

Joseph, Kara

From: Evans, Clyde
Sent: Thursday, February 04, 2010 6:31 PM
To: Joseph, Kara
Subject: RE: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

OK

Clyde

From: Joseph, Kara
Sent: Wednesday, February 03, 2010 4:19 PM
To: Adams, John; Aichele, Nathan - Sen. Faber; Allen, Lisa - Sen. Hughes; Amstutz, Ron; Bacon, Kevin; Batchelder, Bill; Blessing, Louis; Bloomfield, Debra - Sen. Buehrer; Boose, Terry; Bubp, Danny; Burke, Dave; Carey, Kelly - Sen. Jones; Coley, Bill; Combs, Courtney; Crews, Jessica - Sen. Seitz; Derickson, Timothy; Evans, Clyde; Goodwin, Bruce; Hackett, Robert; Hall, Dave; Hite, Cliff; Huffman, Matt; Jordan, Kris; Lehner, Peggy; Lynch, Tim - Sen. Patton; Maag, Ron; Martin, Jarrod; Miller, Candice - Sen. Niehaus; Morgan, Seth; Park, Becki - Sen. Gillmor; Pettigrew, Emily - Sen. Gibbs; Pusecker, Donna - Sen. Wagoner; Rep. Barb Sears; Rep. Dave Burke; Sears, Barbara; Snitchler, Todd; Stebelton, Gerald; Uecker, Joseph; Wachtmann, Lynn; Wiseman, Bret - Sen. Carey; Zehringer, Jim
Cc: Bremer, Andrew; Brusky, Nicholas; Bryan, Cale; Caveda, Carrie; Chichelli, Sean; Evans, Michael; Huddle, Kathryn; Jolliff, Kinsey; Jordan, Rachel; Joseph, Kara; Kasych, Shawn; Lowe, Walt; Lyle, Jenelle; Maloney, Patrick; McCullough, Sean; Miles, Alyson; Nelson, Shawn; Plottner, Jordan; Rodgers, Michael; Ross, Sheila; Russell, Dustin; Sheppard, Jimmy; Slonaker, Nathan; Stanek, Kevin; Tully, Patrick; Valentine, Lisa; Walling, Elizabeth; Waugh, Spencer; Wilson, Erica
Subject: FW: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

ALEC members,

Rep. Adams signed on to this letter and encourages you to do the same. Feel free to let me know if you want to sign on and I will forward your name.

Thank you!

Kara Joseph
Legislative Aide
Office of Rep. John Adams
House Minority Whip
Ohio House of Representatives
Phone: (614) 466-1507

From: Stephanie Linn [mailto:slinn@alec.org]
Sent: Tuesday, January 26, 2010 3:04 PM
To: Joseph, Kara
Subject: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

ALEC

Issue Alert

To: ALEC Members

From: Matt Warner, Natural Resources Task Force Director

Date: January 26, 2010

Re: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

We are sending a letter to members of the U.S. Senate to provide ALEC's position against EPA's Tailoring rule—a rule that attempts to use the Clean Air Act to regulate greenhouse gases. ALEC believes the issue of greenhouse gas regulation should be deliberated and decided in a legislative body—not the EPA—made up of elected officials accountable to the people. We have seen over the last few years in Congress that proposals such as cap and trade have been met with considerable debate as serious concerns over science, economy and the law have emerged. Despite this, the EPA under President Obama has moved swiftly to skirt Congress and implement a regulatory scheme through existing law—the Clean Air Act. Opposition to this approach has come from both sides of the climate change debate as even state regulators have asked the EPA to delay this monster rule. A bipartisan effort has emerged in the Senate to pass a resolution of disapproval of the EPA's effort.

A copy of the letter ALEC will be sending is found below. **To join the letter, email Matt Warner at mwarner@alec.org.** To learn more about the EPA's rule, visit ALEC's new [EPA Regulation webpage](#). The text of Senate Joint Resolution 26 follows the letter below.

[Begin Letter]

The American Legislative Exchange Council is alarmed by the U.S. Environmental Protection Agency (EPA)'s plan to regulate greenhouse gases under the Clean Air Act (CAA). We are encouraged by efforts such as the bipartisan resolution S.J. Res. 26 introduced by Senator Lisa Murkowski (R-Alaska) and Senator Blanche Lincoln (D-Ark.) to prevent the EPA from this action. The Clean Air Act is ill-suited for the purpose of regulating greenhouse gases as evidenced, in part, by the EPA's Tailoring Rule itself which attempts to limit the draconian impact of their efforts by substituting new thresholds for those enumerated in law. The hope is to delay regulation for small emission sources, but the truth is both large and small emission sources in most states will be required to comply under current laws. Despite this attempted fix, EPA Administrator Lisa Jackson has repeatedly acknowledged that the Obama administration would prefer that Congress, not the EPA, decide what, if any, rules should apply to greenhouse gas emissions.

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Thank you for your consideration.

[End Letter]

To join this letter, email Matt Warner at mwarner@alec.org.

111th CONGRESS
2d Session
S. J. RES. 26
IN THE SENATE OF THE UNITED STATES

January 21, 2010

JOINT RESOLUTION

Disapproving a rule submitted by the Environmental Protection Agency relating to the endangerment finding and the cause or contribute findings for greenhouse gases under section 202(a) of the Clean Air Act.

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The American Legislative Exchange Council
1101 Vermont Avenue, NW | 11th Floor | Washington, D.C. 20005
phone: 202-466-3800 | fax: 202-466-3801

Joseph, Kara

From: Nathan Coffey [ncoffey@alec.org]
Sent: Thursday, February 04, 2010 5:48 PM
To: Joseph, Kara
Subject: American Legislative Exchange Council Federal Relations Working Group Conference Call
Federal Relations Working Group American Legislative Exchange Council Federal Relations Working Group Conference Call



**American Legislative Exchange Council
Federal Relations Working Group
Conference Call**

The American Legislative Exchange Council (ALEC) Federal Relations Working Group is pleased to invite you to participate on a conference call with

U.S. Representative Devin Nunes (R-CA)

The Role of the States in the 2010 Conservative Agenda
Thursday, February 11 from 2:00pm - 2:30pm EST

Call or e-mail Karla Jones at 202-742-8518 or kjones@alec.org to RSVP and to get the codes necessary to participate on the call.

Representative Nunes wants your input!



He is Co-Chair of GOP State Solutions which actively fights bureaucracy, inefficiency and waste, and promotes better solutions to the challenges facing our nation. He recognizes better than many federal legislators that innovative ideas are born in the states and that the states are ideal laboratories to test concepts that can later be explored at the national level.

Congressman Devin Nunes is on the powerful House Ways and Means Committee, which has jurisdiction over taxes, healthcare, Social Security, trade and other important federal programs. He also serves as the Assistant Republican Whip. During the call he will discuss the conservative agenda for the coming year, address the proposed budget and its record deficit, healthcare, cap and trade, and climate change. Nunes is in his fourth year representing California's 21st District, located in the agriculturally rich San Joaquin Valley.

We look forward to your participation in a dialogue where your voice can have an impact on national policy.

The American Legislative Exchange Council

1101 Vermont Avenue, NW | 11th Floor | Washington, D.C. 20005 phone: 202-466-3800 | fax: 202-466-

Joseph, Kara

From: Evans, Michael
Sent: Thursday, February 04, 2010 2:32 PM
To: Joseph, Kara
Subject: RE: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

Kara:

Rep. Maag would like to sign on. Thanks!!

Michael J. Evans

Legislative Aide
Representative Ron Maag, District 35
Ohio House of Representatives
p: (614) 644-6023
f: (614) 719-3589

From: Joseph, Kara
Sent: Wednesday, February 03, 2010 4:19 PM
To: Adams, John; Aichele, Nathan - Sen. Faber; Allen, Lisa - Sen. Hughes; Amstutz, Ron; Bacon, Kevin; Batchelder, Bill; Blessing, Louis; Bloomfield, Debra - Sen. Buehrer; Boose, Terry; Bubp, Danny; Burke, Dave; Carey, Kelly - Sen. Jones; Coley, Bill; Combs, Courtney; Crews, Jessica - Sen. Seitz; Derickson, Timothy; Evans, Clyde; Goodwin, Bruce; Hackett, Robert; Hall, Dave; Hite, Cliff; Huffman, Matt; Jordan, Kris; Lehner, Peggy; Lynch, Tim - Sen. Patton; Maag, Ron; Martin, Jarrod; Miller, Candice - Sen. Niehaus; Morgan, Seth; Park, Becki - Sen. Gillmor; Pettigrew, Emily - Sen. Gibbs; Pusecker, Donna - Sen. Wagoner; Rep. Barb Sears; Rep. Dave Burke; Sears, Barbara; Snitchler, Todd; Stebelton, Gerald; Uecker, Joseph; Wachtmann, Lynn; Wiseman, Bret - Sen. Carey; Zehringer, Jim
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Subject: FW: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

ALEC members,

Rep. Adams signed on to this letter and encourages you to do the same. Feel free to let me know if you want to sign on and I will forward your name.

Thank you!

Kara Joseph

*Legislative Aide
Office of Rep. John Adams
House Minority Whip
Ohio House of Representatives
Phone: (614) 466-1507*

From: Stephanie Linn [mailto:slinn@alec.org]
Sent: Tuesday, January 26, 2010 3:04 PM
To: Joseph, Kara
Subject: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

ALEC

Issue Alert

To: ALEC Members
From: Matt Warner, Natural Resources Task Force Director
Date: January 26, 2010
Re: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

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[Begin Letter]

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The Clean Air Act is ill-suited for the purpose of regulating greenhouse gases as evidenced, in part, by the EPA's Tailoring Rule itself which attempts to limit the draconian impact of their efforts by substituting new thresholds for those enumerated in law. The hope is to delay regulation for small emission sources, but the truth is both large and small emission sources in most states will be required to comply under current laws. Despite this attempted fix, EPA Administrator Lisa Jackson has repeatedly acknowledged that the Obama administration would prefer that Congress, not the EPA, decide what, if any, rules should apply to greenhouse gas emissions.

America's economic recovery depends on affordable energy to sustain growth and re-employ workers. EPA's proposed regulatory approach is directly at odds with economic growth and job creation at a time in this country when both are desperately needed.

Allowing EPA to proceed with this regulatory approach in the absence of the people's directive through their elected members of Congress is tantamount to allowing unelected bureaucrats to determine the legislative agenda. Congress must not allow the EPA to dictate its priorities, and S. J. Res. 26 will ensure that the EPA's rule will not destroy our economic recovery and the jobs that depend on it.

Thank you for your consideration.

[End Letter]

To join this letter, email Matt Warner at mwarner@alec.org.

111th CONGRESS

2d Session

S. J. RES. 26

IN THE SENATE OF THE UNITED STATES

January 21, 2010

JOINT RESOLUTION

Disapproving a rule submitted by the Environmental Protection Agency relating to the endangerment finding and the cause or contribute findings for greenhouse gases under section 202(a) of the Clean Air Act.

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The American Legislative Exchange Council

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phone: 202-466-3800 | fax: 202-466-3801

Joseph, Kara

From: Dave Myslinski [dmyslinski@alec.org]
Sent: Thursday, February 04, 2010 11:21 AM
To: Dave Myslinski
Subject: ALEC Update: Revised Health Policy Talking Points Attached
Attachments: Goldwater Institute Q-A.pdf; Questions and Answers - ALEC's Freedom of Choice in Health Care Act.pdf

In light of the excellent legal talking points (attached) provided by the Goldwater Institute, I wanted to share updated and revised ALEC health policy talking points (also attached). I've included some information about the "free rider" argument that bill sponsors are facing, and I've added some information about where to find single-payer "horror stories," how to learn about the failed Massachusetts health reform, etc. I hope you find both documents useful as you press forward with your efforts.

As always, keep up the great work, and let me know if we can be of assistance to you. I can be reached at the contact information below or on my cell at 202-725-7127.

All Best,
Christie

* * * *

Christie Herrera
Director, Health and Human Services Task Force
American Legislative Exchange Council
1101 Vermont Avenue, N.W., 11th Floor
Washington, D.C. 20005
Direct: 202-742-8505
Fax: 202-466-3801

Joseph, Kara

From: Bryan, Cale
Sent: Thursday, February 04, 2010 11:13 AM
To: Joseph, Kara
Subject: RE: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

Rep. Blessing will sign on. Thanks.

Cale Bryan

Legislative Aide to Representative Louis W. Blessing, Jr.
Ohio House of Representatives, District 29
(614) 466-9091
(614) 719-3583 (fax)

From: Joseph, Kara
Sent: Wednesday, February 03, 2010 4:19 PM
To: Adams, John; Aichele, Nathan - Sen. Faber; Allen, Lisa - Sen. Hughes; Amstutz, Ron; Bacon, Kevin; Batchelder, Bill; Blessing, Louis; Bloomfield, Debra - Sen. Buehrer; Boose, Terry; Bubb, Danny; Burke, Dave; Carey, Kelly - Sen. Jones; Coley, Bill; Combs, Courtney; Crews, Jessica - Sen. Seitz; Derickson, Timothy; Evans, Clyde; Goodwin, Bruce; Hackett, Robert; Hall, Dave; Hite, Cliff; Huffman, Matt; Jordan, Kris; Lehner, Peggy; Lynch, Tim - Sen. Patton; Maag, Ron; Martin, Jarrod; Miller, Candice - Sen. Niehaus; Morgan, Seth; Park, Becki - Sen. Gillmor; Pettigrew, Emily - Sen. Gibbs; Pusecker, Donna - Sen. Wagoner; Rep. Barb Sears; Rep. Dave Burke; Sears, Barbara; Snitchler, Todd; Stebelton, Gerald; Uecker, Joseph; Wachtmann, Lynn; Wiseman, Bret - Sen. Carey; Zehringer, Jim
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ALEC members,

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Thank you!

Kara Joseph

Legislative Aide

Office of Rep. John Adams

House Minority Whip

Ohio House of Representatives

Phone: (614) 466-1507

From: Stephanie Linn [mailto:slinn@alec.org]
Sent: Tuesday, January 26, 2010 3:04 PM
To: Joseph, Kara
Subject: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

ALEC

Issue Alert

To: ALEC Members
From: Matt Warner, Natural Resources Task Force Director
Date: January 26, 2010
Re: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

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[End Letter]

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Joseph, Kara

From: Russell, Dustin
Sent: Thursday, February 04, 2010 10:50 AM
To: Joseph, Kara
Subject: RE: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

Please add the name Amstutz to this letter.

Thanks,
Dustin

From: Joseph, Kara
Sent: Wednesday, February 03, 2010 4:19 PM
To: Adams, John; Aichele, Nathan - Sen. Faber; Allen, Lisa - Sen. Hughes; Amstutz, Ron; Bacon, Kevin; Batchelder, Bill; Blessing, Louis; Bloomfield, Debra - Sen. Buehrer; Boose, Terry; Bubp, Danny; Burke, Dave; Carey, Kelly - Sen. Jones; Coley, Bill; Combs, Courtney; Crews, Jessica - Sen. Seitz; Derickson, Timothy; Evans, Clyde; Goodwin, Bruce; Hackett, Robert; Hall, Dave; Hite, Cliff; Huffman, Matt; Jordan, Kris; Lehner, Peggy; Lynch, Tim - Sen. Patton; Maag, Ron; Martin, Jarrod; Miller, Candice - Sen. Niehaus; Morgan, Seth; Park, Becki - Sen. Gillmor; Pettigrew, Emily - Sen. Gibbs; Pusecker, Donna - Sen. Wagoner; Rep. Barb Sears; Rep. Dave Burke; Sears, Barbara; Snitchler, Todd; Stebelton, Gerald; Uecker, Joseph; Wachtmann, Lynn; Wiseman, Bret - Sen. Carey; Zehringer, Jim
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ALEC members,

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Kara Joseph
Legislative Aide
Office of Rep. John Adams
House Minority Whip
Ohio House of Representatives
Phone: (614) 466-1507

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phone: 202-466-3800 | fax: 202-466-3801

Joseph, Kara

From: Nelson, Shawn
Sent: Thursday, February 04, 2010 9:28 AM
To: Joseph, Kara
Subject: RE: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

Rep. Snitchler would like to sign.

Shawn Nelson
Legislative Aide to Todd A. Snitchler
State Representative
50th Ohio House District
614-466-9078

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We are sending a letter to members of the U.S. Senate to provide ALEC's position against EPA's Tailoring rule—a rule that attempts to use the Clean Air Act to regulate greenhouse gases. ALEC believes the issue of greenhouse gas regulation should be deliberated and decided in a legislative body—not the EPA—made up of elected officials accountable to the people. We have seen over the last few years in Congress that proposals such as cap and trade have been met with considerable debate as serious concerns over science, economy and the law have emerged. Despite this, the EPA under President Obama has moved swiftly to skirt Congress and implement a regulatory scheme through existing law—the Clean Air Act. Opposition to this approach has come from both sides of the climate change debate as even state regulators have asked the EPA to delay this monster rule. A bipartisan effort has emerged in the Senate to pass a resolution of disapproval of the EPA's effort.

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[Begin Letter]

The American Legislative Exchange Council is alarmed by the U.S. Environmental Protection Agency (EPA)'s plan to regulate greenhouse gases under the Clean Air Act (CAA). We are encouraged by efforts such as the bipartisan resolution S.J. Res. 26 introduced by Senator Lisa Murkowski (R-Alaska) and Senator Blanche Lincoln (D-Ark.) to prevent the EPA from this action.

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Thank you for your consideration.

[End Letter]

To join this letter, email Matt Warner at mwarner@alec.org.

111th CONGRESS

2d Session

S. J. RES. 26

IN THE SENATE OF THE UNITED STATES

January 21, 2010

JOINT RESOLUTION

Disapproving a rule submitted by the Environmental Protection Agency relating to the endangerment finding and the cause or contribute findings for greenhouse gases under section 202(a) of the Clean Air Act.

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The American Legislative Exchange Council

1101 Vermont Avenue, NW | 11th Floor | Washington, D.C. 20005

phone: 202-466-3800 | fax: 202-466-3801

Joseph, Kara

From: Huddle, Kathryn
Sent: Thursday, February 04, 2010 9:05 AM
To: Joseph, Kara
Subject: FW: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases
Attachments: ~WRD000.jpg; image001.jpg

Hi Kara,
Would you please add Rep. Wachtmann's name to this list?
Thank you so much!

Kathryn Huddle

Legislative Aide
Office of State Representative Lynn Wachtmann
75th House District
614-466-3760
Kathryn.Huddle@ohr.state.oh.us

From: Lynn Wachtman [<mailto:lynnwacht@gmail.com>]
Sent: Thursday, February 04, 2010 9:01 AM
To: Huddle, Kathryn
Subject: RE: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

Yes

From: Huddle, Kathryn [<mailto:Kathryn.Huddle@ohr.state.oh.us>]
Sent: Thursday, February 04, 2010 8:29 AM
To: lynn@h2o4ohio.com
Subject: FW: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

Hi Lynn,
Would you like to sign on to this letter as well?
Kathryn

ALEC members,

Rep. Adams signed on to this letter and encourages you to do the same. Feel free to let me know if you want to sign on and I will forward your name.

Thank you!

Kara Joseph
Legislative Aide
Office of Rep. John Adams
House Minority Whip
Ohio House of Representatives

Phone: (614) 466-1507

From: Stephanie Linn [mailto:slinn@alec.org]
Sent: Tuesday, January 26, 2010 3:04 PM
To: Joseph, Kara
Subject: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

To: ALEC Members
From: Matt Warner, Natural Resources Task Force Director
Date: January 26, 2010
Re: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

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111th CONGRESS

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phone: 202-466-3800 | fax: 202-466-3801

Joseph, Kara

From: Sheppard, Jimmy
Sent: Wednesday, February 03, 2010 4:43 PM
To: Joseph, Kara
Subject: RE: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases
Attachments: image001.jpg

Will you add Rep. Martin? Thanks!

JIMMY SHEPPARD

Legislative Aide

*Ohio House of Representatives
State Representative Jarrod B. Martin
70th House District*

Jimmy.Sheppard@ohr.state.oh.us
614.644.6020 (office)



From: Joseph, Kara

Sent: Wednesday, February 03, 2010 4:19 PM

To: Adams, John; Aichele, Nathan - Sen. Faber; Allen, Lisa - Sen. Hughes; Amstutz, Ron; Bacon, Kevin; Batchelder, Bill; Blessing, Louis; Bloomfield, Debra - Sen. Buehrer; Boose, Terry; Bubp, Danny; Burke, Dave; Carey, Kelly - Sen. Jones; Coley, Bill; Combs, Courtney; Crews, Jessica - Sen. Seitz; Derickson, Timothy; Evans, Clyde; Goodwin, Bruce; Hackett, Robert; Hall, Dave; Hite, Cliff; Huffman, Matt; Jordan, Kris; Lehner, Peggy; Lynch, Tim - Sen. Patton; Maag, Ron; Martin, Jarrod; Miller, Candice - Sen. Niehaus; Morgan, Seth; Park, Becki - Sen. Gillmor; Pettigrew, Emily - Sen. Gibbs; Pusecker, Donna - Sen. Wagoner; Rep. Barb Sears; Rep. Dave Burke; Sears, Barbara; Snitchler, Todd; Stebelton, Gerald; Uecker, Joseph; Wachtmann, Lynn; Wiseman, Bret - Sen. Carey; Zehringer, Jim

Cc: Bremer, Andrew; Brusky, Nicholas; Bryan, Cale; Caveda, Carrie; Chichelli, Sean; Evans, Michael; Huddle, Kathryn; Jolliff, Kinsey; Jordan, Rachel; Joseph, Kara; Kasych, Shawn; Lowe, Walt; Lyle, Jenelle; Maloney, Patrick; McCullough, Sean; Miles, Alyson; Nelson, Shawn; Plottner, Jordan; Rodgers, Michael; Ross, Sheila; Russell, Dustin; Sheppard, Jimmy; Slonaker, Nathan; Stanek, Kevin; Tully, Patrick; Valentine, Lisa; Walling, Elizabeth; Waugh, Spencer; Wilson, Erica

Subject: FW: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

ALEC members,

Rep. Adams signed on to this letter and encourages you to do the same. Feel free to let me know if you want to sign on and I will forward your name.

Thank you!

Kara Joseph

*Legislative Aide
Office of Rep. John Adams
House Minority Whip
Ohio House of Representatives
Phone: (614) 466-1507*

From: Stephanie Linn [mailto:slinn@alec.org]
Sent: Tuesday, January 26, 2010 3:04 PM
To: Joseph, Kara
Subject: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases



Issue Alert

To: ALEC Members
From: Matt Warner, Natural Resources Task Force Director
Date: January 26, 2010
Re: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

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Thank you for your consideration.

[End Letter]

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111th CONGRESS

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Joseph, Kara

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Sent: Wednesday, February 03, 2010 4:19 PM
To: Adams, John; Aichele, Nathan - Sen. Faber; Allen, Lisa - Sen. Hughes; Amstutz, Ron; Bacon, Kevin; Batchelder, Bill; Blessing, Louis; Bloomfield, Debra - Sen. Buehrer; Boose, Terry; Bupp, Danny; Burke, Dave; Carey, Kelly - Sen. Jones; Coley, Bill; Combs, Courtney; Crews, Jessica - Sen. Seitz; Derickson, Timothy; Evans, Clyde; Goodwin, Bruce; Hackett, Robert; Hall, Dave; Hite, Cliff; Huffman, Matt; Jordan, Kris; Lehner, Peggy; Lynch, Tim - Sen. Patton; Maag, Ron; Martin, Jarrod; Miller, Candice - Sen. Niehaus; Morgan, Seth; Park, Becki - Sen. Gillmor; Pettigrew, Emily - Sen. Gibbs; Pusecker, Donna - Sen. Wagoner; Rep. Barb Sears; Rep. Dave Burke; Sears, Barbara; Snitchler, Todd; Stebelton, Gerald; Uecker, Joseph; Wachtmann, Lynn; Wiseman, Bret - Sen. Carey; Zehringer, Jim
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Subject: FW: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

ALEC members,

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Thank you!

Kara Joseph

Legislative Aide

Office of Rep. John Adams

House Minority Whip

Ohio House of Representatives

Phone: (614) 466-1507

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Sent: Tuesday, January 26, 2010 3:04 PM
To: Joseph, Kara
Subject: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

AMERICAN LEGISLATIVE EXCHANGE COUNCIL
ALEC

Issue Alert

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From: Matt Warner, Natural Resources Task Force Director
Date: January 26, 2010

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Thank you for your consideration.

[End Letter]

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111th CONGRESS

2d Session

S. J. RES. 26

IN THE SENATE OF THE UNITED STATES

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phone: 202-466-3800 | fax: 202-466-3801

Joseph, Kara

From: Matt Warner [mwarner@alec.org]
Sent: Wednesday, February 03, 2010 1:02 PM
To: Joseph, Kara
Subject: RE: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

That would be great, thanks! We have at least until Friday given the Senate schedule.

From: Joseph, Kara [mailto:Kara.Joseph@ohr.state.oh.us]
Sent: Wednesday, February 03, 2010 12:58 PM
To: Matt Warner
Subject: RE: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

Okay, thank you. I'll try to get you a few more. What is your deadline?

Kara Joseph

*Legislative Aide
Office of Rep. John Adams
House Minority Whip
Ohio House of Representatives
Phone: (614) 466-1507*

From: Matt Warner [mailto:mwarner@alec.org]
Sent: Wednesday, February 03, 2010 12:54 PM
To: Joseph, Kara
Subject: RE: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

Sen. Bob Gibbs

From: Joseph, Kara [mailto:Kara.Joseph@ohr.state.oh.us]
Sent: Wednesday, February 03, 2010 12:47 PM
To: Matt Warner
Subject: RE: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

Matt,

Have any of my other Ohio legislators joined on to this?

- Kara

Kara Joseph

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Office of Rep. John Adams
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From: Matt Warner [mailto:mwarner@alec.org]
Sent: Thursday, January 28, 2010 2:27 PM
To: Joseph, Kara
Subject: Re: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

Thank you! We'll send a copy of final letter. Best, Matt

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

From: Joseph, Kara <Kara.Joseph@ohr.state.oh.us>
To: Matt Warner
Sent: Thu Jan 28 14:18:58 2010
Subject: FW: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

Matt,

Rep. Adams would like to sign on to this letter.

Thank you!

Kara Joseph

Legislative Aide

Office of Rep. John Adams

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<<http://www.alec.org/am/images/issuealertheader1.jpg>>

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ALEC Members

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Date:

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111th CONGRESS

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Date:
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[Begin Letter]

The American Legislative Exchange Council is alarmed by the U.S. Environmental Protection Agency (EPA)'s plan to regulate greenhouse gases under the Clean Air Act (CAA). We are encouraged by efforts such as the bipartisan resolution S.J. Res. 26 introduced by Senator Lisa Murkowski (R-Alaska) and Senator Blanche Lincoln (D-Ark.) to prevent the EPA from this action.

The Clean Air Act is ill-suited for the purpose of regulating greenhouse gases as evidenced, in part, by the EPA's Tailoring Rule itself which attempts to limit the draconian impact of their efforts by substituting new thresholds for those enumerated in law. The hope is to delay regulation for small emission sources, but the truth is both large and small emission sources in most states will be required to comply under current laws. Despite this attempted fix, EPA Administrator Lisa Jackson has repeatedly acknowledged that the Obama administration would prefer that Congress, not the EPA, decide what, if any, rules should apply to greenhouse gas emissions.

America's economic recovery depends on affordable energy to sustain growth and re-employ workers. EPA's proposed regulatory approach is directly at odds with economic growth and job creation at a time in this country when both are desperately needed.

Allowing EPA to proceed with this regulatory approach in the absence of the people's directive through their elected members of Congress is tantamount to allowing unelected bureaucrats to determine the legislative agenda. Congress must not allow the EPA to dictate its priorities, and S. J. Res. 26 will ensure that the EPA's rule will not destroy our economic recovery and the jobs that depend on it.

Thank you for your consideration.

[End Letter]

To join this letter, email Matt Warner at mwarner@alec.org <<mailto:mwarner@alec.org>> .

111th CONGRESS

2d Session

S. J. RES. 26

IN THE SENATE OF THE UNITED STATES

January 21, 2010

JOINT RESOLUTION

Disapproving a rule submitted by the Environmental Protection Agency relating to the endangerment finding and the cause or contribute findings for greenhouse gases under section 202(a) of the Clean Air Act.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Environmental Protection Agency relating to the endangerment finding and the cause or contribute findings for greenhouse gases under section 202(a) of the Clean Air Act (published at 74 Fed. Reg. 66496 (December 15, 2009)), and such rule shall have no force or effect.

The American Legislative Exchange Council

1101 Vermont Avenue, NW | 11th Floor | Washington, D.C. 20005

phone: 202-466-3800 | fax: 202-466-3801

Joseph, Kara

From: Dave Myslinski [dmyslinski@alec.org]
Sent: Wednesday, February 03, 2010 9:14 AM
To: Dave Myslinski
Cc: Christie Raniszewski Herrera
Subject: ALEC Update: New Health Care/Legal Talking Points from the Goldwater Institute
Attachments: Goldwater Institute Q-A.pdf

Thought you would be interested in the outstanding talking points (attached) put together by Clint Bolick and the Goldwater Institute. They give some excellent legal background that you can use in committee hearings or with the press. Kudos to the Goldwater Institute for putting together this great document and for all of their hard work in defending the Health Care Freedom Act nationwide!

As always, keep up the great work, and let me know if we can be of assistance to you. I can be reached at the contact information below or on my cell at 202-725-7127.

All Best,
Christie

* * * *

Christie Herrera
Director, Health and Human Services Task Force
American Legislative Exchange Council
1101 Vermont Avenue, N.W., 11th Floor
Washington, D.C. 20005
Direct: 202-742-8505
Fax: 202-466-3801

Joseph, Kara

From: Christie Raniszewski Herrera [christie@alec.org]
Sent: Monday, February 01, 2010 6:56 PM
Subject: ALEC Update: Freedom of Choice in Health Care Act
Importance: High

Today was a banner day for ALEC's *Freedom of Choice in Health Care Act*. In addition to the fact that 36 states (and counting!) have filed this legislation ...

This afternoon, a trio of Senate bills unexpectedly passed the Democrat-controlled Senate with bipartisan support. The bills would form a "statutory shield" from a federal requirement to purchase health insurance under fine or penalty. The bills now move to the House, where they are expected to pass. Way to go, Virginia!

Today the Associated Press also published a terrific story on our nationwide movement. The story has been picked up by FoxNews.com, the Washington Post, Business Week, and other outlets.

We've also had some great successes over the past month:

- * Missouri held House and Senate hearings last week with a stellar lineup of witnesses and an overflow crowd of conservative grassroots activists. Both committees are likely to take action in the coming days. You can watch video of the Missouri hearings here.
- * Iowa introduced its legislation last week with bipartisan cosponsorship.
- * Idaho's legislation cleared a major committee hurdle last week and now heads to the House floor.
- * Thirty Pennsylvania lawmakers held a rousing presser last week, complete with nearly 100 grassroots activists and coverage from MSNBC.
- * U.S. House Minority Leader John Boehner endorsed our nationwide effort earlier this month.
- * Governing Magazine named this issue one of the "Top 10 Issues to Watch" in the 2010 legislative session.

Please continue to keep ALEC apprised of your upcoming press conferences and hearings (dates, times, locations, etc.). We can send an Issue Alert on your behalf to the ALEC delegation in your state; alert grassroots organizations about these upcoming events; and provide written testimony. All hearing/presser details can be sent to me at christie@alec.org. Similarly, ALEC would be happy to work with ALEC members in your state on bill cosponsorships, scheduling a committee hearing, etc. Just let us know how we can help.

Keep up the great work!

Best,
Christie

* * * *

Christie Herrera
Director, Health and Human Services Task Force
American Legislative Exchange Council
1101 Vermont Avenue, N.W., 11th Floor
Washington, D.C. 20005
Direct: 202-742-8505
Fax: 202-466-3801

Joseph, Kara

From: Jorge Amselle [jamselle@alec.org]
Sent: Friday, January 29, 2010 4:05 PM
To: Joseph, Kara
Subject: ALEC News -- Health Care Freedom and New Model Legislation

ALEC NEWS

January 29, 2010

35 States and Counting

Breaking News:

Kentucky, Maryland, and South Dakota Added Today

Pennsylvania Becomes the 32nd State to Protect Health Care Freedom

The American Legislative Exchange Council (ALEC)—the nation's largest nonpartisan individual membership association of state legislators—congratulates Pennsylvania State Representatives Matthew Baker and Curt Schroder for filing House Bills 2053 and 2179, which protect the right of individuals to make their own health care choices. Representatives Baker and Schroder Held a joint press conference Wednesday, January 27th in the Capitol Rotunda in Harrisburg to discuss their efforts.

Pennsylvania joins 31 other states where legislators have introduced, or will introduce, legislation modeled after ALEC's Freedom of Choice in Health Care Act. Under the legislation, any state attempt to require an individual to purchase health insurance—or forbid an individual from purchasing services outside of the required health care system—would be rendered unconstitutional. The measure may also cause a federalism clash if Congress passes a law with either of these provisions.

"Massachusetts enacted its disastrous individual mandate to thunderous bipartisan applause, and now leaders in Congress are set to wreak the same havoc on the rest of America. Today, Pennsylvania is standing up to say 'no' to these assaults on patients' rights," said Christie Herrera, director of ALEC's Health and Human Services Task Force, which is coordinating the nationwide effort.

FEATURES

 **Federal Health Care Reform**

 **ALEC Info on Prison Overcrowding**

 **ALEC Info on TRADE POLICY**

Cracking ACORN

 **Stop the CEPA**

 **Model Legislation**

Upcoming Meetings

Spring Task Force Summit April 23-24, 2010
St. Louis, MO

37th Annual Meeting
August 5-8, 2010
San Diego, CA

States & Nation Policy Summit
December 1-3, 2010

Washington, D.C.

To unsubscribe, or make changes
to your contact information
please contact:

Jorge Amselle
Director of Public Affairs
Direct (202) 742-8536
Cell (202) 669-9910
jamselle@alec.org



"This is a battle that has been fought before and won before. States may protect individual liberties to a greater extent than the U.S. Constitution allows, and the courts must balance the competing interests. This is the foundation of the effort in Pennsylvania and elsewhere—that health care choice is a civil liberties issue," Herrera added.

The Freedom of Choice in Health Care Act has already been filed or prefiled in 25 states—Alabama, Alaska, Arizona, Florida, Georgia, Idaho, Indiana, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Mexico, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Virginia, Washington, West Virginia, and Wyoming.

Lawmakers in an additional 7 states—Arkansas, Iowa, Kansas, Montana, North Carolina, Rhode Island, and Utah—have publicly announced their intentions to file the legislation. A citizen initiative has also been announced in Colorado.

Arizona's measure, which passed the legislature last June, will be put before voters there on the November ballot.

-- 30 --

Visit [ALEC's Web site](#) for information on how you can add your state to this growing list. The battle over health care reform is far from over.

New ALEC Model Bills for Your State

Approved at ALEC's States and Nation Policy Summit in December, 2009. Please visit us online for full text of the Model Bills at www.alec.org

Commerce, Insurance & Economic Development Task Force Michael Hough, Task Force Director

- *Free Market Constitutional Amendment*
This state constitutional amendment affirms that the free enterprise system shall govern trade and commerce and promotes the dispersion of economic and political power.
- *Resolution on Criminal Background Checks*
The Resolution on Criminal Background Checks supports the implementation of state laws that incentivize employers to voluntarily adopt criminal background check programs.
- *Prohibition against Regulation of Nutritional Information Dissemination*
Establishes a prohibition on menu labeling by local governments.

Education Task Force David Myslinski, Legislative Manager, Education & Health and Human Services Task Forces

- *Resolution Supporting Quality Higher Education*
The Resolution Supporting Quality Higher Education expresses the sense of a state's legislature regarding the importance and value of academic excellence in higher education.
- *The Student-Centered Funding Act*
The Student-Centered Funding Act would create a student-centered finance model based on a weighted student formula in which money "follows" a child to his or her school. Student-centered funding is based on a weighted student formula that helps ensure more funding is allocated to students with more expensive educational needs.

Health and Human Services Task Force
Christie Herrera, Task Force Director

- *Optional Medicaid Benefits Evaluation Act*
Creates rules for expanding Medicaid benefits for a state, and sets requirements that any expansion would have to create clear and measurable net economic benefits and not necessitate a tax increase, among other requirements.

International Relations Task Force
Karla Jones, Task Force Director

- *Resolution Urging the Obama Administration to Launch Negotiations for A Free Trade Agreement With Taiwan*
Whereas Taiwan is a robust democracy, significant trading partner and important strategic U.S. ally, ALEC urges the President to initiate negotiations for a Free Trade Agreement with Taiwan.
- *Resolution Urging The European Union To Repeal Its Ban On The Sale Of Smokeless Tobacco (Snus)*
The European Union's current ban on the sale of snus is in direct violation of one of its own governing principles – that of promoting the free movement of goods within the Union. Further, the European Commission concedes that cigarettes, whose sale is not banned, have far greater health consequences than snus. Therefore ALEC urges the European Commission to conduct the agreed-upon review of the issue and to lift the ban on the sale of snus in the European Union.
- *Resolution On Open And Reciprocal Trade With Canada*
The United States and Canada are the largest trading partners in the world, and have long enjoyed excellent trade and strategic relations. However, issues such as the Buy American Provision of the American Recovery and Reinvestment Act could possibly damage this special relationship. For this reason, ALEC wants to reaffirm its support for open and reciprocal trade with Canada

- *Resolution Establishing An American Legislative Exchange Council Democracy And Governance Program*

The number of young democracies has increased dramatically, but these immature governments can easily backslide into authoritarianism without proper support and governance education. Several members of the International Relations Task Force have expertise in this area and pledge to develop good governance programs for local legislatures abroad that ALEC members can run in at-risk countries.

- *Federal Relations Working Group Resolution On Article V Of The U.S. Constitution*

This Resolution states, "Therefore be it resolved that the American Legislative Exchange Council (ALEC) support and facilitate the education of state legislators about how an Article V Convention called by state legislatures could be reliably limited to an up or down vote on the text of a single amendment to the U.S. Constitution, including the possibility of an amendment that would give two-thirds of the states the explicit right to propose amendments without having to obtain the consent of Congress; Therefore be it further resolved that ALEC facilitate times for legislators interested in working on this issue in more detail to meet during future ALEC meetings and events."

Natural Resources Task Force **Matt Warner, Task Force Director**

- *Resolution To Repeal Section 526* Section 526 of the "Energy Independence and Security Act of 2007 attempts to prohibit agencies of the United States government from purchasing fuels derived from alternative or synthetic fuels, including nonconventional petroleum sources such as fuels derived from coal-to-liquid, oil shale and oil sands. This fuel prohibition is impractical and expensive for government agencies such as the U.S. military that rely on abundant and trusted energy supply sources.
- *Resolution to Retain State Authority Over Hydraulic Fracturing* Hydraulic fracturing is a proven technology with a record of environmentally safe use in oil and gas wells. Federal regulation of hydraulic fracturing under the purview of the Safe Drinking Water Act would add unnecessary regulations and cost to producing domestic natural gas resources. State regulatory agencies are the appropriate governing bodies to provide oversight for hydraulic fracturing due to the unique geological and geographical circumstances of each state.
- *Climate Accountability Act*
This Act requires the inclusion of cost-benefit analysis in state contracts that aim to reduce greenhouse gas emissions. Climate expenditures must include how many tons of carbon

dioxide will be reduced by a climate action, the total cost of the action, and the cost per ton of the carbon dioxide reduction action. State agencies will regularly audit and report on climate expenditure contracts to ensure performance standards are upheld. Funding will be suspended until requirements are met. If contractors have not reduced emissions stipulated in the contract, they will have to provide certified carbon offsets or refund a portion of the funds.

Public Safety And Elections Task Force **Michael Hough, Task Force Director**

- *No Sanctuary Cities For Illegal Immigrants Act*
The provisions of this act are intended to work together to discourage and deter the unlawful entry and presence of aliens and economic activity by persons unlawfully present in the United States.
- *Resolution to Enforce Our Immigration Laws and Secure Our Borders*
This resolution calls on states to enforce immigration laws and end sanctuary policies. This resolution calls on law enforcement officers to execute their authority to arrest any person guilty of hiring, harboring, or transporting illegal immigrants and to turn over illegal immigrants to federal authorities for removal from the United States.
- *Resolution In Opposition To the National Popular Vote Interstate Compact*
This resolution calls on the State of (insert state) to oppose the plan popularly known as National Popular Vote. The National Popular Vote scheme threatens freedom, representation, and the identity of the United States as a confederation of distinct governing bodies who act according to the wishes of the majority of their citizens. The National Popular Vote scheme would undermine state authority and give some states power over the voice of others. It would render minority groups voiceless and empower densely populated and ideologically homogenous regions as well as radical fringe groups.
- *ALEC Resolution on McDonald Vs. Chicago*
The ALEC Resolution on McDonald vs. Chicago affirms that the Second Amendment and the fundamental right of self-defense applies to Americans throughout the United States, regardless of where they live, against state and local governments so as to prohibit their infringement of the right to keep and bear arms.
- *Resolution Opposing Federal Takeover Of State Election Procedures*
This resolution opposes federal legislation which would establish a federally mandated, universal, government-run voter registration system. It affirms that states, rather than the federal government should have the responsibility of managing the

election process. It opposes any further federal takeover of local election processes, as well as any unfunded mandates in the administration of elections. It also reinforces the importance of photo identification and citizenship requirements.

- *Resolution Supporting Creation Of Disaster Evacuation Efforts That Assist In Protecting The Most Vulnerable*

The Resolution Supporting Creation of Disaster Evacuation Efforts That Assist in Protecting the Most Vulnerable supports the creation of certain information tools to assist in evacuating the most vulnerable in disaster situations.

Tax And Fiscal Policy Task Force

Jonathan Williams, Task Force Director

- *Amendment To Alec's Statement Of Principles On State And Local Government Pension And Other Post Employment Benefit (Opeb) Plans*

To solve the funding crises in state and local defined benefit pension and other post employment benefit (OPEB) plans for public employees, the American Legislative Exchange Council recommends that defined benefit plans be replaced by defined contribution plans.

- *A Resolution Opposing Discriminatory Food and Beverage Taxes*

This resolution opposes all efforts to impose new taxes on food and beverages which will constitute an additional burden on American families. It is vital that public policy makers help taxpayers retain their tenuous hold on financial security by shielding them from even more burdensome new taxes.

- *Statement of Principles for Model State Laws to Encourage Philanthropic Creation and Operation*

The fundamental principles presented here provide guidance to promote and facilitate innovation and simplicity in the philanthropic sector and safeguard the freedom of foundations to pursue their diverse and myriad charitable purposes.

- *Model State Administrative Tax Tribunal Act*

To increase public confidence in the fairness of the State tax system, this Act fosters the settlement of tax disputes with the creation of an independent agency with tax expertise to resolve disputes between the [department of revenue] and taxpayers.

Telecommunications & Information Technology Task Force

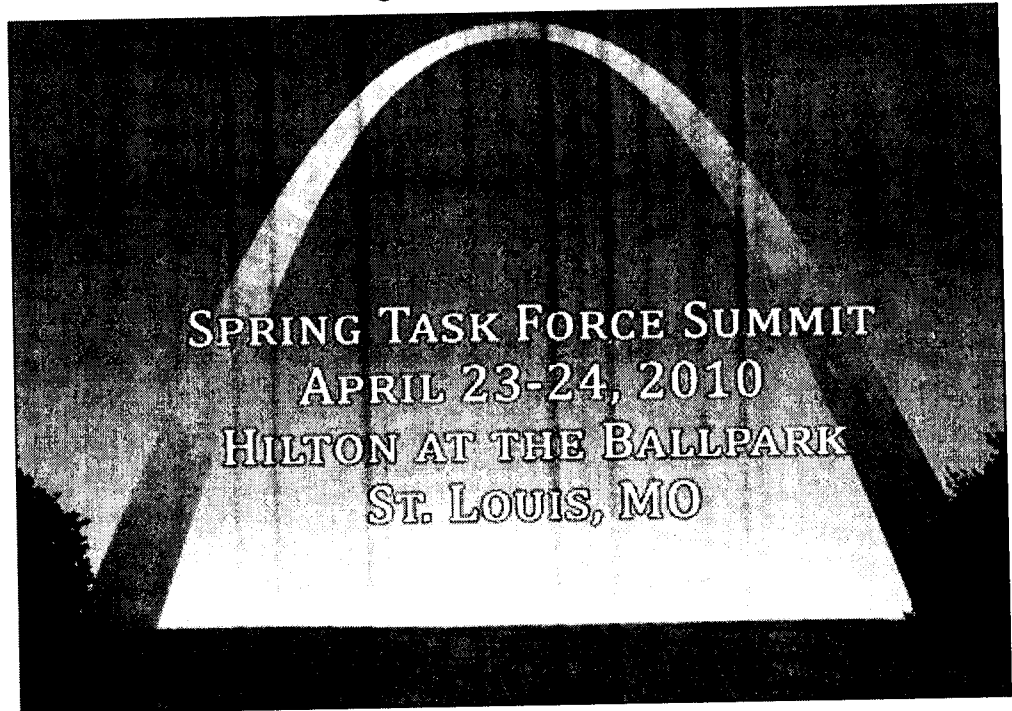
Seth Cooper, Task Force Director

- *ALEC Resolution Opposing State and Local Mandates Requiring Warning Labels on Wireless Devices and Packaging*

The resolution opposes all state and local legislation and regulations that would require health-related warning labeling on wireless devices and packaging or mandate disclosure of

any health-related information about wireless devices at the point-of-sale. The resolution supports sound public policy in the area of health effects and wireless devices that is based on the weight of scientific research.

Register Online Today



SPRING TASK FORCE SUMMIT
APRIL 23-24, 2010
HILTON AT THE BALLPARK
ST. LOUIS, MO

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Joseph, Kara

From: Jorge Amselle [jamselle@alec.org]
Sent: Friday, January 29, 2010 12:13 PM
To: Joseph, Kara
Subject: ALEC Legislative Resources Available for Legislators

ALEC NEWS

Commerce,
Insurance
& Economic
Development

Public Safety
& Elections

International
Relations

Health
& Human
Services

Telecommunications
& Information Technology

Tax & Fiscal
Policy

FEATURES



**Federal Health
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Model Legislation

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August 5-8, 2010
San Diego, CA

**States & Nation Policy
Summit**
December 1-3, 2010
Washington, D.C.

January 29, 2010

ALEC Legislative Resources Available in Your State: Talking Points, Model Legislation, and Sample Press Releases

At ALEC we strive to stay ahead of the issues that most affect the states. As a result we have prepared special sections on our Web site to provide ALEC members with the tools you need to address your most pressing concerns. These tools include our Model Legislation and Resolutions as well as background research, talking points, sample press releases, and other media resources.

ALEC will also be offering free new media and social networking training at our annual meeting specifically geared towards the needs of legislators. More details will be forthcoming.

As always, ALEC members are welcome and encouraged to contact ALEC's Public Affairs Department (jamselle@alec.org or 202-742-8536) for assistance with drafting and distributing press releases, booking radio and television appearances, building media lists, and participating in media training. We include here our three most popular initiatives but we encourage you to check back at [ALEC's Web site](#) throughout the year for updates and new initiatives.

**Free from Choice in
Health Care Act**

to your contact information
please contact:

Jorge Amselle
Director of Public Affairs
Direct (202) 742-8536
Cell (202) 669-9910
jamselle@alec.org



ALEC's Freedom of Choice in Health Care Act How Your State Can Protect Patients' Rights

In December 2008, ALEC's Freedom of Choice in Health Care Act became model legislation. The model language mirrors Arizona Proposition 101, which was narrowly defeated in 2008.

ALEC's Freedom of Choice in Health Care Act protects the rights of patients to pay directly for medical services, and it prohibits penalties levied on patients for declining participation in a particular health plan. The Freedom of Choice in Health Care Act, which was recently the subject of a front-page New York Times article, has already been filed or prefiled in 28 states—Alabama, Alaska, Arizona, Arkansas, Florida, Georgia, Idaho, Indiana, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Mexico, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Virginia, Washington, West Virginia, and Wyoming. Most notably, Arizona's HCR 2014, a revised version of the ALEC model, will be put on the ballot in 2010.

Lawmakers in an additional six states—Iowa, Kansas, Montana, North Carolina, Rhode Island, and Utah—have publicly announced their intentions to file the legislation. A citizen-led initiative has also been announced in Colorado.

For more information about ALEC's health reform initiative, contact Christie Herrera, Director of ALEC's Health and Human Services Task Force, at 202-742-8505 or christie@alec.org.



Climate Change: Cap and Trade Versus the EPA

Efforts to reduce greenhouse gas emissions have emerged through both the legislative and executive branches. Cap and Trade has been the approach favored in legislative vehicles in Congress. The EPA, however, under the direction of the White House, has advanced its plans to regulate greenhouse gases under an existing law, the Clean Air Act. ALEC has established a special section for each of these.

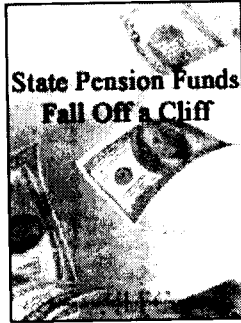
Cap and Trade: A New Tax on Energy

- Latest news
- State-by-state cost breakdown
- Research from other organizations

EPA Regulations:

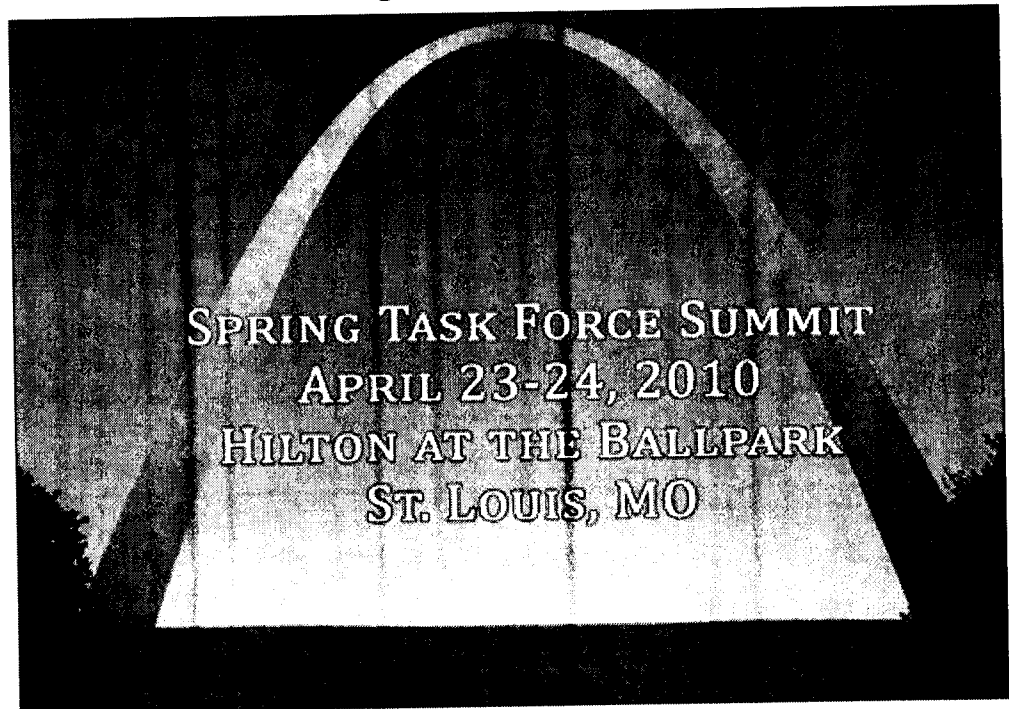
- Sign onto ALEC's letter to the EPA
- Research from other organizations
- News and Media

Budget Solutions for the States: State Pension Funds Fall Off a Cliff



This study examines different measures of historical and current funding shortfalls in state pension plans. Two case studies are examined in greater depth to explore some fatal flaws that have caused funding crises in these plans: Public Employee Retirement Association of Colorado (PERA) and the Kansas Public Employee Retirement System (KPERs). Also provided are talking points and state specific information on this growing threat to state budgets as well as recommendations on long-term solutions.

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phone: (202) 466-3800 | fax: (202) 466-3801

Joseph, Kara

From: Rhodes, Bethany
Sent: Friday, January 29, 2010 10:46 AM
To: Joseph, Kara; Katie Eagan; edward.kozelek@twcable.com
Subject: FW: Resignation Notice

From: Jeff Reed [mailto:jreed@alec.org]
Sent: Friday, January 29, 2010 10:03 AM
To: Jeff Reed
Subject: Resignation Notice

Good morning:

I'm writing to inform you that recently I submitted my resignation letter to Michael Bowman, ALEC's Senior Director of Policy and Strategic Initiatives.

Next month I will be joining the staff of the Foundation for Educational Choice in Indianapolis, Indiana.

From my previous role in ALEC's public relations department to my current position as Education Task Force director, it has been a great honor for me to meet, to work with, and to serve the members and friends of ALEC—you. Our work means so much to me, and to be a part of it—alongside you—has been a tremendous experience.

Following my departure from ALEC, should you have any questions regarding the Education Task Force please contact Dave Myslinski, ALEC's Legislative Manager, at dmyslinski@alec.org or 202-742-8531; or Michael Bowman at mbowman@alec.org or 202-742-8523. For membership questions, contact Chaz Cirame at ccirame@alec.org or 202-745-8517.

Thank you for your support, dedication, and efforts toward bettering our states and country. I sincerely hope we'll get the chance to work together again in the future.

Cordially,

Jeff W. Reed
419-706-7879
jbillreed@yahoo.com

Joseph, Kara

From: Laura Elliott [lelliott@alec.org]
Sent: Thursday, January 28, 2010 2:30 PM
To: Joseph, Kara; edward.kozelek@twcable.com
Cc: Rick Gowdy
Subject: State Chairs Mailing - OH
Attachments: OH-Scholarship Reimbursements 2009.xls; OH-Legislative Members.xls

MEMORANDUM

TO: ALEC State Chairs
FROM: Laura Elliott, *Membership Services Manager*
RE: Monthly Update
DATE: January 28, 2010

Membership Renewals

We are preparing to start sending out membership renewal notices next week. These will be sent to all members whose membership expired 12/31/2009 (please see the attached list). Please make contact with them yourselves and encourage them to renew their membership.

Spring Task Force Summit

ALEC's next meeting is the Spring Task Force Summit which will be held April 23rd and 24th in St. Louis, MO. On-line registration has just opened. Please encourage your members who belong to the Commerce, HHS, Natural Resources, Tax, and Telecom Task Forces to register as soon as possible.

Winter Membership Drive

We need your help to bring new members to ALEC. The start of session is a great time to share our organization with your colleagues and private sector friends. Throughout the first quarter of this year, ALEC will be making a push to get new members. Please take a moment to ask members of your delegation to become advocates for ALEC this year. Our goal is to have every ALEC legislator get a new legislator member. The January-February issue of Inside ALEC will have a special membership application for those new to ALEC. Look for other special membership promotions over the next few weeks.

Membership Events

If your state will be hosting a membership event this spring, please let us know. You can send the information to Laura Elliott at lelliott@alec.org.

Attachments:

Current Legislative Members (including 2009 expired members)
State Scholarship Account Activity/Balance

Please do not hesitate to contact me should you have any questions at lelliott@alec.org or (202) 742-8527.

Laura B. Elliott
American Legislative Exchange Council
1101 Vermont Ave., NW, 11th Floor
Washington, DC 20005
(202) 742-8527

(202) 466-3801 (fax)

Joseph, Kara

From: Matt Warner [mwarner@alec.org]
Sent: Thursday, January 28, 2010 2:27 PM
To: Joseph, Kara
Subject: Re: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

Thank you! We'll send a copy of final letter. Best, Matt

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

From: Joseph, Kara <Kara.Joseph@ohr.state.oh.us>
To: Matt Warner
Sent: Thu Jan 28 14:18:58 2010
Subject: FW: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

Matt,

Rep. Adams would like to sign on to this letter.

Thank you!

Kara Joseph

Legislative Aide

Office of Rep. John Adams

House Minority Whip

Ohio House of Representatives

Phone: (614) 466-1507

From: Stephanie Linn [<mailto:slinn@alec.org>]
Sent: Tuesday, January 26, 2010 3:04 PM
To: Joseph, Kara
Subject: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

<<http://www.alec.org/am/images/issuealertheader1.jpg>>

To:

ALEC Members

From:

Matt Warner, Natural Resources Task Force Director

Date:

January 26, 2010

Re:

Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

We are sending a letter to members of the U.S. Senate to provide ALEC's position against EPA's Tailoring rule—a rule that attempts to use the Clean Air Act to regulate greenhouse gases. ALEC believes the issue of greenhouse gas regulation should be deliberated and decided in a legislative body—not the EPA—made up of elected officials accountable to the people. We have seen over the last few years in Congress that proposals such as cap and trade have been met with considerable debate as serious concerns over science, economy and the law have emerged. Despite this, the EPA under President Obama has moved swiftly to skirt Congress and implement a regulatory scheme through existing law—the Clean Air Act. Opposition to this approach has come from both sides of the climate change debate as even state regulators have asked the EPA to delay this monster rule. A bipartisan effort has emerged in the Senate to pass a resolution of disapproval of the EPA's effort.

A copy of the letter ALEC will be sending is found below. To join the letter, email Matt Warner at mwarner@alec.org <<mailto:mwarner@alec.org>> . To learn more about the EPA's rule, visit ALEC's new EPA Regulation webpage <http://www.alec.org/AM/Template.cfm?Section=EPA_Regulation> . The text of Senate Joint Resolution 26 follows the letter below.

[Begin Letter]

The American Legislative Exchange Council is alarmed by the U.S. Environmental Protection Agency (EPA)'s plan to regulate greenhouse gases under the Clean Air Act (CAA). We are encouraged by efforts such as the bipartisan resolution S.J. Res. 26 introduced by Senator Lisa Murkowski (R-Alaska) and Senator Blanche Lincoln (D-Ark.) to prevent the EPA from this action.

The Clean Air Act is ill-suited for the purpose of regulating greenhouse gases as evidenced, in part, by the EPA's Tailoring Rule itself which attempts to limit the draconian impact of their efforts by substituting new thresholds for those enumerated in law. The hope is to delay regulation for small emission sources, but the truth is both large and small emission sources in most states will be required to comply under current laws. Despite this attempted fix, EPA Administrator Lisa Jackson has repeatedly acknowledged that the Obama administration would prefer that Congress, not the EPA, decide what, if any, rules should apply to greenhouse gas emissions.

America's economic recovery depends on affordable energy to sustain growth and re-employ workers. EPA's proposed regulatory approach is directly at odds with economic growth and job creation at a time in this country when both are desperately needed.

Allowing EPA to proceed with this regulatory approach in the absence of the people's directive through their elected members of Congress is tantamount to allowing unelected bureaucrats to determine the legislative agenda. Congress must not allow the EPA to dictate its priorities, and S. J. Res. 26 will ensure that the EPA's rule will not destroy our economic recovery and the jobs that depend on it.

Thank you for your consideration.

[End Letter]

To join this letter, email Matt Warner at mwarner@alec.org <<mailto:mwarner@alec.org>> .

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JOINT RESOLUTION

Disapproving a rule submitted by the Environmental Protection Agency relating to the endangerment finding and the cause or contribute findings for greenhouse gases under section 202(a) of the Clean Air Act.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Environmental Protection Agency relating to the endangerment finding and the cause or contribute findings for greenhouse gases under section 202(a) of the Clean Air Act (published at 74 Fed. Reg. 66496 (December 15, 2009)), and such rule shall have no force or effect.

The American Legislative Exchange Council

1101 Vermont Avenue, NW | 11th Floor | Washington, D.C. 20005

phone: 202-466-3800 | fax: 202-466-3801

Joseph, Kara

From: Stephanie Linn [slinn@alec.org]
Sent: Tuesday, January 26, 2010 3:04 PM
To: Joseph, Kara
Subject: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

ALEC

Issue Alert

To: ALEC Members
From: Matt Warner, Natural Resources Task Force Director
Date: January 26, 2010
Re: Join Letter Opposing EPA Plan to Regulate Greenhouse Gases

We are sending a letter to members of the U.S. Senate to provide ALEC's position against EPA's Tailoring rule—a rule that attempts to use the Clean Air Act to regulate greenhouse gases. ALEC believes the issue of greenhouse gas regulation should be deliberated and decided in a legislative body—not the EPA—made up of elected officials accountable to the people. We have seen over the last few years in Congress that proposals such as cap and trade have been met with considerable debate as serious concerns over science, economy and the law have emerged. Despite this, the EPA under President Obama has moved swiftly to skirt Congress and implement a regulatory scheme through existing law—the Clean Air Act. Opposition to this approach has come from both sides of the climate change debate as even state regulators have asked the EPA to delay this monster rule. A bipartisan effort has emerged in the Senate to pass a resolution of disapproval of the EPA's effort.

A copy of the letter ALEC will be sending is found below. **To join the letter, email Matt Warner at mwarner@alec.org.** To learn more about the EPA's rule, visit ALEC's new [EPA Regulation webpage](#). The text of Senate Joint Resolution 26 follows the letter below.

[Begin Letter]

The American Legislative Exchange Council is alarmed by the U.S. Environmental Protection Agency (EPA)'s plan to regulate greenhouse gases under the Clean Air Act (CAA). We are encouraged by efforts such as the bipartisan resolution S.J. Res. 26 introduced by Senator Lisa Murkowski (R-Alaska) and Senator Blanche Lincoln (D-Ark.) to prevent the EPA from this action.

The Clean Air Act is ill-suited for the purpose of regulating greenhouse gases as evidenced, in part, by the EPA's Tailoring Rule itself which attempts to limit the draconian impact of their efforts by substituting new thresholds for those enumerated in law. The hope is to delay regulation for small emission sources, but the truth is both large and small emission sources in most states will be required to comply under current laws. Despite this attempted fix, EPA Administrator Lisa

Jackson has repeatedly acknowledged that the Obama administration would prefer that Congress, not the EPA, decide what, if any, rules should apply to greenhouse gas emissions.

America's economic recovery depends on affordable energy to sustain growth and re-employ workers. EPA's proposed regulatory approach is directly at odds with economic growth and job creation at a time in this country when both are desperately needed.

Allowing EPA to proceed with this regulatory approach in the absence of the people's directive through their elected members of Congress is tantamount to allowing unelected bureaucrats to determine the legislative agenda. Congress must not allow the EPA to dictate its priorities, and S. J. Res. 26 will ensure that the EPA's rule will not destroy our economic recovery and the jobs that depend on it.

Thank you for your consideration.

[End Letter]

To join this letter, email Matt Warner at mwarner@alec.org.

111th CONGRESS

2d Session

S. J. RES. 26

IN THE SENATE OF THE UNITED STATES

January 21, 2010

JOINT RESOLUTION

Disapproving a rule submitted by the Environmental Protection Agency relating to the endangerment finding and the cause or contribute findings for greenhouse gases under section 202(a) of the Clean Air Act.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Environmental Protection Agency relating to the endangerment finding and the cause or contribute findings for greenhouse gases under section 202(a) of the Clean Air Act (published at 74 Fed. Reg. 66496 (December 15, 2009)), and such rule shall have no force or effect.

The American Legislative Exchange Council

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phone: 202-466-3800 | fax: 202-466-3801

Joseph, Kara

From: Dave Myslinski [dmyslinski@alec.org]
Sent: Thursday, January 21, 2010 11:48 AM
To: Dave Myslinski
Subject: ALEC Health Care Freedom Act Update

Thought you'd like to hear the good news! Thirty-two states have now filed, or have announced their intentions to file, ALEC's *Freedom of Choice in Health Care Act*—and more are joining the cause every day. For the latest updates and bill filings, check out our online map:
[http://www.alec.org/AM/Template.cfm?Section=ALEC's Freedom of Choice in Health Care Act](http://www.alec.org/AM/Template.cfm?Section=ALEC's%20Freedom%20of%20Choice%20in%20Health%20Care%20Act).

Please continue to keep ALEC apprised of your upcoming press conferences and hearings (dates, times, locations, etc.). We can send an Issue Alert on your behalf to the ALEC delegation in your state; alert grassroots organizations about these upcoming events; and provide written testimony. All hearing/presser details can be sent to me at christie@alec.org. Similarly, ALEC would be happy to work with ALEC members in your state on bill cosponsorships, scheduling a committee hearing, etc. Just let us know how we can help.

Keep up the great work!

Best,
Christie

* * * *

Christie Herrera
Director, Health and Human Services Task Force
American Legislative Exchange Council
1101 Vermont Avenue, N.W., 11th Floor
Washington, D.C. 20005
Direct: 202-742-8505
Fax: 202-466-3801

Joseph, Kara

From: Kozelek, Ed [ed.kozelek@twcable.com]
Sent: Tuesday, January 19, 2010 1:51 PM
To: Joseph, Kara
Subject: FW: ALEC Net Neutrality Letter to FCC
Attachments: ALEC FCC Letter 2010.pdf

Thanks for your work on this.

I appreciate it.

Please tell John I'm sorry I can't make his event tonight as my daughter has a basketball game.

We'll see him tomorrow though at the lunch we're doing for the House Rs.

Ed

Edward F. Kozelek
Vice President, Government Relations
Time Warner Cable, Midwest Region
1015 Olentangy River Road
Columbus, OH 43212
Ph: 614-827-7955
Fax: 614-827-7925
Cell: 614-395-5068

From: Seth Cooper [mailto:sethcooper@alec.org]
Sent: Tuesday, January 19, 2010 1:48 PM
To: Kozelek, Ed
Subject: RE: ALEC Net Neutrality Letter to FCC

Hi Ed,

I don't have a number count for those states just now, though I think we only got one legislator from Wisconsin—Rep. Phil Montgomery. We had a terrific response from OH—which I suspect you had something to do with.

After ALEC's letter was filed, we have received at least 10 more names, so that would put us over 100. So perhaps I'll turn that into "over 100 state legislators have signed a statement opposing the FCC's proposed net neutrality regulations" item or something like that to use just for publicity when the reply period rolls around. We'll see...

_Seth

From: Kozelek, Ed [mailto:ed.kozelek@twcable.com]
Sent: Tuesday, January 19, 2010 1:38 PM
To: Seth Cooper
Subject: ALEC Net Neutrality Letter to FCC

Hi Seth:

Just checking in to see how many legislators from Ohio and Wisconsin signed the ALEC letter to the FCC.

When you get a chance will you let me know who from those 2 states signed it?

A copy of the actual letter would be great.

Thanks.

Ed

Edward F. Kozelek
Vice President, Government Relations
Time Warner Cable, Midwest Region
1015 Olentangy River Road
Columbus, OH 43212
Ph: 614-827-7955
Fax: 614-827-7925
Cell: 614-395-5068

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Joseph, Kara

From: Huddle, Kathryn
Sent: Thursday, January 14, 2010 1:01 PM
To: Joseph, Kara
Subject: RE: Sign on to ALEC's Letter to the FCC

Thanks for sending this, Kara! Rep. Wachtmann signed on to this list as well.
Have a great afternoon ☺

Kathryn Huddle

Legislative Aide
Office of State Representative Lynn Wachtmann
75th House District
614-466-3760
Kathryn.Huddle@ohr.state.oh.us

From: Joseph, Kara
Sent: Tuesday, January 12, 2010 4:38 PM
To: Adams, John; Aichele, Nathan - Sen. Faber; Allen, Lisa - Sen. Hughes; Amstutz, Ron; Bacon, Kevin; Batchelder, Bill; Blessing, Louis; Bloomfield, Debra - Sen. Buehrer; Boose, Terry; Bulp, Danny; Burke, Dave; Carey, Kelly - Sen. Jones; Coley, Bill; Combs, Courtney; Crews, Jessica - Sen. Seitz; Derickson, Timothy; Evans, Clyde; Goodwin, Bruce; Hackett, Robert; Hall, Dave; Hite, Cliff; Huffman, Matt; Jordan, Kris; Lehner, Peggy; Lynch, Tim - Sen. Patton; Maag, Ron; Martin, Jarrod; Miller, Candice - Sen. Niehaus; Morgan, Seth; Park, Becki - Sen. Gillmor; Pettigrew, Emily - Sen. Gibbs; Pusecker, Donna - Sen. Wagoner; Rep. Barb Sears; Rep. Dave Burke; Sears, Barbara; Snitchler, Todd; Stebelton, Gerald; Uecker, Joseph; Wachtmann, Lynn; Wiseman, Bret - Sen. Carey; Zehringer, Jim
Cc: Bremer, Andrew; Brusky, Nicholas; Bryan, Cale; Caveda, Carrie; Chichelli, Sean; Evans, Michael; Huddle, Kathryn; Jolliff, Kinsey; Jordan, Rachel; Joseph, Kara; Kasych, Shawn; Lowe, Walt; Lyle, Jenelle; Maloney, Patrick; McCullough, Sean; Miles, Alyson; Nelson, Shawn; Plottner, Jordan; Rodgers, Michael; Ross, Sheila; Russell, Dustin; Sheppard, Jimmy; Slonaker, Nathan; Stanek, Kevin; Tully, Patrick; Valentine, Lisa; Walling, Elizabeth; Waugh, Spencer; Wilson, Erica
Subject: FW: Sign on to ALEC's Letter to the FCC

Dear ALEC members,

Rep. Adams has signed on to this list and would encourage you to do the same. Please note that the deadline is January 14th.

- Kara

Kara Joseph

*Legislative Aide
Office of Rep. John Adams
House Minority Whip
Ohio House of Representatives
Phone: (614) 466-1507*

From: Jorge Amselle [mailto:jamselle@alec.org]
Sent: Tuesday, January 12, 2010 3:19 PM

To: Joseph, Kara

Subject: Sign on to ALEC's Letter to the FCC

ALEC NEWS

Education

Health
& Human
Services

Telecommunications
& Information Technology

International
Relations

Tax & Fiscal
Policy

FEATURES



Federal Health
Care Reform



ALEC Info on
Prison Overcrowding

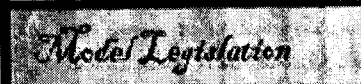


ALEC Info on
TRADE POLICY

Cracking ACORN



Stop the CFPA



Model Legislation

Upcoming Meetings

37th Annual Meeting
August 5-8, 2010
San Diego, CA

**States & Nation Policy
Summit**
December 1-3, 2010
Washington, D.C.

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please contact:

Jorge Amselle
Director of Public Affairs

January 12, 2010

Network Neutrality: Sign on to ALEC's Letter to the FCC DEADLINE APPROACHING

Dear ALEC Legislator,

Next week ALEC will be sending an important letter to the Federal Communications Commission (FCC), opposing proposed federal regulation that would make the FCC the Internet's data traffic cop. We invite you to join ALEC Telecom & IT Task Force Chair, Connecticut Representative Bill Hamzy, and many more state legislators, by adding your name to this letter.

The letter is based on ALEC's Resolution on Network Neutrality, which calls on the federal government and states to refrain from imposing so-called "network neutrality" regulations. The letter expresses concerns that the FCC's proposed regulations will stifle Internet innovation and also be harmful to Internet infrastructure investment and job growth that are critical to states' economies.

We will add all the signatories to the letter and send it to the FCC before the January 14 deadline for its public comment period on the proposed regulations. The text of letter is provided below.

If you are an ALEC legislator and would like to sign on to this letter, please reply to this e-mail or contact me at sethcooper@alec.org or (202) 742-8524.

Best Regards,

Seth Cooper
Telecom & IT Task Force Director
American Legislative Exchange Council

Direct (202) 742-8536
Cell (202) 669-9910
jamselle@alec.org



Washington, DC
(202) 742-8524
sethcooper@alec.org

P.S. The FCC's proposed network neutrality regulations, their rationale, and related issues are contained in this "Notice," with the proposed rules themselves contained on pages 65-66.

ALEC Letter to FCC

Julius Genachowski
Chairman
Federal Communications Commission
Washington, D.C. 20554

RE: Notice of Proposed Rulemaking - GN Docket No. 09-191, WC Docket No. 07-52

Dear Chairman Genachowski and Commissioners,

We at the American Legislative Exchange Council (ALEC) are writing to express our views concerning the Commission's *Notice of Proposed Rulemaking*. These draft rules imposing network neutrality regulations mark an unprecedented foray into government control of private networks and the Internet. If adopted, extensive regulatory control and uncertainties will harm innovation, stifle investment, and curtail job growth. We believe that unintended consequences stemming from the draft rules will be detrimental to our states' economies and forestall marketplace recovery.

ALEC represents more than 1,800 state legislative members. It is the nation's largest nonpartisan, individual membership association of state legislators. Approximately one-third of all state legislators belong to ALEC. The ___ undersigned members from ___ states are state legislators who chose to reiterate their serious reservations about further government entanglement in private management of broadband networks.

ALEC has carefully considered public policy issues surrounding broadband networks and has adopted a *Resolution on Network Neutrality*. In its *Resolution*, "ALEC recognizes the unprecedented advances a free and open Internet has fostered across all aspects of end user customers' lives," and maintains that "the exponential growth of the Internet has flourished as a result of the government's 'hands' off' approach, ever increasing competition, as well as fierce consumer interest."

ALEC has reviewed the Commission's *Notice of Proposed Rulemaking*. Unfortunately, the draft rules raise profound problems that will lead to significant unintended consequences for our states' economies. Our concerns include:

* *The proposed regulations will harm innovation.* Currently, competing broadband network operators have freedom to pursue innovative new ways to deliver high-speed data services to their customers and maximize end users' experiences. However, the draft rules threaten to interfere with the innovative process that benefits consumers. Under the draft rules, network innovation must take place in the shadow of the Commission's multi-part "reasonable network management" standard or its undefined "nondiscriminatory" prohibition. Innovative edge is blunted whenever engineering complexities and trade-offs have to be designed to meet ambiguous government specs.

* *The proposed regulations will stifle investment.* Continued capital investment is crucial to expanding broadband service coverage, to providing ever-improving broadband service, and to sustaining and reviving our states' overall economic well-being. There is a strong correlation between investment and innovation. Competing broadband network operators make their innovative solutions a reality for consumers through their investments in broadband infrastructure. Regulation that harms innovation corresponds to reduced investment in new products or services. Moreover, regulatory uncertainty posed by the draft rules undermines the certainty of broadband network operators to gain the return on their investment. Since the draft rules would empower the Commission to accept or reject network management practices on a case-by-case basis, network broadband providers would face the possibility of having innovation and investment plans disrupted by regulatory reversal.

* *The proposed regulations will curtail job growth.* Broadband innovation and investment create jobs, both within the advanced telecommunications sector and in businesses that rely on such technologies to gain greater efficiency. As state elected officials, we are acutely aware of the high unemployment that impacts our states' economies. ALEC believes that pro-growth policies, not increased regulation, are crucial to reviving the economic climates of the fifty states. Unfortunately, the additional layers of regulation and bureaucratic control suggested by the draft rules are not job-friendly. Network neutrality regulation will *not* create sustainable jobs.

In addition, ALEC believes the competitiveness of the broadband marketplace obviates the need for the intrusive network management regulation contained in the draft rules. A problem should first be established before a regulatory solution should be imposed. But nothing in the Commission's *Notice* or in the entirety of the *Broadband Industry Practices Proceeding* points to any kind of market power possessed by broadband network operators that would justify regulatory action. In fact, recent studies have concluded that no such market power exists. For instance, the June 2007 staff report of the Federal Trade Commission (whose findings were unanimously adopted by the members of that Commission), concluded that the broadband Internet access was moving in the direction of more, not less, competition. The Commission has suggested nothing to indicate any

serious change in the broadband marketplace since mid-2007 that would justify the sweeping departure from the government's "hands off" approach that characterizes the Commission's draft rules.

Accordingly, ALEC urges the Commission to refrain from imposing the network neutrality regulations contained in the draft rules. ALEC supports a free and open Internet, which the Commission can best ensure by bringing sunlight to alleged abuses under its existing Internet Policy Statement and by pursuing alternatives other than intrusive regulations of broadband networks that will put innovation, investment, and jobs at risk.

Cordially,

Representative William A. Hamzy
Connecticut House of Representatives
Public Sector Chair,
ALEC Telecommunications & Information Technology Task Force

Representative Dwayne Alons
Iowa House of Delegates

Representative Liston Barfield
South Carolina House of Representatives

Senator Tom Buford
Kentucky Senate

Representative George Cleveland
North Carolina House of Representatives

Delegate Addie Eckardt
Maryland House of Delegates

Representative Jane English
Arkansas House of Representatives

Representative Dolores Gresham
Tennessee House of Representatives

Representative Mike Harmon
Kentucky House of Representatives

Representative Calvin Hill
Georgia House of Representatives

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Oregon House of Representatives

Representative Peter S. Illoway

Wyoming House of Representatives

Senator Verdell Jackson
Montana Senate

Senator David Johnson
Iowa Senate

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Missouri House of Representatives

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North Dakota House of Representatives

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Indiana House of Representatives

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Wyoming House of Representatives

Representative Jerry Madden
Texas House of Representatives

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West Virginia House of Delegates

Representative Phil Montgomery
Wisconsin House of Representatives

Rep. Betty Olson
South Dakota House of Representatives

Representative Ron Peters
Oklahoma House of Representatives

Representative Kenneth D. Peterson
Montana House of Representatives

Senator Mary Pilcher Cook
Kansas Senate

Senator William Raggio
Nevada Senate

Senator William Sharer
New Mexico Senate

Representative Cary Smith
Montana House of Representatives

Representative Gary V. Staples
Mississippi House of Representatives

Senator Val Stevens
Washington Senate

Representative Blair Thoreson
North Dakota House of Representatives

Representative Moe Villeneuve
New Hampshire House of Representatives

President Michael Waddoups
Utah Senate

Representative Sue Wallis
Wyoming House of Representatives

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phone: (202) 466-3800 | fax: (202) 466-3801

Joseph, Kara

From: Seth Cooper [sethcooper@alec.org]
Sent: Thursday, January 14, 2010 9:46 AM
To: Joseph, Kara
Subject: RE: Sign on to ALEC's Letter to the FCC

Thanks, Kara! We will be sure to add Rep. Derickson, too.

_Seth

From: Joseph, Kara [mailto:Kara.Joseph@ohr.state.oh.us]
Sent: Thursday, January 14, 2010 8:52 AM
To: Seth Cooper
Subject: FW: Sign on to ALEC's Letter to the FCC

Seth,

Rep. Derickson wants to sign on!

- Kara

Kara Joseph

Legislative Aide

Office of Rep. John Adams

House Minority Whip

Ohio House of Representatives

Phone: (614) 466-1507

From: Derickson, Timothy
Sent: Thursday, January 14, 2010 8:35 AM
To: Joseph, Kara
Subject: RE: Sign on to ALEC's Letter to the FCC

Count me in

Tim Derickson

From: Joseph, Kara
Sent: Tuesday, January 12, 2010 4:38 PM
To: Adams, John; Aichele, Nathan - Sen. Faber; Allen, Lisa - Sen. Hughes; Amstutz, Ron; Bacon, Kevin; Batchelder, Bill; Blessing, Louis; Bloomfield, Debra - Sen. Buehrer; Boose, Terry; Bubp, Danny; Burke, Dave; Carey, Kelly - Sen. Jones; Coley, Bill; Combs, Courtney; Crews, Jessica - Sen. Seitz; Derickson, Timothy; Evans, Clyde; Goodwin, Bruce; Hackett, Robert; Hall, Dave; Hite, Cliff; Huffman, Matt; Jordan, Kris; Lehner, Peggy; Lynch, Tim - Sen. Patton; Maag, Ron; Martin, Jarrod; Miller, Candice - Sen. Niehaus; Morgan, Seth; Park, Becki - Sen. Gillmor; Pettigrew, Emily - Sen. Gibbs; Pusecker, Donna - Sen. Wagoner; Rep. Barb Sears; Rep. Dave Burke; Sears, Barbara; Snitchler, Todd; Stebelton, Gerald; Uecker, Joseph; Wachtmann, Lynn; Wiseman, Bret - Sen. Carey; Zehringer, Jim
Cc: Bremer, Andrew; Brusky, Nicholas; Bryan, Cale; Caveda, Carrie; Chichelli, Sean; Evans, Michael; Huddle, Kathryn; Jolliff, Kinsey; Jordan, Rachel; Joseph, Kara; Kasych, Shawn; Lowe, Walt; Lyle, Jenelle; Maloney, Patrick; McCullough, Sean; Miles, Alyson; Nelson, Shawn; Plottner, Jordan; Rodgers, Michael; Ross, Sheila; Russell, Dustin; Sheppard, Jimmy; Slonaker, Nathan; Stanek, Kevin; Tully, Patrick; Valentine, Lisa; Walling, Elizabeth; Waugh, Spencer; Wilson, Erica
Subject: FW: Sign on to ALEC's Letter to the FCC

Dear ALEC members,

Rep. Adams has signed on to this list and would encourage you to do the same. Please note that the deadline is January 14th.

- Kara

Kara Joseph

Legislative Aide

Office of Rep. John Adams

House Minority Whip

Ohio House of Representatives


Phone: (614) 466-1507

From: Jorge Amselle [mailto:jamselle@alec.org]

Sent: Tuesday, January 12, 2010 3:19 PM

To: Joseph, Kara

Subject: Sign on to ALEC's Letter to the FCC



ALEC NEWS

AMERICAN LEGISLATIVE EXCHANGE COUNCIL

Commerce, Insurance, Economic Development, Public Safety & Elections, International Relations, Telecommunications & Information Technology, Tax & Fiscal Policy, Health & Human Services, Education

January 12, 2010






Network Neutrality: Sign on to ALEC's Letter to the FCC DEADLINE APPROACHING

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The letter is based on ALEC's Resolution on Network Neutrality, which calls on the federal government and states to refrain from imposing so-called "network neutrality" regulations. The letter

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-  **Federal Health Care Reform**
-  **ALEC Info on Prison Overcrowding**
-  **ALEC Info on TRADE POLICY**
- Cracking ACORN**
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Washington, D.C.

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please contact:

Jorge Amselle

Director of Public Affairs

Direct (202) 742-8536

Cell (202) 669-9910

jamselle@alec.org



expresses concerns that the FCC's proposed regulations will stifle Internet innovation and also be harmful to Internet infrastructure investment and job growth that are critical to states' economies.

We will add all the signatories to the letter and send it to the FCC before the January 14 deadline for its public comment period on the proposed regulations. The text of letter is provided below.

If you are an ALEC legislator and would like to sign on to this letter, please reply to this e-mail or contact me at sethcooper@alec.org or (202) 742-8524.

Best Regards,

Seth Cooper
Telecom & IT Task Force Director
American Legislative Exchange Council
Washington, DC
(202) 742-8524
sethcooper@alec.org

P.S. The FCC's proposed network neutrality regulations, their rationale, and related issues are contained in this "Notice," with the proposed rules themselves contained on pages 65-66.

ALEC Letter to FCC

Julius Genachowski
Chairman
Federal Communications Commission
Washington, D.C. 20554

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legislators. Approximately one-third of all state legislators belong to ALEC. The ___ undersigned members from ___ states are state legislators who chose to reiterate their serious reservations about further government entanglement in private management of broadband networks.

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ALEC has reviewed the Commission’s *Notice of Proposed Rulemaking*. Unfortunately, the draft rules raise profound problems that will lead to significant unintended consequences for our states’ economies. Our concerns include:

* *The proposed regulations will harm innovation.* Currently, competing broadband network operators have freedom to pursue innovative new ways to deliver high-speed data services to their customers and maximize end users’ experiences. However, the draft rules threaten to interfere with the innovative process that benefits consumers. Under the draft rules, network innovation must take place in the shadow of the Commission’s multi-part “reasonable network management” standard or its undefined “nondiscriminatory” prohibition. Innovative edge is blunted whenever engineering complexities and trade-offs have to be designed to meet ambiguous government specs.

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Cordially,

Representative William A. Hamzy
Connecticut House of Representatives
Public Sector Chair,
ALEC Telecommunications & Information Technology Task Force

Representative Dwayne Alons
Iowa House of Delegates

Representative Liston Barfield
South Carolina House of Representatives

Senator Tom Buford
Kentucky Senate

Representative George Cleveland
North Carolina House of Representatives

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Representative Blair Thoreson
North Dakota House of Representatives

Representative Moe Villeneuve
New Hampshire House of Representatives

President Michael Waddoups
Utah Senate

Representative Sue Wallis
Wyoming House of Representatives

Joseph, Kara

From: Derickson, Timothy
Sent: Thursday, January 14, 2010 8:35 AM
To: Joseph, Kara
Subject: RE: Sign on to ALEC's Letter to the FCC

Count me in

Tim Derickson

From: Joseph, Kara
Sent: Tuesday, January 12, 2010 4:38 PM
To: Adams, John; Aichele, Nathan - Sen. Faber; Allen, Lisa - Sen. Hughes; Amstutz, Ron; Bacon, Kevin; Batchelder, Bill; Blessing, Louis; Bloomfield, Debra - Sen. Buehrer; Boose, Terry; Bubb, Danny; Burke, Dave; Carey, Kelly - Sen. Jones; Coley, Bill; Combs, Courtney; Crews, Jessica - Sen. Seitz; Derickson, Timothy; Evans, Clyde; Goodwin, Bruce; Hackett, Robert; Hall, Dave; Hite, Cliff; Huffman, Matt; Jordan, Kris; Lehner, Peggy; Lynch, Tim - Sen. Patton; Maag, Ron; Martin, Jarrod; Miller, Candice - Sen. Niehaus; Morgan, Seth; Park, Becki - Sen. Gillmor; Pettigrew, Emily - Sen. Gibbs; Pusecker, Donna - Sen. Wagoner; Rep. Barb Sears; Rep. Dave Burke; Sears, Barbara; Snitchler, Todd; Stebelton, Gerald; Uecker, Joseph; Wachtmann, Lynn; Wiseman, Bret - Sen. Carey; Zehringer, Jim
Cc: Bremer, Andrew; Brusky, Nicholas; Bryan, Cale; Caveda, Carrie; Chichelli, Sean; Evans, Michael; Huddle, Kathryn; Jolliff, Kinsey; Jordan, Rachel; Joseph, Kara; Kasych, Shawn; Lowe, Walt; Lyle, Jenelle; Maloney, Patrick; McCullough, Sean; Miles, Alyson; Nelson, Shawn; Plottner, Jordan; Rodgers, Michael; Ross, Sheila; Russell, Dustin; Sheppard, Jimmy; Slonaker, Nathan; Stanek, Kevin; Tully, Patrick; Valentine, Lisa; Walling, Elizabeth; Waugh, Spencer; Wilson, Erica
Subject: FW: Sign on to ALEC's Letter to the FCC

Dear ALEC members,

Rep. Adams has signed on to this list and would encourage you to do the same. Please note that the deadline is January 14th.

- Kara

Kara Joseph
Legislative Aide
Office of Rep. John Adams
House Minority Whip
Ohio House of Representatives
Phone: (614) 466-1507

From: Jorge Amselle [mailto:jamselle@alec.org]
Sent: Tuesday, January 12, 2010 3:19 PM
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January 12, 2010

Network Neutrality: Sign on to ALEC's Letter to the FCC DEADLINE APPROACHING

Dear ALEC Legislator,

Next week ALEC will be sending an important letter to the Federal Communications Commission (FCC), opposing proposed federal regulation that would make the FCC the Internet's data traffic cop. We invite you to join ALEC Telecom & IT Task Force Chair, Connecticut Representative Bill Hamzy, and many more state legislators, by adding your name to this letter.

The letter is based on ALEC's Resolution on Network Neutrality, which calls on the federal government and states to refrain from imposing so-called "network neutrality" regulations. The letter expresses concerns that the FCC's proposed regulations will stifle Internet innovation and also be harmful to Internet infrastructure investment and job growth that are critical to states' economies.

We will add all the signatories to the letter and send it to the FCC before the January 14 deadline for its public comment period on the proposed regulations. The text of letter is provided below.

If you are an ALEC legislator and would like to sign on to this letter, please reply to this e-mail or contact me at sethcooper@alec.org or (202) 742-8524.

Best Regards,

Seth Cooper
Telecom & IT Task Force Director
American Legislative Exchange Council
Washington, DC
(202) 742-8524

sethcooper@alec.org

P.S. The FCC's proposed network neutrality regulations, their rationale, and related issues are contained in this "Notice," with the proposed rules themselves contained on pages 65-66.

ALEC Letter to FCC

Julius Genachowski
Chairman
Federal Communications Commission
Washington, D.C. 20554

RE: Notice of Proposed Rulemaking - GN Docket No. 09-191, WC Docket No. 07-52

Dear Chairman Genachowski and Commissioners,

We at the American Legislative Exchange Council (ALEC) are writing to express our views concerning the Commission's *Notice of Proposed Rulemaking*. These draft rules imposing network neutrality regulations mark an unprecedented foray into government control of private networks and the Internet. If adopted, extensive regulatory control and uncertainties will harm innovation, stifle investment, and curtail job growth. We believe that unintended consequences stemming from the draft rules will be detrimental to our states' economies and forestall marketplace recovery.

ALEC represents more than 1,800 state legislative members. It is the nation's largest nonpartisan, individual membership association of state legislators. Approximately one-third of all state legislators belong to ALEC. The ___ undersigned members from ___ states are state legislators who chose to reiterate their serious reservations about further government entanglement in private management of broadband networks.

ALEC has carefully considered public policy issues surrounding broadband networks and has adopted a *Resolution on Network Neutrality*. In its *Resolution*, "ALEC recognizes the unprecedented advances a free and open Internet has fostered across all aspects of end user customers' lives," and maintains that "the exponential growth of the Internet has flourished as a result of the government's 'hands' off" approach, ever increasing competition, as well as fierce consumer interest."

ALEC has reviewed the Commission's *Notice of Proposed Rulemaking*. Unfortunately, the draft rules raise profound problems that will lead to significant unintended consequences for our states' economies. Our concerns include:

** The proposed regulations will harm innovation. Currently competing*

broadband network operators have freedom to pursue innovative new ways to deliver high-speed data services to their customers and maximize end users' experiences. However, the draft rules threaten to interfere with the innovative process that benefits consumers. Under the draft rules, network innovation must take place in the shadow of the Commission's multi-part "reasonable network management" standard or its undefined "nondiscriminatory" prohibition. Innovative edge is blunted whenever engineering complexities and trade-offs have to be designed to meet ambiguous government specs.

** The proposed regulations will stifle investment.* Continued capital investment is crucial to expanding broadband service coverage, to providing ever-improving broadband service, and to sustaining and reviving our states' overall economic well-being. There is a strong correlation between investment and innovation. Competing broadband network operators make their innovative solutions a reality for consumers through their investments in broadband infrastructure. Regulation that harms innovation corresponds to reduced investment in new products or services. Moreover, regulatory uncertainty posed by the draft rules undermines the certainty of broadband network operators to gain the return on their investment. Since the draft rules would empower the Commission to accept or reject network management practices on a case-by-case basis, network broadband providers would face the possibility of having innovation and investment plans disrupted by regulatory reversal.

** The proposed regulations will curtail job growth.* Broadband innovation and investment create jobs, both within the advanced telecommunications sector and in businesses that rely on such technologies to gain greater efficiency. As state elected officials, we are acutely aware of the high unemployment that impacts our states' economies. ALEC believes that pro-growth policies, not increased regulation, are crucial to reviving the economic climates of the fifty states. Unfortunately, the additional layers of regulation and bureaucratic control suggested by the draft rules are not job-friendly. Network neutrality regulation will *not* create sustainable jobs.

In addition, ALEC believes the competitiveness of the broadband marketplace obviates the need for the intrusive network management regulation contained in the draft rules. A problem should first be established before a regulatory solution should be imposed. But nothing in the Commission's *Notice* or in the entirety of the *Broadband Industry Practices Proceeding* points to any kind of market power possessed by broadband network operators that would justify regulatory action. In fact, recent studies have concluded that no such market power exists. For instance, the June 2007 staff report of the Federal Trade Commission (whose findings were unanimously adopted by the members of that Commission), concluded that the broadband Internet access was moving in the direction of more, not less, competition. The Commission has suggested nothing to indicate any serious change in the broadband marketplace since mid-2007 that would justify the sweeping departure from the government's "hands off" approach

that characterizes the Commission's draft rules.

Accordingly, ALEC urges the Commission to refrain from imposing the network neutrality regulations contained in the draft rules. ALEC supports a free and open Internet, which the Commission can best ensure by bringing sunlight to alleged abuses under its existing Internet Policy Statement and by pursuing alternatives other than intrusive regulations of broadband networks that will put innovation, investment, and jobs at risk.

Cordially,

Representative William A. Hamzy
Connecticut House of Representatives
Public Sector Chair,
ALEC Telecommunications & Information Technology Task Force

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Iowa House of Delegates

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phone: (202) 466-3800 | fax: (202) 466-3801

Joseph, Kara

From: Jorge Amselle [jamselle@alec.org]
Sent: Wednesday, January 13, 2010 11:54 AM
To: Joseph, Kara
Subject: ALEC News - Spring Task Force Summit

Expires: Saturday, April 24, 2010 5:00 PM

Categories: Event



January 13, 2010

Please mark your calendars and hold the dates
ALEC to Host Spring Task Force Summit
St. Louis, MO, April 23 – 24, 2010

(Washington, D.C.)—The American Legislative Exchange Council (ALEC), the nation's largest individual membership association representing state legislators and the private sector, will hold its annual Spring Task Force Summit at the Hilton at the Ballpark Hotel in St. Louis, MO, on April 23-24, 2010. Online registration will begin January 20.







Legislators and private sector members serving on the following Task Forces will meet for intensive discussions on the critical issues facing the states and to debate and approve model legislation and solutions:

- Commerce, Insurance, and Economic Development
- Health and Human Services
- Natural Resources
- Tax and Fiscal Policy
- Telecommunications and Information Technology

The following Task Forces will not meet in St. Louis but will instead meet by electronic means. The details of these electronic meetings will be updated on each Task Force's Web page:

- Civil Justice

FEATURES

-  **Federal Health Care Reform**
-  **ALEC Info on Prison Overcrowding**
-  **ALEC Info on TRADE POLICY**
-  **Cracking ACORN**
-  **Stop the CEBA**
-  **Model Legislation**

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Direct (202) 742-8536
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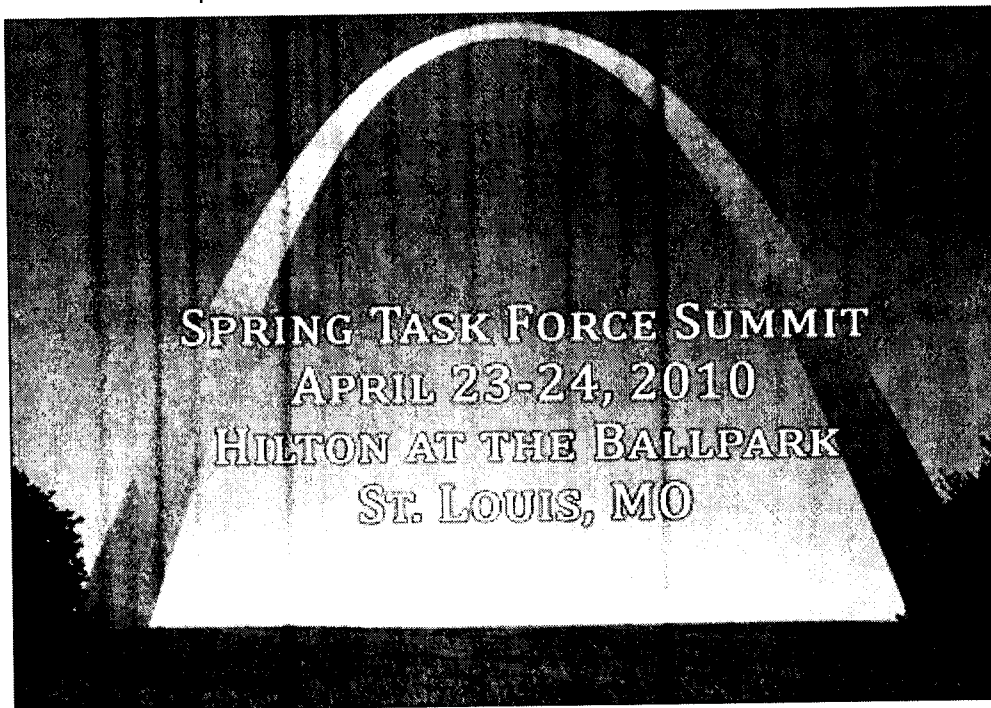
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- Education
- Public Safety and Elections

All Task Force members are encouraged to check the [ALEC Web site](#) and their Task Force pages online in the coming weeks for full details, registration, and meeting information.

The joint ALEC Board of Directors will also hold a meeting April 23 at the Hilton Ballpark Hotel in St. Louis, MO.



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phone: (202) 466-3800 | fax: (202) 466-3801

Joseph, Kara

From: Seth Cooper [sethcooper@alec.org]
Sent: Wednesday, January 13, 2010 10:22 AM
To: Joseph, Kara
Subject: RE: Sign on to ALEC's Letter to the FCC

Kara,

I think that's good enough. Thanks again!

_Seth

From: Joseph, Kara [mailto:Kara.Joseph@ohr.state.oh.us]
Sent: Wednesday, January 13, 2010 9:55 AM
To: Seth Cooper
Subject: FW: Sign on to ALEC's Letter to the FCC

Seth,

I've had State Representatives Danny Bupp and Gerald Stebelton tell me that they would like to sign on to the letter. Do you need an e-mail directly from them, or is this good enough?

Kara Joseph

Legislative Aide

Office of Rep. John Adams

House Minority Whip

Ohio House of Representatives

Phone: (614) 466-1507

From: Stebelton, Gerald
Sent: Wednesday, January 13, 2010 9:31 AM
To: Joseph, Kara
Subject: RE: Sign on to ALEC's Letter to the FCC

I'm good to be a sponsor

From: Joseph, Kara
Sent: Tuesday, January 12, 2010 4:38 PM
To: Adams, John; Aichele, Nathan - Sen. Faber; Allen, Lisa - Sen. Hughes; Amstutz, Ron; Bacon, Kevin; Batchelder, Bill; Blessing, Louis; Bloomfield, Debra - Sen. Buehrer; Boose, Terry; Bupp, Danny; Burke, Dave; Carey, Kelly - Sen. Jones; Coley, Bill; Combs, Courtney; Crews, Jessica - Sen. Seitz; Derickson, Timothy; Evans, Clyde; Goodwin, Bruce; Hackett, Robert; Hall, Dave; Hite, Cliff; Huffman, Matt; Jordan, Kris; Lehner, Peggy; Lynch, Tim - Sen. Patton; Maag, Ron; Martin, Jarrod; Miller, Candice - Sen. Niehaus; Morgan, Seth; Park, Becki - Sen. Gillmor; Pettigrew, Emily - Sen. Gibbs; Pusecker, Donna - Sen. Wagoner; Rep. Barb Sears; Rep. Dave Burke; Sears, Barbara; Snitchler, Todd; Stebelton, Gerald; Uecker, Joseph; Wachtmann, Lynn; Wiseman, Bret - Sen. Carey; Zehringer, Jim
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- Kara

Kara Joseph

Legislative Aide

Office of Rep. John Adams

House Minority Whip

Ohio House of Representatives


Phone: (614) 466-1507

From: Jorge Amselle [mailto:jamselle@alec.org]







Sent: Tuesday, January 12, 2010 3:19 PM

To: Joseph, Kara

Subject: Sign on to ALEC's Letter to the FCC



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-  **Stop the CBPA**
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- Upcoming Meetings**

January 12, 2010

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Sign on to ALEC's Letter to the FCC
DEADLINE APPROACHING**

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American Legislative Exchange Council
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ALEC Letter to FCC

Julius Genachowski
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Federal Communications Commission
Washington, D.C. 20554

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Kara Joseph
Legislative Aide
Office of Rep. John Adams
House Minority Whip
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The letter is based on ALEC's Resolution on Network Neutrality, which calls on the federal government and states to refrain from imposing so-called "network neutrality" regulations. The letter expresses concerns that the FCC's proposed regulations will stifle Internet innovation and also be harmful to Internet infrastructure investment and job growth that are critical to states' economies.

We will add all the signatories to the letter and send it to the FCC before the January 14 deadline for its public comment period on the proposed regulations. The text of letter is provided below.

If you are an ALEC legislator and would like to sign on to this letter, please reply to this e-mail or contact me at sethcooper@alec.org or (202) 742-8524.

Best Regards,

Seth Cooper
Telecom & IT Task Force Director
American Legislative Exchange Council
Washington, DC
(202) 742-8524



P.S. The FCC's proposed network neutrality regulations, their rationale, and related issues are contained in this "Notice," with the proposed rules themselves contained on pages 65-66.

ALEC Letter to FCC

Julius Genachowski
Chairman
Federal Communications Commission
Washington, D.C. 20554

RE: Notice of Proposed Rulemaking - GN Docket No. 09-191, WC Docket No. 07-52

Dear Chairman Genachowski and Commissioners,

We at the American Legislative Exchange Council (ALEC) are writing to express our views concerning the Commission's *Notice of Proposed Rulemaking*. These draft rules imposing network neutrality regulations mark an unprecedented foray into government control of private networks and the Internet. If adopted, extensive regulatory control and uncertainties will harm innovation, stifle investment, and curtail job growth. We believe that unintended consequences stemming from the draft rules will be detrimental to our states' economies and forestall marketplace recovery.

ALEC represents more than 1,800 state legislative members. It is the nation's largest nonpartisan, individual membership association of state legislators. Approximately one-third of all state legislators belong to ALEC. The ___ undersigned members from ___ states are state legislators who chose to reiterate their serious reservations about further government entanglement in private management of broadband networks.

ALEC has carefully considered public policy issues surrounding broadband networks and has adopted a *Resolution on Network Neutrality*. In its *Resolution*, "ALEC recognizes the unprecedented advances a free and open Internet has fostered across all aspects of end user customers' lives," and maintains that "the exponential growth of the Internet has flourished as a result of the government's 'hands' off approach, ever increasing competition, as well as fierce consumer interest."

ALEC has reviewed the Commission's *Notice of Proposed Rulemaking*. Unfortunately, the draft rules raise profound problems that will lead to significant unintended consequences for our states' economies. Our concerns include:

** The proposed regulations will harm innovation. Currently competing*

broadband network operators have freedom to pursue innovative new ways to deliver high-speed data services to their customers and maximize end users' experiences. However, the draft rules threaten to interfere with the innovative process that benefits consumers. Under the draft rules, network innovation must take place in the shadow of the Commission's multi-part "reasonable network management" standard or its undefined "nondiscriminatory" prohibition. Innovative edge is blunted whenever engineering complexities and trade-offs have to be designed to meet ambiguous government specs.

** The proposed regulations will stifle investment.* Continued capital investment is crucial to expanding broadband service coverage, to providing ever-improving broadband service, and to sustaining and reviving our states' overall economic well-being. There is a strong correlation between investment and innovation. Competing broadband network operators make their innovative solutions a reality for consumers through their investments in broadband infrastructure. Regulation that harms innovation corresponds to reduced investment in new products or services. Moreover, regulatory uncertainty posed by the draft rules undermines the certainty of broadband network operators to gain the return on their investment. Since the draft rules would empower the Commission to accept or reject network management practices on a case-by-case basis, network broadband providers would face the possibility of having innovation and investment plans disrupted by regulatory reversal.

** The proposed regulations will curtail job growth.* Broadband innovation and investment create jobs, both within the advanced telecommunications sector and in businesses that rely on such technologies to gain greater efficiency. As state elected officials, we are acutely aware of the high unemployment that impacts our states' economies. ALEC believes that pro-growth policies, not increased regulation, are crucial to reviving the economic climates of the fifty states. Unfortunately, the additional layers of regulation and bureaucratic control suggested by the draft rules are not job-friendly. Network neutrality regulation will *not* create sustainable jobs.

In addition, ALEC believes the competitiveness of the broadband marketplace obviates the need for the intrusive network management regulation contained in the draft rules. A problem should first be established before a regulatory solution should be imposed. But nothing in the Commission's *Notice* or in the entirety of the *Broadband Industry Practices Proceeding* points to any kind of market power possessed by broadband network operators that would justify regulatory action. In fact, recent studies have concluded that no such market power exists. For instance, the June 2007 staff report of the Federal Trade Commission (whose findings were unanimously adopted by the members of that Commission), concluded that the broadband Internet access was moving in the direction of more, not less, competition. The Commission has suggested nothing to indicate any serious change in the broadband marketplace since mid-2007 that would justify the sweeping departure from the government's "hands off" approach

that characterizes the Commission's draft rules.

Accordingly, ALEC urges the Commission to refrain from imposing the network neutrality regulations contained in the draft rules. ALEC supports a free and open Internet, which the Commission can best ensure by bringing sunlight to alleged abuses under its existing Internet Policy Statement and by pursuing alternatives other than intrusive regulations of broadband networks that will put innovation, investment, and jobs at risk.

Cordially,

Representative William A. Hamzy
Connecticut House of Representatives
Public Sector Chair,
ALEC Telecommunications & Information Technology Task Force

Representative Dwayne Alons
Iowa House of Delegates

Representative Liston Barfield
South Carolina House of Representatives

Senator Tom Buford
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Representative Calvin Hill
Georgia House of Representatives

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Oregon House of Representatives

Representative Peter S. Illoway
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Senator Verdell Jackson
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Mississippi House of Representatives

Senator Val Stevens
Washington Senate

Representative Blair Thoreson
North Dakota House of Representatives

Representative Moe Villeneuve
New Hampshire House of Representatives

President Michael Waddoups
Utah Senate

Representative Sue Wallis
Wyoming House of Representatives

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Joseph, Kara

From: Jorge Amselle [jamselle@alec.org]
Sent: Tuesday, January 12, 2010 3:19 PM
To: Joseph, Kara
Subject: Sign on to ALEC's Letter to the FCC

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January 12, 2010

Network Neutrality: Sign on to ALEC's Letter to the FCC DEADLINE APPROACHING

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to your contact information
please contact:

Jorge Amselle
Director of Public Affairs
Direct (202) 742-8536
Cell (202) 669-9910
jamselle@alec.org



Best Regards,

Seth Cooper
Telecom & IT Task Force Director
American Legislative Exchange Council
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(202) 742-8524
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ALEC has reviewed the Commission's *Notice of Proposed Rulemaking*. Unfortunately, the draft rules raise profound problems that will lead to significant unintended consequences for our states' economies. Our concerns include:

* *The proposed regulations will harm innovation.* Currently, competing broadband network operators have freedom to pursue innovative new ways to deliver high-speed data services to their customers and maximize end users' experiences. However, the draft rules threaten to interfere with the innovative process that benefits consumers. Under the draft rules, network innovation must take place in the shadow of the Commission's multi-part "reasonable network management" standard or its undefined "nondiscriminatory" prohibition. Innovative edge is blunted whenever engineering complexities and trade-offs have to be designed to meet ambiguous government specs.

* *The proposed regulations will stifle investment.* Continued capital investment is crucial to expanding broadband service coverage, to providing ever-improving broadband service, and to sustaining and reviving our states' overall economic well-being. There is a strong correlation between investment and innovation. Competing broadband network operators make their innovative solutions a reality for consumers through their investments in broadband infrastructure. Regulation that harms innovation corresponds to reduced investment in new products or services. Moreover, regulatory uncertainty posed by the draft rules undermines the certainty of broadband network operators to gain the return on their investment. Since the draft rules would empower the Commission to accept or reject network management practices on a case-by-case basis, network broadband providers would face the possibility of having innovation and investment plans disrupted by regulatory reversal.

* *The proposed regulations will curtail job growth.* Broadband innovation and investment create jobs, both within the advanced telecommunications sector and in businesses that rely on such technologies to gain greater efficiency. As state elected officials, we are acutely aware of the high unemployment that impacts our states' economies. ALEC believes that pro-growth policies, not increased regulation, are crucial to reviving the economic climates of the fifty states. Unfortunately, the additional layers of regulation and bureaucratic control suggested by the draft rules are not job-friendly. Network neutrality regulation will *not* create sustainable jobs.

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Joseph, Kara

From: Stephanie Linn [slinn@alec.org]
Sent: Monday, January 11, 2010 3:24 PM
To: Joseph, Kara
Subject: ALEC Alert -- New Model Legislation: Climate Accountability Act

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please contact:

Jorge Amselle
Director of Public Affairs
Direct (202) 742-8536
Cell (202) 669-9910
jamselle@alec.org



January 11, 2010

Dear ALEC members:

The Natural Resources Task Force's new model bill, the Climate Accountability Act, is designed to give legislators strong tools for evaluating climate change policy proposals at the state level. Today, the states have nearly 600 climate change laws and programs all with the intent of reducing greenhouse gas emissions. Many of these policies have had little to no review of their cost to the economy and effectiveness in meeting their stated goals.

The Climate Accountability Act requires climate change programs to assess a cost per ton estimate for carbon dioxide and to bring accountability for results. Whether as a stand alone bill or an amendment, this provision will give legislators a consistent and measurable way to evaluate new programs and to shine the light on failures. In a down economy, it is more important than ever to bring accountability and sunshine to state spending and programs with economic impact.

See below for full text of model legislation.

Should you have any questions on this important issue, please contact the director of ALEC's Natural Resources Task Force, Matt Warner, at mwarner@alec.org.

Climate Accountability Act

Section 1. {Intent}

The legislature finds that in order to improve efficiency and the use of

scarce resources, the state must receive the greatest return on the environmental investments it makes. Projects that do not return the expected environmental benefits waste not only the funds given to the project but also prevent funding from being available for projects that would have a positive environmental impact.

The legislature additionally finds that reliable information and accountability are critical to ensuring that environmental projects are effective. By setting clear goals, the state can determine what projects best promote environmental sustainability and allow the state to hold contractors and agencies accountable if those goals are not met.

The legislature believes that by promoting climate accountability, the state can make the most of its resources in the effort to reduce greenhouse gas emissions and promote energy efficiency.

Section 2. {Definitions}

(A) "Climate Expenditure" – Any state expenditure designed to reduce greenhouse gas emissions.

(B) "CO₂e" – Carbon dioxide equivalent calculated as greenhouse gases normalized to metric tons of carbon dioxide.

(C) "Certified Carbon Offsets" – Carbon credits certified to meet the UN's Clean Development Mechanism (CDM).

Section 3. {Assessment of Climate Priorities}

(A) Any government climate expenditure intended to reduce greenhouse gas emissions must, prior to implementation, provide the following information:

(1) Number of tons of CO₂e reduced by the climate action

(2) Total cost of climate action

(3) Cost per ton of CO₂e reduction

(B) Any state contracts required to implement climate expenditure must include cost per ton of CO₂e reduction in the performance portion of the contract.

Section 4. {Climate Accountability}

(A) The state shall regularly audit to ensure that climate expenditure contracts are meeting performance standards for cost per ton of CO₂e. If contractors are not in compliance, they shall:

(1) Provide certified carbon offsets equivalent to the difference between

actual emissions reductions and contracted emissions reductions, or

(2) Refund a portion of the contract funds until the cost per ton of CO₂e reduction meets the benchmark included in the contract.

(B) Agencies managing climate expenditure contracts shall regularly provide reports to the legislature outlining the performance of those individual contracts, including:

(1) Total tons of CO₂e reduced

(2) Total contract amount

(3) Cost per ton of CO₂e reduced

(C) Agencies that fail to complete audits and legislative reports shall have all funding for all climate expenditures suspended until they meet the requirements of this act.

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Joseph, Kara

From: Jorge Amselle [jamselle@alec.org]
Sent: Tuesday, January 05, 2010 2:57 PM
To: Joseph, Kara
Subject: ALEC Announces New Interim Executive Director

ALEC NEWS

January 5, 2010

ALEC Announces New Interim Executive Director

Washington, D.C. – The American Legislative Exchange Council (ALEC), the nation's largest individual membership association representing state legislators and America's private sector, today announced the appointment of Ronald Scheberle as interim Executive Director to replace Alan B. Smith, who has joined the Heartland Institute as a Senior Fellow.

Scheberle is Chairman Emeritus of ALEC's Private Enterprise Board. He has been an active private sector member of ALEC for over 25 years, serving as Private Enterprise Board National Chairman from 1988 to 1994 and as a member of ALEC's Private Enterprise Board of Directors continuously since.

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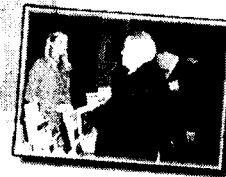
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to your contact information
please contact:

Jorge Amselle
Director of Public Affairs
Direct (202) 742-8536
Cell (202) 669-9910
jamselle@alec.org



ALEC Photo and Video Files



For the first time ALEC is now featuring all workshop sessions in addition to all plenary speakers on [YouTube](#). Please visit us at our special online section with links to all the video presentations.



PRISON OVERCROWDING: ISSUES & TOOLS TO HELP YOUR STATE

Photo courtesy of cdcr.ca.gov

Prison overcrowding has become a serious problem in America. There is currently not enough space in prisons for all convicted criminals to fully serve their sentences. This leads to the early release of offenders who are not ready to reenter the community successfully. The emergency release of offenders out the back door, in an effort to free up space for those at the front door, threatens the public safety of communities. This is neither effective nor efficient policy.

ALEC's new online Prison Overcrowding Resource page includes essential information for state legislators on the cost and the size of prison overcrowding. ALEC staff has accumulated state specific data and solutions to reduce prison overcrowding, preserve public safety, and reduce budget deficits.

Cracking ACORN

Many community organizations provide valuable public services at lower cost than government agencies, but some waste taxpayers money and abuse the public's trust. ACORN, sadly, falls into the latter category and continues to receive taxpayers' dollars through its many affiliates in the states.

ALEC's new online resource tracks ACORN affiliates, their various projects and funding, state by state. Legislators are provided links to news and information as well as ALEC's model resolution to defund this organization.

Stop the CFPA

Stop the Consumer Financial Protection Act

The Obama Administration has proposed, and the House is moving forward on, legislation to create a massive new government agency to regulate consumer financial products. This new agency, the Consumer Financial Protection Agency (CFPA) would have unprecedented powers and authority to determine the types of financial products consumers can choose from. The bill also extends federal financial regulation into areas that are currently controlled exclusively by the states.

This special online section includes links and information which detail how consumers and states will be negatively affected by the proposed agency and regulatory burdens. This section also includes resources for state legislators including talking points and ALEC's letter in opposition to Members of Congress.

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Joseph, Kara

From: Jorge Amselle [jamselle@alec.org]
Sent: Tuesday, January 05, 2010 11:19 AM
To: Joseph, Kara
Subject: ALEC Announces New Interim Executive Director

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Public Safety
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Ron can be reached at 202-742-8508 or by e-mail rscheberle@alec.org

A general announcement to all ALEC members will be released later today.

to your contact information
please contact:

Jorge Amselle
Director of Public Affairs
Direct (202) 742-8536
Cell (202) 669-9910
jamselle@alec.org

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Joseph, Kara

From: Dave Myslinski [dmyslinski@alec.org]
Sent: Thursday, December 10, 2009 6:53 PM
To: Joseph, Kara
Subject: ALEC Issue Alert: Dorgan Amendment S.A. 2793

ALEC

Issue Alert

To: All ALEC Legislative Members
From: ALEC's Health and Human Services Task Force
Date: December 10, 2009
Re: Dorgan Senate Amendment 2793

It has come to our attention that the U.S. Senate will likely vote today on Senate Amendment 2793, which would allow for the importation of prescription drugs.

ALEC is deeply concerned by the language presented in S.A. 2793, which would open our borders to drugs that have been outside the drug manufacturer's control, as well as outside the Food and Drug Administration's (FDA) jurisdiction.

This raises serious concerns regarding the safety of our pharmaceutical supply. ALEC's *Resolution Concerning the Prohibition of Imported Drugs* reiterates our concerns with the safety of allowing such a scheme. For example, a U.S. Customs and FDA investigation found that 88% of imported drugs contained unapproved materials—such as mislabeled, mishandled, expired, and misbranded drugs—that might cause patient health problems.

S.A. 2793 would also permit the importation and distribution of drugs that have not been approved by the FDA as well as drugs that are non-bioequivalent to current U.S. drugs. Both of these measures would put at risk patients who can only tolerate a narrow dosage range.

Additionally, allowing drug importation would create serious legal and liability concerns for prescribing physicians. S.A. 2793 does not allow patients or their physicians to opt out of receiving foreign drugs, which puts patients at an unavoidable risk.

Permitting drug importation would also increase the likelihood that counterfeit drugs, dangerous narcotics, and deliberately contaminated materials would endanger the health and safety of America's citizens. By creating a porous border for our nation's drug supply, those Americans who already are on prescriptions will be placed at an additional risk.

ALEC members have passed both a resolution (*Resolution Concerning the Prohibition of Imported Prescription Drugs*) and a model bill (*The Drug Re-importation Liability Act*) that denounce

importation schemes of any kind. Should you need a copy of these, or if you have questions, please contact the legislative manager of ALEC's Health and Human Services Task Force, Dave Myslinski, at (202) 742-8531 or dmyslinski@alec.org.

The American Legislative Exchange Council

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