Available at: results.vote.wa.gov/results/current/LegislativeDistrict35.html. Last retrieved: 12/5/2014.

over 11%,²⁵⁵ respectively. As Miloscia ran under the Republican banner, this gave Republicans unqualified control of the state Senate.²⁵⁶

It is difficult to know what kinds of attacks the “greens” money paid for, as it was funneled through various committees that aren’t subject to as clear disclosure laws as they are in federal races. However, what is clear is that Miloscia, a strong Catholic, was subject to some of the most base, bigoted anti-Catholic attacks in years, so much so that it shocked even the reliably left-wing newspaper the Seattle Post Intelligencer, who said it “ranks as the nastiest single attack of Washington’s 2014 campaign.”²⁵⁷ There is no proof Steyer or any of his affiliated groups were responsible for the ad, but the opaque nature of the money that was poured into various committees, NextGen Climate’s money was funneled through at least 4 separate PAC’s as well as other individuals,²⁵⁸ make it impossible to know for sure.

Whatever the case may be, in a state as historically “green” friendly as Washington State, the “greens” money failed to flip the state Senate, and in fact solidified control of the State Senate in the hands of those who oppose them. In Oregon, which did not have the same dynamic of control of the State Senate, nor as strong of candidates as the Republicans in Washington State did, their strategy did work. This would suggest that, whatever the case, the “greens” money and candidates may have mattered, but their message about climate change, to the degree it was even an issue in the campaign, failed to strongly register.

Conclusion

In poll after poll, asking what domestic policy issues sway voters, environmental issues always come in at the bottom of the list. During the 2014 election cycle, when asked which 10 problems the government should be working on, the environment was included less than 15% of the time.²⁵⁹ In other words, more than 85% of voters did not consider the environment even on the list of their top ten issues. In February, 2015, the Gallup organization asked the open-ended question “What do you think is the most important problem facing this country today?” The

²⁵⁵ November 4, 2014 General Election - Legislative District 30. Available at: results.vote.wa.gov/results/current/LegislativeDistrict30.html. Last retrieved: 12/5/2014.

²⁵⁶ "Democrats trailing in state Senate races", The Seattle Times, By: Lynn Thompson, November 4, 2014. Available at: seattletimes.com/html/localnews/2024953461_elexlegislaturexml.html. Last retrieved: 12/5/2014.

²⁵⁷ "Anti-Catholic mockery directed at Mark Miloscia in Federal Way state Senate race", The Seattle Post Intelligencer, October 27, 2014. Available at: blog.seattlepi.com/seattlepolitics/2014/10/27/anti-catholic-mockery-directed-at-miloscia-in-state-senate-race/. Last retrieved: 12/5/2014.

²⁵⁸ Public Disclosure Commission - Search The Database - Committees - Expenditures. Available at: www.pdc.wa.gov/MvcQuerySystem/CommitteeData/expenditures?param=TkVYVEdDIDAwnQ%3D%3D%3D&year=2014&type=continuing. Last retrieved: 12/5/2014.

²⁵⁹ The Associated Press, “The People’s Agenda: America’s Priorities and Outlook for 2014. Available at: http://www.apnorc.org/PDFs/Peoples%20Agenda/AP-NORC-The%20Public%20Agenda_FINAL.pdf, accessed 3/22/2015.

environment (or pollution) was identified as the most important problem by only 1 percent of the respondents and climate change did not appear on the list at all.²⁶⁰

These are not new findings. Environmental activists recognize they have no issue that uniformly or significantly sway a voting block sufficient to affect the outcome of an election. The 2014 elections document this problem. Yet, these mainstream organizations continue to pour time, money and personnel resources into political elections. E&E Legal will further investigate the nature of this political activity for one simple reason. Every dollar misspent on a political campaign, every hour of a dedicated environmentalist's time, is a dollar and an hour not spent on the core purposes of environmental organizations. The League of Conservative Voters, the Natural Resources Defense Fund, the Sierra Club, and the many other organizations that serve only to promote political power, have forsaken traditional concerns about clean water, clean air and wise use of natural resources. Their leadership has chosen to play on a different plane. In many cases, the organizations have simply become conduits for political money. John Muir would not approve, and those of us deeply committed to sensible management of our land, air and water are saddened by the loss of these volunteers and resources that had for so long been an important part of our conservation culture.

²⁶⁰ Gallup, "Most Important Problem" (2015), available at: <http://www.gallup.com/poll/1675/most-important-problem.aspx>, accessed 3/22/2015.