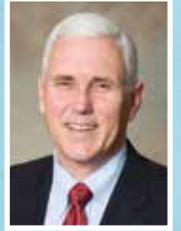


# The Ripon Forum

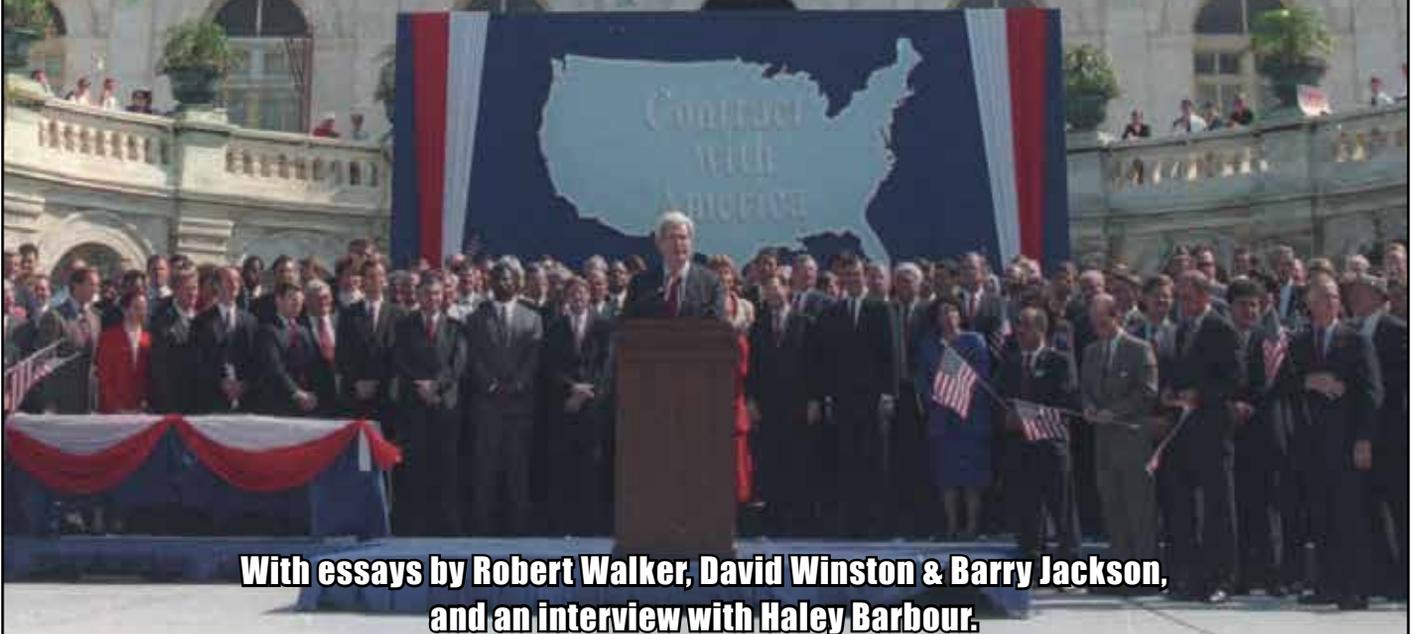
September 2014  
Volume 48, No. 3

**MIKE PENCE ON THE  
GOP'S MESSAGE THIS FALL:  
"We need to be 'solutions  
conservatives.'"**



## The Contract with America 20 Years Later

**The genesis of the document, the power of its positive message,  
and the model it continues to provide Republicans today.**



**With essays by Robert Walker, David Winston & Barry Jackson,  
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# The Ripon Forum

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Volume 48, Number 3

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Robert S. Walker

# In this Edition

Twenty years ago this fall, 367 Republican candidates from all around the country gathered on the West Front steps of the U.S. Capitol and signed the Contract with America. At the time, it was an historic moment because it helped give Republicans control of Congress for the first time in four decades.

Today, it is a moment worth remembering because it was also a time when the GOP loudly and proudly proclaimed not what they stood against, but what they stood for. We mark the anniversary of the Contract and its signing in this latest edition of THE RIPON FORUM with a series of essays that look at its impact on the 1994 mid-term elections, and its relevance to the mid-term elections this fall.

Our authors include: former GOP Deputy Whip Bob Walker, who writes about the genesis of the Contract and how the ideas included in the document were developed in a series of weekly meetings that were held throughout the 1980s on Capitol Hill; Republican strategist David Winston, who writes about the fact that the Contract took Republicans down a radically different path in their campaigns, one that nationalized their election and presented them with a positive message to embrace; and, veteran Congressional and Presidential advisor Barry Jackson, who served as Executive Director of the Contract and writes about the model for campaigning – and governance – that it provided then and continues to provide for Republicans today.

This latest edition of the FORUM also includes a Q&A interview with former Governor Haley Barbour, who as Chairman of the Republican National Committee, helped market and develop the ideas that were included in the Contract and, in doing so, helped the secure the GOP victory that year.

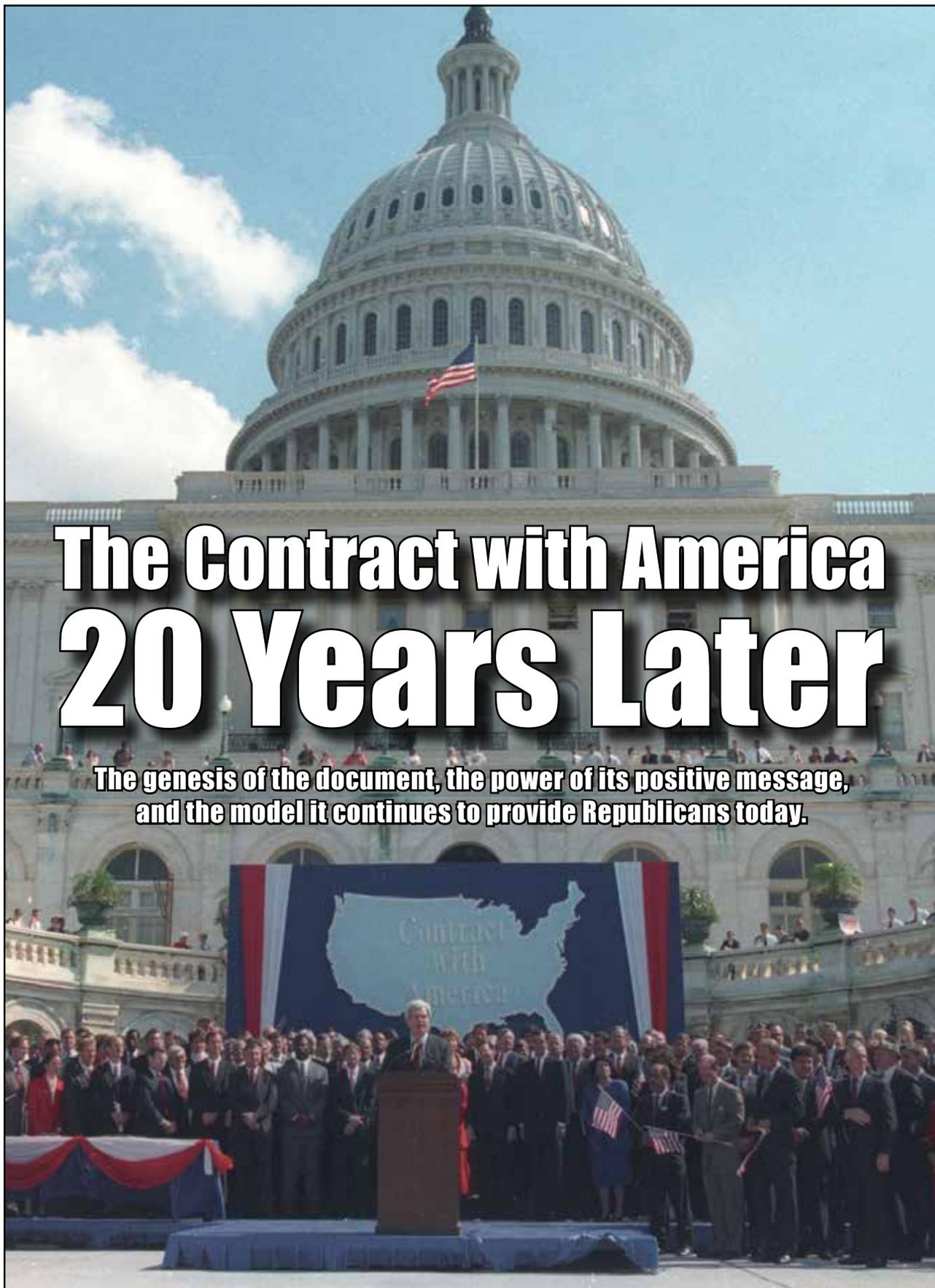
To the extent that there are those who argue that Republicans don't have a positive message to run on this fall and are simply the party of "no," this edition of the FORUM also provides an alternative narrative to that argument by putting forward "A Contract for Today" – that is, a realistic agenda for the GOP to campaign on and govern with that is largely based on votes Republicans have cast and bills they have introduced over the past several years.

One of the issues that will likely be near the top of any Republican agenda is energy. This edition of the FORUM looks at the issue in depth with essays that examine America's emergence as an energy superpower, the Republican Party's legacy on conservation, and how the GOP can reclaim its leadership on the issue in the coming years.

And in the latest Ripon Profile, Mike Pence discusses his record as the Governor of Indiana. It is a record that has helped make the Hoosier State one of the top states for business in America, and one that has, in the eyes of many, helped make the Governor a possible Presidential contender in 2016.

As always, we hope you enjoy this edition of the FORUM, and encourage you to contact us with any thoughts or comments you may have.

Lou Zickar  
Editor  
THE RIPON FORUM  
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# The Contract with America 20 Years Later

**The genesis of the document, the power of its positive message,  
and the model it continues to provide Republicans today.**

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# Where It All Began

ROBERT S. WALKER

The Contract With America is a story of political perseverance. Its real antecedents were in the formation of the Conservative Opportunity Society in 1983. That group, brought together by Newt Gingrich, had as its mission the transformation of the House Republican Conference and ultimately taking control of the House.

At the time, there was unhappiness in the Conference about the culture that had developed among House Republicans. Having served in the minority for nearly 30 years, many of the more senior GOP Congressmen had decided the best way to be a successful legislator was to go along to get along. They willingly cut deals beneficial to their own districts in return for supporting fundamentally liberal legislation. In other words, they had a minority mentality.

Gingrich and COS were mostly younger Members of Congress who had a desire to see the party fight to become a majority. Gingrich recognized that the change he wanted would take legislative activists committed to using the congressional processes for political battle and development of a unique agenda. The Members he recruited for COS were conservatives, moderates and pragmatists who shared a willingness to engage the Democrats on national issues.

Early leaders of the group included Vin Weber, Hank Brown, Duncan Hunter and me. We began meeting on Wednesday mornings in 121 Cannon and agreed that we had to develop a compelling agenda. The agenda needed to be visionary with a clear view of economic, cultural and societal change. So, we reached out to futurists, including Al Toffler and John Nesbitt, and met with them for hours at a time. What came out of those sessions was grounding in the emerging information economy and the magnitude of the change that the new economy would produce. The futurists' insight provided us with the foundation for the principles and programs we would advocate.

Ten years before the Contract was announced, COS laid down many of the concepts that found their way into it. We understood our outreach needed to be broader than just traditional Republican coalitions. We understood reform of the Congress was a necessary part of addressing the future. We understood that with significant economic change just over the horizon, we needed to have a growth-oriented economy which included, among other things, reduction of the Federal

debt and deficit and tax reform that encouraged investment. We understood science and technology would play an increasingly important role in defining national leadership. We understood the lives of the American people would be disrupted by the enormity of the change they would experience so that the religious, educational and cultural institutions would have to be reinforced. We understood that in a world of change, peace would be guaranteed only by strength. And we understood there are moral and constitutional values underpinning a free society that would have to be defended.

It took years of debate, trial and error, and programmatic iterations for these understandings to find their way into the final version of the Contract. But it is significant that our definition of legislative success survived a long journey to ultimate adoption.

The COS began its journey toward the Contract and winning a House majority at an interesting time. C-SPAN was a relatively new innovation in the House. One of the early successes of COS was exploiting the opportunity to reach hundreds of thousands of people nationwide with our message. We utilized the one minutes at the beginning of the legislative day to address current issues, often deciding just a few minutes beforehand to do a series of one minute speeches. What we really used was the special order time at the end of the legislative day where we could take up to an hour each talking about anything that struck our fancy.



**Ten years before the  
Contract was announced,  
COS laid down many of the  
concepts that found their  
way into it.**

We soon developed a style of interactive discussion that won quite a deal of interest with the C-SPAN audience. In fact, we attracted such a national following that then-Speaker Tip O'Neill one day ordered the cameras to pan away from the podium and show the Chamber. The Chamber was practically empty at the time, which was the Speaker's point – he was hoping to embarrass us or dissuade us from speaking any further. But his decision backfired when he was censured for using unparliamentary language during the House floor debate that ensued. It was the first time since the 18<sup>th</sup> century that a Speaker of the House had been disciplined in this manner. It was also the moment that helped propel the Conservative Opportunity Society from a small group of Republican backbenchers into a national movement of conservative reform.

Of course, the foundation of this movement rested on ideas – ideas to rewrite the tax code, reshape the welfare system, balance the budget, and revamp Congress itself. These ideas

took root in the meetings COS held each week, then spread throughout the Conference following the election of Vin Weber and Duncan Hunter to leadership positions in the mid-1980s and the election of Newt Gingrich as Minority Whip in 1989. After the Contract with America was signed in 1994, public interest in these ideas began to flourish, and the possibility that the GOP could win the House began to grow.

Today, we remember the party's victory that year as being the start of the Republican Revolution. In reality, it's more than that. It's an example of what a small band of committed reformers

can do when armed with the right ideas.

They can change history.

RF

*Robert S. Walker represented the 16<sup>th</sup> District of Pennsylvania from 1978 to 1996. He currently serves as Executive Chairman of Wexler Walker Public Policy Associates.*

**We remember the party's victory that year as being the start of the Republican Revolution. In reality, it's an example of what a small band of committed reformers can do when armed with the right ideas.**



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# THE CONTRACT WITH AMERICA

Signed by 367 Republicans on September 27, 1994

On the first day of the 104th Congress, the new Republican majority will immediately pass the following major reforms, aimed at restoring the faith and trust of the American people in their government:

- FIRST, require all laws that apply to the rest of the country also apply equally to the Congress;
- SECOND, select a major, independent auditing firm to conduct a comprehensive audit of Congress for waste, fraud or abuse;
- THIRD, cut the number of House committees, and cut committee staff by one-third;
- FOURTH, limit the terms of all committee chairs;
- FIFTH, ban the casting of proxy votes in committee;
- SIXTH, require committee meetings to be open to the public;
- SEVENTH, require a three-fifths majority vote to pass a tax increase;
- EIGHTH, guarantee an honest accounting of our Federal Budget by implementing zero base-line budgeting.

Thereafter, within the first 100 days of the 104th Congress, we shall bring to the House Floor the following bills, each to be given full and open debate, each to be given a clear and fair vote and each to be immediately available this day for public inspection and scrutiny.

1. THE FISCAL RESPONSIBILITY ACT: A balanced budget/tax limitation amendment and a legislative line-item veto to restore fiscal responsibility to an out-of-control Congress, requiring them to live under the same budget constraints as families and businesses.
2. THE TAKING BACK OUR STREETS ACT: An anti-crime package including stronger truth-in-sentencing, "good faith" exclusionary rule exemptions, effective death penalty provisions, and cuts in social spending from this summer's "crime" bill to fund prison construction and additional law enforcement to keep people secure in their neighborhoods and kids safe in their schools.
3. THE PERSONAL RESPONSIBILITY ACT: Discourage illegitimacy and teen pregnancy by prohibiting welfare to minor mothers and denying increased AFDC for additional children while on welfare, cut spending for welfare programs, and enact a tough two-years-and-out provision with work requirements to promote individual responsibility.
4. THE FAMILY REINFORCEMENT ACT: Child support enforcement, tax incentives for adoption, strengthening rights of parents in their children's education, stronger child pornography laws, and an elderly dependent care tax credit to reinforce the central role of families in American society.
5. THE AMERICAN DREAM RESTORATION ACT: A \$500 per child tax credit, begin repeal of the marriage tax penalty, and creation of American Dream Savings Accounts to provide middle class tax relief.
6. THE NATIONAL SECURITY RESTORATION ACT: No U.S. troops under U.N. command and restoration of the essential parts of our national security funding to strengthen our national defense and maintain our credibility around the world.
7. THE SENIOR CITIZENS FAIRNESS ACT: Raise the Social Security earnings limit which currently forces seniors out of the work force, repeal the 1993 tax hikes on Social Security benefits and provide tax incentives for private long-term care insurance to let Older Americans keep more of what they have earned over the years.
8. THE JOB CREATION AND WAGE ENHANCEMENT ACT: Small business incentives, capital gains cut and indexation, neutral cost recovery, risk assessment/cost-benefit analysis, strengthening the Regulatory Flexibility Act and unfunded mandate reform to create jobs and raise worker wages.
9. THE COMMON SENSE LEGAL REFORM ACT: "Loser pays" laws, reasonable limits on punitive damages and reform of product liability laws to stem the endless tide of litigation.
10. THE CITIZEN LEGISLATURE ACT: A first-ever vote on term limits to replace career politicians with citizen legislators.

Further, we will instruct the House Budget Committee to report to the floor and we will work to enact additional budget savings, beyond the budget cuts specifically included in the legislation described above, to ensure that the Federal budget deficit will be less than it would have been without the enactment of these bills. Respecting the judgment of our fellow citizens as we seek their mandate for reform, we hereby pledge our names to this Contract with America.

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# *The Contract with America:* **The Power of a Positive Message**

DAVID WINSTON

In the months leading up to the 1994 Contract with America, then Republican House Whip Newt Gingrich used the pollster he trusted most to develop the content – himself. Yes, the Gingrich team conducted a handful of focus groups, but the bulk of the public opinion input that drove the Contract’s 10 major points derived from media and think tank survey research -- not from an extensive internal research effort. In reality, it was Gingrich working with his conference who zeroed in on the American people’s priorities and opted for a different path.

After 40 years in the political wilderness, Gingrich and company decided to reject the old campaign maxim that all politics is local. They looked at what the American people were concerned about and created an idea-based vision that reflected those concerns. In other words, they made a key strategic decision to nationalize the election but Gingrich understood that nationalizing the debate wasn’t enough to win. Republicans needed to offer people real solutions to real problems.

He embraced the idea that voters want something to vote *for*, not simply a reason to vote against the other candidate or party. The Contract was more doctrine than a communications message. It offered voters change that could actually happen and would work. It was a realistic, doable political document that served as an organizing principle for a radical change in campaign strategy.

1994 was all about issue content and political context for candidates and voters. It gave candidates the ability to talk in national terms about bigger picture issues and gave the Party consistency across districts. It also helped the Party develop the financial resources to win the kind of historic victory Republicans would need to take control of the House.

There were plenty of naysayers, much like today, who rejected issue content out of hand, favoring instead the old-school negative campaign strategy. In the world in which they

operate, their advice to candidates was wholly predictable: “Don’t tell voters what you would do. That only gives Democrats something to shoot at. Just run against (insert Democrat candidate of choice) and you’ll be fine.” In the 20 years since the Contract, that kind of strategic thinking has characterized a growing list of failed Republican presidential and congressional campaigns.

With the Contract’s 20-year anniversary upon us, the debate over the effectiveness or wisdom of the Contract will no doubt resume. Few polls tested the Contract before the election and, unfortunately, the media’s post election polls didn’t measure the Contract’s impact on voters’ decision-making. But a Newsweek survey taken December 27-28, 1994, found that 64% of people favored the proposals contained in the Contract. Clearly, Gingrich had correctly identified people’s concerns with most of the Contract’s individual provisions getting favorable ratings above 70% in the poll – one of Gingrich’s litmus tests during the creation of the Contract.

But perhaps the strongest argument for the Contract’s idea-based strategy is a brief analysis of the off-year campaigns since. Four years after the Contract victory, Republicans once again tried to

nationalize the election by adopting a “Don’t reward Clinton” strategy, but unlike 1994, they failed to give voters a reason to vote for them. That strategic decision cost Republicans five House seats and Gingrich his Speakership.

Voter sentiment in 2002 was driven by 9/11. 2006 saw Republicans lose the House without a strategy to combat an increasingly unpopular president of the same party. Only one off-year election truly replicated, in fact, exceeded, the Contract’s success by returning to an idea-based, nationalized campaign – the 2010 election for the House embodied by the Pledge to America.



David Winston

**The Contract offered  
voters change that could  
actually happen and  
would work.**

House Republicans developed the Pledge in response to the leadership's decision to nationalize the 2010 election. House leaders understood, as Gingrich had, the need to define what a Republican majority would mean for people and their concerns.

"Where are the jobs" became the question that defined this strategy. In post election data done by The Winston Group, 77% of those surveyed said "where are the jobs" was the central question of the election. If "where are the jobs" was the meat, the Pledge was the bones of House Republicans' national strategy.

While there is scant polling data to measure the Contract or the Pledge's impact, a better measure may be looking at electoral outcomes. In both 1994 and 2010, House Republicans chose to adopt a national strategy grounded in a set of core principles and represented by a series of issue-based solutions. In 1994, House Republicans picked up 52 seats defeating 35 Democrat incumbents. In 2010, House Republicans won 63 seats beating 52 sitting Democrats in the process.<sup>1</sup>

But in those same elections, Senate Republicans opted for traditional, more negative campaigns that put GOP

candidates, especially those trying to unseat Democrat incumbents, at a disadvantage. The results are in stark contrast to House successes. In 1994, Republicans defeated only 2 Democrat incumbents picking up a total of 8 seats. In 2010, again the GOP could only manage to win 2 Democrat seats and 4 open seats for a gain of 6.

Those same naysayers that rejected the Contract in 1994 were proven wrong once again in 2010 when House Republicans offered voters another idea-based vision with the Pledge to America.

The Contract taught us that when people are unhappy with current political leadership, they are willing to listen to an alternative. Newt Gingrich understood that what that means is Republicans have to have something to say. Telling voters what you get with a Republican majority worked in 1994. It worked again in 2010. It can help assure a Republican victory in 2014 for those who are willing to step up and tell voters what they stand for and what specifically they will do to address the nation's challenges. **RF**

*David Winston is the president of The Winston Group, a strategic planning and survey research firm. He has served as a strategic advisor to the Senate and House Republican leadership for the past 10 years, and was formerly the Director of Planning for Speaker of the House Newt Gingrich*

1. Brookings Institute and the American Enterprise Institute, *Vital Statistics on Congress*, Tables 2-3, 2-4, 2-5, 2-6.

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*The Contract with America:*

# A Model for Campaigning... and Governance

BARRY JACKSON

Shortly after more than 350 men and women from around the country joined together to sign the Contract with America, a panicked House challenger phoned me. He had just received a call from the political director of the RNC telling him that embracing the Contract was a sure path to defeat and if he wanted to win and continue to receive support from the Party, he needed to quit talking about the Contract and just focus on wrapping President Clinton and his policies around his opponent's neck.

Twenty years on, the question of whether an agenda matters in an election remains a fundamental debate in the political world. Most campaign operatives believe Republicans won the 1994 election simply by riding the tide of voter anger directed at President Clinton and a corrupt Democrat Congress. Maybe they're right. Frankly, it doesn't matter because a group of determined House GOP leaders, backed by the RNC chairman, believed putting forth an agenda was an essential component to victory regardless of the counsel of political consultants. Those leaders knew they were going to live the consequences of a victory they were confident was within reach and they planned to be prepared to govern on day one.

The lessons and consequences of the Contract are still relevant. And getting back to Contract-like mentality may be key to the revival of our democracy and the future of democratic movements around the world. Today, as we watch nascent democracies struggle

to take root, it's easy to see a common thread. People's lack of faith in democratic government rises as their elected leaders fail to deliver on the promised policies and reforms which contributed to their election.

And at home, is it so different?

Campaign consultants driving candidates into cul-de-sacs of failure with unachievable commitments and promises feed into voter anger and resentment at all-time highs. Candidates transition into government and find no easy path to fulfilling their unrealistic pledges so revert back to campaign rhetoric, eagerly lapped up and regurgitated by the ever open maw of social and electronic media. And worse, they abdicate their responsibility to their constituents and each other by failing to participate in the basic functioning of the government institutions they were elected to, hoping the next election will somehow bend the government and their colleagues to their own world views.

The Contract, in contrast, provides a rational model of campaigning and governance. Its beauty is it so seamlessly serves the needs of both.

As a quick reminder, the Contract did three things: outlined a set of reforms the House would undertake to change the internal operations

of the Chamber; put forth 10 bills for review with a commitment to bring each bill to the floor under an open committee and amendment process for a vote; and asked to judge the signatories in the following election upon whether they had fulfilled their end of the Contract. While



Barry Jackson

**Getting back to Contract-like mentality may be key to the revival of our democracy and the future of democratic movements around the world.**

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the campaign side relied upon a TV Guide ad to launch the effort (Cut it out and post it on your refrigerator... how funny in today's age of smart phones and tablets), the actual Contract itself was a governing document, drafted by Members based upon legislative language.

That may sound simple enough, but it was a long process to develop. Surveys did assist in creating the document, but not in the fashion the cynical coverage of the time would have one believe. Rather, it evolved through a process of dialogue amongst the current House members and the candidates hoping to join their ranks. Starting with the candidates, a survey was taken of what issues the candidates themselves wanted included. Beyond the proffered items in the survey such as a balanced budget amendment or pro-growth tax reform, candidates were asked to include their own ideas. A similar survey was also taken by the incumbents. The range and scope of ideas submitted by both were profound. Using the filter of broad public support as determined by readily available public polling for inclusion, all ideas meeting the test were then sorted into like areas.

What was surprising beyond the range of issues candidates and Members submitted for consideration was the level of specificity. They wanted more than slogans to describe what rebuilding our national defense or reforming welfare meant. They wanted real, measurable, non-mumbo jumbo language to put before the voters so there could be no question as to what the public could expect if Republicans were honored with a majority for the first time in 40 years. Individual teams of Members and committee staff, coordinated by the Conference Chair and his staff, rolled up their sleeves and hammered out actual legislative language for all the items with a seriousness borne of the belief these bills would ultimately find their way to the floor of the House.

From a campaign standpoint, the product of this effort offered an alternative to a Democrat governing agenda which voters felt was not what they had voted for in 1992. Democrats were gleeful at the introduction of the Contract as they saw it as an opportunity to take voters' attention off President Clinton's failures and focus on the alleged extremism of Republicans. But well prepared with an understanding of the contents of the Contract, Republican candidates not only defended against the overwrought charges of the left, but pushed

back with effective counter-attacks on the failure of Democrats to govern as promised or to achieve the policy success they hoped. In doing so, the Contract provided a clear contrast in which independent, open-minded voters could cast their ballot. And on Election Day, because of the NRCC, the Republicans had candidates capable of riding their boards safely along the outer edges of an electoral wave to the first House majority in 40 years.

Which is the moment the true value of the Contract came into play.

When an assortment of commentators, activists and late-comers started to ponder on next moves, they threw out their own set of ideas – or demands – for the newly elected Majority to get to work on. They found no traction, especially amongst the incoming freshman class. All but a few of the successful candidates had affixed their name or commitment to the Contract, and the agenda was clear. They had signed on to a document of not only policy initiatives, but an explicit commitment to each

other to join together in governing, accepting an open process assuring their voices were heard, their amendments offered and a vote taken for those who might not agree with all the policy.

Because the agenda and process was defined, the leadership and the members had a five month period in which to learn the mechanics of running the greatest

of all democratic institutions. From managing the floor or a committee hearing to balancing the different views within the Conference; from building outside coalitions to support their governing efforts to conveying accomplishment to their constituents, the Contract gave all members a chance to learn, grow and achieve together. They learned to be a team managing through the next twelve years of success and turmoil on the foundation of what they had achieved together with the Contract.

And the candidate who called? He stuck with the Contract and won his election. **RF**

*Barry Jackson served as Executive Director of the Contract with America. He also served as Assistant to the President to President George W. Bush and as Chief of Staff to Speaker John Boehner. He currently serves as Strategic Advisor at Brownstein Hyatt Farber Schreck, Managing Director of The Lindsey Group and Board Director of the National Endowment for Democracy.*

**All but a few of the successful candidates had affixed their name or commitment to the Contract, and the agenda was clear. They had signed on to a document of not only policy initiatives, but an explicit commitment to each other to join together in governing.**

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*“It gave people something to vote for.”*

## Q&A with Haley Barbour

When Haley Barbour became Chairman of the Republican National Committee in 1993, the prospects for the GOP’s future looked rather grim.

The party was coming off an election that saw it lose the White House for the first time in 12 years, and Democrats were led by a charismatic young President who came to town armed with hope and a theme song by Fleetwood Mac.

On the Hill, Republicans had been out of power for nearly four decades. But instead of resigning themselves to their minority status, Republicans decided to present the American people with an alternative.

Led by Barbour at the RNC and then-Minority Whip Newt Gingrich in the House, Republicans spent the better part of the next 18 months carrying on a dialogue with the American people about what Congress would look like if the GOP were in control.

They sent out questionnaires. They held town meetings. They asked people what they thought. And then six weeks before the 1994 mid-term elections, they gathered on the steps of the U.S. Capitol to sign the Contract with America and tell people exactly what they intended to do. The rest is history.

The FORUM spoke recently with Governor Barbour about the Contract and its role in the ‘94 elections, as well as the issues and messages that he believes Republicans should focus on this year.

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**RF: How important was the Contract with America to the Republican Revolution of 1994?**

**HB:** The Contract with America was very important in 1994, not only because of the policies it promoted but because it gave people something to vote for.

**RF: As Chairman of the RNC, you famously placed an ad in TV Guide so that all Americans could have a copy of the Contract if they wanted. In this age of Facebook and Twitter, if you were marketing the Contract today, how would you sell the document and get your message across?**

**HB:** We took out the ad in TV Guide because we thought it was the most broadly circulated publication targeting middle class and working class families at the time. That was our target audience, and they voted very strongly for Republicans in 1994.

Frankly, I’m not even sure if they still publish TV Guide. But I do know that any marketing campaign you undertake today has to incorporate social media, which



**The Contract with America was very important in 1994, not only because of the policies it promoted but because it gave people something to vote for.**

means reaching people not only through the printed page, but through their iPads and iPhones, as well.

**RF: Along those same lines, if you were writing a Contract with America for 2014, what are some of the ideas and policy proposals you would include?**

**HB:** In the Contract with America, we emphasized the issues and policies that united us as Republicans – smaller government, less spending, lower taxes, rational regulation, a market-based economy, safe streets, peace through strength, strong families.

Today, we would talk about policies that lead to economic growth – job creation that results in higher incomes for more people; a policy that

leads to abundant, affordable American energy; a tax policy that saves American businesses from the highest income tax rate in the world and establishes a territorial tax system so these same businesses don’t have to pay incomes taxes twice.

A Contract with America for today would be

consistent with the same principles, but the issue set would be different.

**RF: Given the fractious nature of today's GOP, do you think it would be possible to get Republicans to support a Contract?**

**HB:** The fractious nature of today's GOP is mostly about tactics, not policy. The vast majority of Republicans agree on most of these issues.

In fact, I think 90 percent of people who consider themselves Tea Party voters agree on almost every issue with people who consider themselves regular

Republicans. It's the tactical stuff that has created the fissures.

**RF: What message – or messages -- do you believe Republicans should campaign on this fall?**

**The fractious nature of today's GOP is mostly about tactics, not policy. The vast majority of Republicans agree on most of these issues.**

**HB:** I think we should emphasize economic growth, job creation, higher incomes, and a health care system controlled by doctors and patients instead of federal bureaucrats.

We can't tolerate two percent economic growth if we expect our children and grandchildren to live in the same country we grew up in – a country with unlimited opportunity for all and more prosperity and freedom than the world has ever known.

**RF: Finally, what is your prediction for November 4th – how will Republicans do?**

**HB:** I think Republicans are more likely to win the Senate than not, but we're not shooting fish in a barrel. I think we will make gains in the House, and about break even on Governors. Right now, there are 29 Republican Governors and 21 Democrats. It's going to be hard to improve on that. **RF**



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# “A Contract for Today”

When 367 Republicans signed the Contract with America on September 27, 1994, they were not only signing onto a document that would help guide them in their campaigns, they were also signing onto a governing agenda that would help guide the party after the election. At the time, providing such an agenda was important. After all, it had been four decades since Republicans had last controlled Congress. The American people had questions about what the party would do if it won a majority. The Contract helped answer those questions.

In the years since, the party of ideas has become known as the party of “no.” Clearly, much of this opposition has been a necessary part of governing. Moreover, with many now predicting that Republicans will not only hold the House but win the Senate this November, one could also argue that this opposition has been politically astute. And yet the fact remains that if these predictions are proven true, the party will need an agenda that goes beyond simply opposing whatever legislation or policy initiative the Obama Administration may propose.

Fortunately, the elements of such an agenda already exist. They can be found in the votes and bills that have been debated and discussed by Republicans over the past two decades of GOP rule on Capitol Hill. Some of these ideas were passed by the House as part of the Contract with America 20 years ago and were narrowly defeated in the Senate, never making it into law. Others were passed by the House in more recent years and sent to the Senate, where they were never considered and died a quiet death. Still others were introduced by Republican Chairmen, debated in Committee and, for whatever reason, never taken up for a vote on the floor.

As the American people prepare to cast their votes in the 2014 mid-terms, the FORUM thought it would be instructive to pull 10 of these elements together into one document. For headline purposes, we are calling it “A Contract for Today.” But the truth of the matter is that it is a realistic agenda for Republicans to pursue should they control the Legislative Branch next year. The agenda includes:

**1) Restoring Accountability to our Government** – many people forget that Senate Republicans came one vote short of passing the Balanced Budget Amendment in 1995. With 24 states now calling for a constitutional convention to approve such an amendment, look for the new Republican Majority to hold another vote on the issue in 2015. While they are at it, look for them to also renew their call for a federal Sunset Commission, an idea long championed by Congressman Kevin Brady, and vote on legislation introduced by Senator Rob Portman to require independent agencies to publish the costs and benefits of new rules deemed to be economically significant.

**2) Making U.S. Energy More Affordable and Available** – despite the best efforts of the Obama Administration to overregulate the nation’s energy sector, America’s energy renaissance is well underway. Look for the new GOP Majority to continue this renaissance by passing legislation such as Rep. Lee Terry’s bill to build the Keystone Pipeline, Fred Upton’s measure to increase transparency at the Environmental Protection Agency, and Rep. Cory Gardner’s proposal to increase exports of liquefied natural gas to U.S. allies around the world.

**3) Reforming the Tax Code So it Serves People, not Special Interests** – Ways & Means Committee Chairman Dave Camp introduced a comprehensive tax reform bill earlier this year that, among other things, would close loopholes, reduce the number of brackets, and lower the corporate tax rate to keep U.S. companies – and U.S. profits – from going overseas. Although the bill was not considered by the House, Camp’s legislation should serve as a foundation that the new Republican Majority can use to move tax reform next year.

**4) Strengthening our Border Security and Improving our Immigration Laws** – House Homeland Security Chairman Michael McCaul introduced legislation last year that would strengthen border security by, among other things, requiring the Homeland Security Department to develop a plan to gain operational control of the entire Southwest border within five years. The plan was unanimously approved by the Homeland Security Committee, but never voted on in the full House. Look for the new GOP Majority to bring the McCaul bill up for a vote and use it as a springboard to tackle the more difficult issues surrounding immigration reform.

**The party will need an agenda that goes beyond simply opposing whatever legislation or policy initiative the Obama Administration may propose.**

**5) Providing Better Education in the Classroom and Better Job Training to Workers in Need** – as the nation debates the merits of the Common Core Standards, efforts have been underway to improve and strengthen the educational choices that American students have. Case in point – a bill supported by Education & Workforce Committee Chairman John Kline to expand the number of charter schools around the country. The bill passed the House this spring by an overwhelming vote of 360-45. If Republicans control Congress next year, look for the bill to be the centerpiece of a GOP education agenda, along with a measure passed by the House last year to streamline federal job training programs and make it easier for Americans to acquire the skills needed for a new job.

**6) Keeping America Secure in an Increasingly Volatile World** – since 2010, U.S. defense spending has been cut by 21 percent. But as events in the Middle East and Ukraine have demonstrated, the threats and challenges to the U.S. have continued to increase over that time. Look for the new Republican majority to reverse this increase to make sure America is prepared to meet and defeat these threats. At the same time, look for Republicans to make sure taxpayers are getting the best value out of their defense dollars by embracing the acquisition reform initiative being spearheaded by House Armed Services Committee Vice Chairman Mac Thornberry, which is set to unveil a set of recommendations next year.

**7) Reforming Health Care in a Way That Controls Costs and Expands Patient Choices** – President Obama promised that Americans would be able to keep their current health care if the Affordable Care Act became law. He also promised that people's premiums would not increase. Both promises have been proven untrue. Premiums in the individual market increased by an average of 41 percent nationwide between 2013 and 2014, while millions of people have lost their health coverage; nearly 250,000 Virginians are expected to see their policies cancelled this fall alone. Look for the new Republican Majority to reverse these weaknesses in the current law by passing reforms contained in legislation introduced earlier this year by Senators Orrin Hatch, Richard Burr, and Tom Coburn. Among other things, the bill – called the Patient CARE Act -- would expand coverage through tax credits, not mandates, and control costs by allowing small businesses to band together to negotiate health plans and by medical malpractice reform.

**8) Saving Social Security and Medicare for Future Generations of Americans** – Social Security has been running

a permanent cash-flow deficit since 2010, while Medicare's Hospital Insurance Trust Fund is scheduled to go bankrupt in 2030. With Republicans controlling both chambers of Congress, look for the new majority to resume their push for programmatic reform. Where should they begin? On Medicare, take a look at the bipartisan modernization plan that Congressman Erik Paulsen and Senator Johnny Isakson introduced earlier this year that would focus reform on the program's biggest cost-driver – chronic care. On Social Security, Senator Marco Rubio proposed a series of reforms this past spring that merit consideration, including raising the retirement age, repealing the Social Security Earnings Limit, and allowing Americans to enroll in the same retirement program as Congress and other federal workers.

**9) Strengthening the Federal Safety Net for Those in Need Today** – when Lyndon Johnson declared war on poverty in 1964, 23 percent of children in the U.S. were living in impoverished conditions. Despite the fact that the federal government has spent \$16 trillion on this effort in the years since, 22 percent of American children are still living in poverty.

Look for the new Republican Majority to see if taxpayers can get better value for their tax dollars by reforming the way anti-poverty funds are spent. Congressman Paul Ryan introduced a comprehensive plan this past summer that would do just that by, among other things, consolidating 11 programs into one

and giving states more flexibility in determining how federal anti-poverty tax dollars are being spent.

**10) Making Congress Work Better for the American People** – one of the hallmarks of the Contract with America in 1994 is that it reformed the institution of Congress itself. Twenty years later, the days of ice buckets being delivered to member offices are long gone. But many of the processes and procedures that govern the House and Senate remain frozen in the past. With public approval of Congress at an all-time low the new GOP Majority should consider adopting a set of reforms to modernize the institution that two former Republican Senators had a hand in drafting. The reforms, unveiled by the Bipartisan Policy Center this year and co-authored by a group of legislative experts that included former Senators Trent Lott and Olympia Snowe, would among other things require biennial budgeting to improve long range planning, encourage more conference committees between the two chambers, and require the House and Senate to schedule five day work weeks in Washington followed by one week working at home.

RF



**Fortunately, the elements of such an agenda already exist.**

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# The Red Tape Factory

## *How EPA overregulation is driving up the cost of energy*

FRED UPTON

Since President Obama moved into the White House in 2009, his administration has been churning out spools of red tape. The Environmental Protection Agency is the administration's biggest red tape factory, issuing more economically significant rules than any other agency and contributing to making energy prices more expensive.

EPA is now regulating at an unprecedented pace and at extraordinary levels. The Chamber of Commerce notes, "EPA has been writing more billion-dollar rules, each with greater costs, than ever before." According to the Mercatus Center, the agency now has 135,921 regulatory restrictions in the Code of Federal Regulations.

While some regulations are necessary to protect the safety and well-being of our citizens, many regulations have unintended consequences and can impose new hardships on those the government is trying to protect. New research from the American Action Forum suggests new Obama administration regulations will raise the cost of everything from food to health care to everyday consumer products. Just a handful of EPA's new rules could cost consumers over \$135 annually in additional energy costs alone. And a recent study from the National Association of Manufacturers estimates EPA's potential new ozone standards could "cost the average U.S. household \$1,570 per year in the form of lost consumption."

Regulations have real consequences for real families, and it is the nation's poorest and most vulnerable who are hit the hardest by cost increases. This is why it is so important that we fully understand all of the costs, benefits, and potential consequences of new regulations

before they are forced upon the American people and our economy. Unfortunately, this necessary evaluation has fallen by the wayside during this administration. And Congress has been written out of the process almost entirely as rules are pushed through with little transparency or public debate.

The House Energy and Commerce Committee has been on the frontlines in the effort to protect jobs and keep energy affordable. To ensure greater transparency and accountability in EPA's rulemaking process — and to protect Americans from higher energy costs — the

House of Representatives approved legislation last year to provide for additional oversight and review of the agency's most expensive proposed rules. The Energy Consumers Relief Act, authored by committee member Rep. Bill Cassidy (R-LA), would prevent EPA from finalizing new energy-related rules estimated to cost more than \$1 billion until the agency submits a report to Congress detailing certain cost, energy price, and job impacts. EPA would be prohibited from finalizing certain rules if the Secretary of Energy, consulting with other relevant agencies, determines the rule would cause significant adverse

effects to the economy. This bill promotes a commonsense "look before you leap" approach to regulation, but the Senate has refused to take it up.

To understand the need for this checks-and-balances legislation, look no further than EPA's new power plant rules. Since the passage of Rep. Cassidy's bill, EPA has proposed expensive carbon dioxide rules for new and existing power plants that will fundamentally change our



**While some regulations are necessary to protect the safety and well-being of our citizens, many regulations have unintended consequences and can impose new hardships on those the government is trying to protect.**

nation's energy sector. The rules are estimated to cost the economy billions of dollars, and even EPA admits they will make electricity more expensive for consumers and businesses.

EPA's proposed carbon dioxide standards for new power plants are so stringent they would essentially impose a *de facto* ban on the construction of new coal-fired power plants in America. The rule requires coal plants to be built using costly carbon capture and sequestration technologies that have not yet been proven to be commercially viable, and notwithstanding express statutory prohibitions under the Energy Policy Act of 2005. EPA's proposed rule for existing coal-fired power plants has even more immediate impacts for states and consumers. It requires states to submit for approval state or regional energy plans to meet federally mandated emissions targets. Asserting unprecedented regulatory authority, EPA is telling states how they can generate and use electricity. Implementing this new rule will force even more of the nation's power plants to shut down and put thousands of workers out of a job, all the while raising electricity prices and diminishing America's global competitiveness.

The committee has been conducting hearings and

exercising oversight relating to the development of these destructive power plant regulations, and the House passed legislation authored by Rep. Ed Whitfield (R-KY) to stave off their harmful consequences. The bipartisan Electricity Security and Affordability Act would require that any greenhouse gas standards set by EPA for new coal-fired plants be achievable by commercial power plants operating in the real world. The bill also provides that Congress would set the effective date for EPA's existing plants rule to ensure that a rule is not pushed through without the economic impacts being fully understood and debated.

The bottom line: EPA is regulating too much too fast – and the results could be disastrous for consumers and our broader economy. There is simply too much at stake to let these rules slip by. The House will continue to put forward commonsense solutions that make energy more affordable, and conduct aggressive oversight to hold EPA accountable and bring greater transparency to the agency's regulatory process. **RF**

*Fred Upton represents the 6<sup>th</sup> District of Michigan in the U.S. House of Representatives. He serves as Chairman of the Energy & Commerce Committee.*

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# Republicans, Energy & the Environment

*A legacy waiting to be fulfilled*

ROB SISSON

At a time when Republicans are being criticized for showing indifference toward the environment, it is worth noting that the party has a rich legacy on the issue on which party leaders can build.

The GOP's great conservation legacy began with the first Republican president, Abraham Lincoln, who set aside the Yosemite Valley for the enjoyment of future generations of Americans. Lincoln's successor, U.S. Grant, established the world's first national park—Yellowstone—the cornerstone of what Ken Burns called "America's Best Idea".

Theodore Roosevelt is revered to this day, more than 100 years after his presidency, for his bold foresight in conservation of our natural resources.

Roosevelt protected 10 percent of the Lower 48 land mass and created five national parks, 150 national forests, and 55 wildlife refuges. If there is a secular patron saint of conservation, it is TR.

Dwight Eisenhower conserved land now known as the Arctic National Wildlife Refuge. Nearly two decades later, Ike's Vice President, Richard Nixon, became the greatest environmental president in our history. Nixon signed into law the Environmental Protection Agency, National Environmental Policy Act, Endangered Species Act, and Clean Air Act of 1970.

After Nixon's resignation, Gerald Ford -- who served as a summer ranger in Yellowstone when he was 23 years old -- picked up the mantle on environmental issues by enacting the first auto fuel standards, the Safe Drinking Water Act, and 18 national parks.

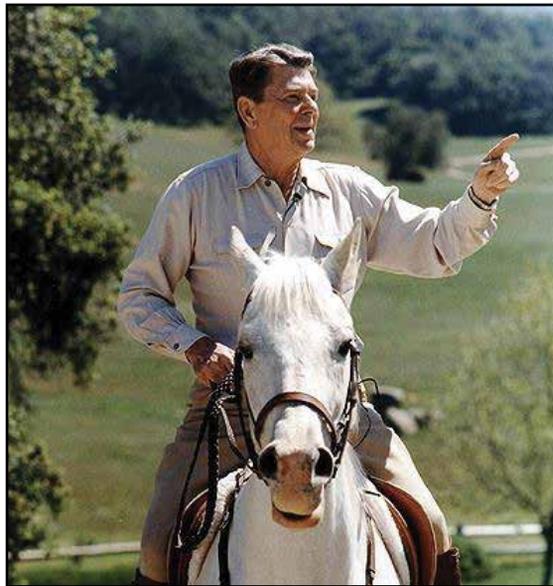
Perhaps the most unsung hero in the litany of Republican conservationists is Ronald Reagan. He protected more than

10 million acres of wilderness. His greatest contribution, though, was completing the Montreal Protocol. Reagan's political advisers were at odds with his scientific advisers. Reagan sided with the scientists and urged his negotiators to get the treaty done. That accord has prevented the release of more greenhouse gases than any other act.

Reagan's successor as President, George H.W. Bush, signed the Clean Air Act Amendments of 1990 to tackle three major problems: acid rain, urban air pollution, and toxic air emissions. "41" rolled up his sleeves to tackle the not-so-glamorous work of cleaning up the Exxon Valdez spill, our largest coastal harbors, and military bases. His declaration of "no net loss of wetlands" pays dividends today to municipalities and communities in the form of lower infrastructure costs. Bush also convened the first-ever national conference on climate change.

The remarkable conservation legacy of the GOP isn't limited to the White House. Gifford Pinchot created forestry as a profession and the U.S. Forest Service while serving in the Roosevelt administration. Iowa Republican John Lacey gave us "The Lacey Act", for which every fan of wildlife should be thankful. John

Saylor, a Republican from Pennsylvania coal country, rallied support for The Wilderness Act of 1964 and the Wild and Scenic Rivers Act. The legacy continues today in state houses, governors' mansions, and in the 113th Congress, where seven Republican-sponsored wilderness bills await action. In July, 104 Republican co-sponsors joined Pennsylvania Republican Jim Gerlach in passing the Conservation Easement Incentive Act to make permanent the tax deduction for that critical land stewardship tool.



**Perhaps the most unsung hero  
in the litany of Republican  
conservationists is  
Ronald Reagan.**

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Unfortunately, the popular narrative is that the GOP's only environmental goal is to pave over paradise and put up a parking lot. That's our fault—we ceded the narrative to the opposition, green groups, and even supportive conservative groups which constantly beam the false choice of a healthy economy over a healthy environment into our living rooms.

Without prompt attention to rehabilitating that tarnished image, the GOP could get lost in the political wilderness. Polling shows that a clear majority and growing numbers of Americans are concerned about climate change. Nowhere is this concern accelerating faster than among faith and millennial voters as they sense a moral call for action and that a healthy environment is a priority.

A 2013 study by Yale's Anthony Leiserowitz, for example, found that 61% of evangelical Christians believe climate change is happening. More telling, 90% of those surveyed support federal funding for renewable energy research and more than 70% support regulating carbon emissions. According to an ABC News June 2014 poll, 68% of white Catholic voters view global warming as a serious problem. The same poll found 7 in 10 Americans view it as a serious problem—enough to support broad efforts to curb greenhouse gas emissions. Harstad Strategic Research reported earlier this year that millennials strongly support protecting the environment from pollution (76%) and addressing climate change (69%).

In its 2014 spring report, George Mason University's Center for Climate Change Communications reported that Americans are two times more likely to vote for a presidential candidate who strongly supports action to address climate change.

Ceding the conversation on climate change isn't an option.

The left has drawn a line in the tar sands over the Keystone XL pipeline. They are wrong. The pipeline is the most environmentally friendly and safest method to transport oil and gas. The left prefers the oil be dangerously shipped up and over mountains and across a roiling ocean to countries that have sub-standard pollution and emissions rules. Keystone is

a compelling pro-environment story we need to tell over and over.

Anyone who paid attention to the way the left handled healthcare realizes we can ill afford to let them craft a national energy strategy. We need Republican leadership.

The economics of moving to a clean energy future are difficult to negotiate. Millions of Americans work in the fossil fuel industry, invest in those firms directly or through mutual funds or retirement plans, and hundreds of communities depend upon those industries to provide infrastructure and services. A Republican strategy would insure those who depend upon those industries will have a secure future by a concentrated effort to learn how to use those fuels more cleanly.

Thanks largely to our booming domestic natural gas industry, we've lowered our greenhouse gas emissions by 12% to 1994 levels. Continued investment in infrastructure and conversion of our economy to run on natural gas will strengthen our economy and continue to improve the climate picture. Exporting liquefied natural gas and the technology to extract gas to other countries helps address global emissions and is another way to fortify our own economy.

Meanwhile, we should work to unshackle all forms of energy, including nuclear, wind, solar, and bio-fuels from market distorting regulations, bureaucracy, and taxes by deploying free market forces to achieve reductions in pollution with economic growth.

A GOP call to convene our brightest minds to proffer market-based actions to curb carbon emissions, promote R&D, and loosen the regulatory anchor chained to our economy could set the stage for generations of new economic growth. And it would signal the marketplace—the American electorate—that the climate has changed inside the Beltway. **RF**



Rob Sisson

**Unfortunately, the popular narrative is that the GOP's only environmental goal is to pave over paradise and put up a parking lot. That's our fault -- we ceded the narrative to the opposition.**

*Rob Sisson is President of ConservAmerica, a national grassroots organization. Prior to joining ConservAmerica, he spent 22 years in commercial banking and, in 2000, was named Michigan's Small Business Advocate of the Year. He also served two terms as Mayor of Sturgis, Michigan.*

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# Leading from the Front on Energy

AMY MYERS JAFFE

Recent events such as the rise of the Islamic State of Iraq and Syria (ISIS) and the crisis in Ukraine demonstrate that it is in our national interest to assume global leadership. The idea that “energy independence” would somehow free us from global responsibilities and promote the benefits of isolationism now ring hollow as the security risks become clear of removing ourselves from global problems.

The United States can do more to use its advantageous energy position to enhance its global leadership role. Our current policy of limiting natural gas exports and banning crude oil exports must be considered in the context of the U.S. global leadership role and not in just the confines of U.S. domestic political priorities. In the global context, hoarding energy inside our borders sends the message to other countries that they too should be hoarding their energy. Such attitudes were precisely what worsened the economic damage to the global economy during the 1979 oil crisis.

The United States needs to lead from the front when it comes to energy geopolitics. Open trade and investment in energy is important to U.S. vital interests.

Artificial restrictions on energy flows can be a source of international conflict as we can already see from events in the Middle East and eastern Europe. Moreover, the United States has a direct interest in preventing energy supply from being used as a strategic weapon. For these reasons, the United States should continue to actively support open markets and free trade in energy, and to do

so, it cannot restrict its own energy exports.

By leading the charge on new energy technologies and energy exports, the United States has the ability to fashion a global energy world that is more secure, freer of geopolitical strings and lower in carbon emissions. We should not shirk that responsibility to save a few pennies on the energy bill of some subset from the U.S. manufacturing sector, which will be increasingly competitive given its geographical proximity to new U.S. energy resources and its access to innovative technologies like 3-D printing and the internet of things.

The argument that our energy supplies must first go to helping our own economy similarly ring hollow. As American shale production expands from natural gas to oil, the geopolitical benefits will mushroom both by improving U.S. financial strength and by eliminating U.S. vulnerability to economic blackmail. Importantly, energy exports improve our balance of trade. The health of the U.S. economy and fate of the U.S. dollar come under pressure when rising oil prices raised our massive oil import bill, worsening the U.S. trade deficit. Citibank estimates

that rising domestic shale oil and gas production, by reducing oil imports and keeping “petro-dollars” inside the U.S. economy, will reduce the U.S. current account deficit by 1.2 to 2.4 percent of gross domestic product (GDP) from 3 percent of GDP seen in 2011. Energy exports would enhance this trend by adding gains to the balance of trade.



Amy Myers Jaffe

**Our current policy of limiting natural gas exports and banning crude oil exports must be considered in the context of the U.S. global leadership role and not in just the confines of U.S. domestic political priorities.**

The question about whether the United States should export its energy has already been answered. We are a major energy exporter. The United States is already a major exporter of over 3 million barrels a day in the form of refined oil products such as diesel fuel and gasoline. We also export natural gas to Mexico and gas and condensate to Canada under special bilateral agreements. The United States is also a major coal exporter to Europe.

So why, it should be asked, are we splitting a hair over liquefied natural gas and condensates? We are blocking condensate exports to free trade partners like Mexico or South Korea even though there is surplus in the U.S. market that might become a storage containment problem. And why would the United States not favor full and open trade in energy commodities including liquefied natural gas and oil with our allies from the North Atlantic Treaty Organization when we are wastefully flaring

natural gas in the United States.

The United States is part of an emergency oil supply system under its obligations to the International Energy Agency system. In the case of war or a major disruption, the United States is bound to share energy to prevent an international economic crisis. So why would we hoard our new energy abundance under normal day to day circumstances?

Our current policies, created in a time of market panic, no longer make sense. It is time to reevaluate U.S. oil and gas export policy

in light of our changing energy situation and global leadership role.

RF

**As American shale production expands from natural gas to oil, the geopolitical benefits will mushroom both by improving U.S. financial strength and by eliminating U.S. vulnerability to economic blackmail.**

*Amy Myers Jaffe is the Executive Director of Energy and Sustainability at the University of California Davis and is co-author of Oil, Dollars, Debt and Crises: The Global Curse of Black Gold.*



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# The President's Shortsighted Policy on Coal

PHIL FLYNN

As the Environmental Protection Agency wages its war on coal, it seems that the U.S. is exporting hypocrisy. With U.S. greenhouse gas emissions plunging due to our abundance of cheap natural gas, the dirty little secret is that coal exports are beginning to boom. While the EPA wants to take credit for closing our coal plants, the truth is that the shale gas revolution, courtesy of the energy industry, has been one of the main factors in reducing carbon emissions. The EPA may be slowing coal burning in the U.S., but the reality is that our coal will be exported to countries out of the reach of the agency.

According to the U.S. Energy Information Administration, in 2013, U.S. coal mines produced just fewer than one billion short tons of coal -- the lowest output level since 1993. They say that more than 90% of this coal was used by U.S. power plants to generate electricity. That is 37% lower than the all-time high in the U.S. Yet, while more coal plants shut down in the U.S. -- putting our electric grid at risk of failure -- coal usage around the globe will rise and the U.S. will be exporting coal to countries that may not be as concerned about the environment as we are.

The Wall Street Journal reported that U.S. coal shipments outside the country in 2014 are expected to surpass 100 million tons for the third year in a row, a record string of U.S. coal exports. Those exports look to rise as the global appetite for coal also increases.

In Europe and in Asia, after a slowdown in demand due to economic factors, we are starting to see demand boom again. Instead of retrenching, the U.S. coal industry is looking to add capacity and export even more coal. Accordingly, the U.S. coal industry feels like it is ready to take on the world. A report released by the National Mining Association says U.S. coal to Europe and Asia added \$16.6 billion to the U.S. economy in 2011, and that could surge even more as demand around the globe is expected to grow.

There is a feeling in the coal industry that if the EPA closes plants here, there are plenty of places around the

globe that will happily buy our coal. U.S. coal will not just sit in the ground. In the United States, instead of writing the epitaph on coal -- the industry is experiencing a real rebirth as an exporting nation that will feed energy to places all around the globe. Thermal coal, shipped by sea, rose 22% between 2011 and 2013 according to data provided by Glencore, and that should surge as demand will rise.

Germany for example will be an active buyer with the closing of their nuclear power plants. While they have spent big money on clean coal technology, other countries in the world have not. Japan plans to increase its coal-fired capacity by a whopping 21 percent over the next 10 years. India is also adding huge capacity.

Yet in the U.S., the EPA's desire to reduce our coal addiction could come at a cost. At a time when electric prices should be falling, they could be set to spike. Tim Maverick, of the Wall Street Daily, reported that last winter it was the coal plants that actually kept the lights on. He reported that the PJM Interconnection -- a regional electric transmission

organization that serves a large swath of the United States from New Jersey to Illinois -- was key last winter. On January 7, 2014, it saw the largest-ever peak winter load of nearly 142,000 megawatts. In the rest of that month alone, 8 of the top 10 peak winter loads for PJM occurred. PJM survived, thanks to old coal-fired power plants that are scheduled to be shut down by the EPA soon. "Eighty-nine percent of the coal electricity capacity, that is due to go offline, was utilized as that backup to meet the demand this winter," said Alaska Republican Senator Lisa Murkowski at a Senate hearing in April.

So what happens this winter? The Wall Street Daily says that about 12,000 megawatts of coal-fired capacity are scheduled to be retired in January 2015 to fulfill regulations established five years ago. Most of those coal-fired power plants are owned by American Electric Power (AEP), the country's biggest owner of coal-burning power plants. AEP is being forced to close down almost a



Phil Flynn

quarter of its coal-fired generating plants over the next 10 months. This will reduce the total capacity available for some of the country's most densely populated regions just when the weather may once again push the demand for power to unprecedented levels. AEP's Chief Executive Officer, Nicholas Akins, told Congress last April, "This country did not just dodge a bullet [this winter] – we dodged a cannonball." Even the Commissioner of the Federal Energy Regulatory Commission, Philip Moeller, believes the electric grid in parts of the country is "now already at the limit." This is not good news with regulations removing some of that already-strained generation capacity.

According to Wall Street Daily, while AEP believes the EPA could be willing to extend the coal plant shutdown deadline date, it is possible political pressure will not allow the EPA to grant that deadline. Fears that environmental groups will likely bring lawsuits under the Clean Air Act will force closures regardless. Unless

environmental groups give the coal-powered plants a reprieve, a blackout is almost guaranteed in the event of another polar vortex winter.

Demand for U.S. coal will be even higher with geopolitical risk around the globe. The possibility that U.S. coal exports will be needed desperately in Europe will increase if Russia decides to cut off supply because of the conflict with Ukraine. Twenty-five percent of Europe's gas goes through Ukraine, and if Russia plays hardball, that will only cause the demand for U.S. coal to rise even more.

While the EPA has noble goals, the truth is, like many things in energy,

when you try to fix one problem you may be creating many others. **RF**

*Phil Flynn is a Futures Account Executive at The PRICE Futures Group and author of The Energy Report and contributor to the Fox Business Network.*

**While more coal plants shut down in the U.S. -- putting our electric grid at risk of failure -- coal usage around the globe will rise and the U.S. will be exporting coal to countries that may not be as concerned about the environment as we are.**



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# States, Not Localities, Should Control Fracking

DIANA FURCHTGOTT-ROTH

This past June, the New York State Court of Appeals issued a ruling that could have repercussions in all 50 states.

In a 5-2 decision, the Appeals Court ruled the towns of Dryden (in Tompkins County) and Middlefield (in Otsego County) are allowed to ban fracking completely. The way they can do this is through their locally-controlled zoning authority, known as “home rule.”

At first glance, the Court’s decision appears to be the right one. In accordance with federalism principles, states and localities should have the choice of what activities to allow within their borders. However, allowing each locality to choose whether to ban fracking can have negative effects on a state’s economy — and the economy of the nation.

According to Hudson Institute senior fellow Irwin Stelzer, allowing individual towns to ban fracking “is a bad idea because counties bear the costs and the nation the benefits, from which it should not be deprived. That means, however, that counties should be reimbursed for the costs imposed on them, perhaps by taxes set equal to any of those costs not captured by the landowner via royalties in return for mineral rights.”

Allowing each locality to choose whether to ban fracking has the potential to slow down fracking in those states where it is allowed. First, state governments are usually more stable and, in an industry that requires much foresight and initial investment, a stable regulatory environment is necessary. Second, complying with countless regulations from town to town also has the potential to

slow down America’s oil and gas renaissance. Lastly, state governments have more available resources and expertise to properly craft regulations for an industry that is both complex and rapidly advancing.

Fracking has proved to be a major source of growth, and towns should be compensated for their costs. People desire the economic benefits that accompany increased oil and gas production and, if the experience of the United States is any indicator, these benefits are extensive.

In North Dakota, the GDP grew by 9.7 percent in 2013 — five times the overall U.S. rate of 1.8 percent. The state’s unemployment rate is 2.8 percent, far lower than the U.S. rate of 6.2 percent. Further, fracking has increased the value of land in North Dakota. Since 2008, median sale prices for homes fell nearly 7 percent in the United States. Prices are yet to fully recover. In North Dakota, thanks to the oil boom, home prices increased by 49 percent over that same period.

While North Dakota is the leader, benefits from fracking have been seen throughout the United States. Texas had a growth rate of 3.7 percent in 2013, and the growth rate in Colorado was 3.8 percent.

The ruling only applies to New York State, but other states could use the legal reasoning as a guideline when deciding similar cases. This is especially true for states with home rule

statutes. This would slow the development of their oil and gas resources.

New York State could overcome the court ruling and allow fracking statewide by passing legislation that specifically exempts fracking from local zoning



Diana Furchtgott-Roth

**At first glance, the Court’s decision appears to be the right one ... However, allowing each locality to choose whether to ban fracking can have negative effects on a state’s economy — and the economy of the nation.**

decisions. Taking New York State's political climate into consideration, this is unlikely to happen.

Towns in neighboring Pennsylvania are able to zone fracking out of certain areas, but not ban it in towns entirely. On December 19, 2013 in a 4-2 ruling, state judges struck down some key provisions of Act 13, a law that attempted to stop localities from using zoning powers to control fracking.

In Colorado, the Boulder County District Court ruled on July 24, 2014 that the town of Longmont cannot ban fracking (passed by voters in November 2012) since doing so is not allowed under the Colorado Oil and Gas Conservation Act. Local interests are not allowed to impede state interests on topics of mutual concern. Similarly, the voter ban in Fort Collins, Colorado was overturned by the District Court of Larimer County on August 7, 2014. This ballot initiative was passed in November 2013 and put a five-

year ban in place.

It is important to keep in mind that there is a moratorium on fracking in New York State, one that has been in place since 2008 and will last until at least May 2015. The most recent moratorium extension passed 96 to 37 in the State Assembly this June and, if taken up by the Senate and signed by Governor Cuomo, it extends the moratorium until 2017.

Fracking can deliver affordable energy, economic growth, energy security, and job opportunities. Despite the claims of overzealous regulators, this is what most people want. Allowing individual jurisdictions to put up roadblocks would slow development to the detriment of those who need employment and growth. RF

**The ruling only applies to New York State, but other states could use the legal reasoning as a guideline when deciding similar cases. This is especially true for states with home rule statutes.**

*Diana Furchtgott-Roth is director of Economics21 and senior fellow at the Manhattan Institute for Policy Research.*

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# Chambliss & Rogers Say U.S. Must Take Fight to the Terrorists

WASHINGTON, DC – With America marking the 13th anniversary of the 9/11 terrorist attacks, The Ripon Society held a breakfast discussion on September 11th looking at the continuing threat posed by terrorist groups and U.S. security in a volatile world. The discussion featured two of the leading experts on intelligence and national security issues on Capitol Hill – Senator Saxby Chambliss (GA), who serves as Vice Chairman of the Senate Intelligence Committee, and Congressman Mike Rogers (MI-8), who serves as Chairman of the House Intelligence Committee.

“I think it is very appropriate that we are here today on the 13th anniversary of September 11th,”

Chambliss stated. “It is one of those seminal moments that all of us remember where we were ... The Al Qaeda that we knew in 2001 was a narrow band of renegades and killers that numbered about 1,000 fighters.

**“It is important that we use the only thing they understand – force.”**

**Senator Chambliss**

Today, we’re looking at thousands and thousands of not just Al Qaeda, but elements of Al Qaeda that are gathered around the world and present a greater threat to us today than in 2001. We

have Al Qaeda now in Maghreb. We have Al Qaeda in Iraq. We’ve got Al Qaeda in the Arabian Peninsula. In just the last 30 days, we have seen the announcement of Al Qaeda in India, Bangladesh, Burma and other parts of the world. We have to destroy them just as the President has talked about destroying ISIL.”

“ISIL is not an isolated terrorist group, but they are the most vicious of the terrorist groups out there today, as we have seen exhibited on TV over the last several months and, in particular, over the last several weeks. They are committed to a caliphate in the part of the world that stretches from Syria into Iraq. They want to stretch that into Jordan, Lebanon, and Gaza. If we don’t



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eliminate their capability by destroying them and killing those individuals, then they may have the capability to do that. That is why it is important that we use the only thing they understand -- force, deadly force, to counteract and to destroy them.”

Chambliss, who has served as Vice Chairman of the Senate Intelligence Committee since 2011, also commented on President Obama’s speech to the nation on Wednesday night in which he laid out a strategy for confronting ISIS – something Chambliss has been calling for, and something he said he would support.

“The President didn’t answer all the questions last night,” the Georgia lawmaker said referring to the President’s speech. “But this is not a partisan issue. It is not about giving him the benefit of the doubt as much as it is about joining together as Americans to solidify the offensive action that needs to be taken to kill this group of nasty terrorists... We need to join hands with the President and make sure that we exhibit the right kind of forceful action to destroy ISIS. But at the same time, we need to make sure we’re giving the tools to our intelligence community and our law enforcement community to make sure they have the capability to keep these bad guys out, or if they somehow get by, that we’re able to monitor them and control them and keep an eye on them while they’re here ... Our intelligence community is composed of a lot of brave men and women who are doing a wonderful job, and our military is composed of brave men and women who are doing a wonderful job. But if we don’t give them the right kind of support from a policy standpoint, they’re not going to be able to continue to do that.”

Rogers echoed Chambliss’ comments, and said he thought it was important to put the challenge America faces into historical perspective as well.

“We think this fight with Al Qaeda and the jihadists started on 9/11,” he stated. “That’s just not the case. If you remember the bombing that happened in Germany that killed our soldiers in the 1980s, that was designed by a radical jihadist movement. In 1993, they tried to blow up the World Trade Center. The Cole bombing happened in late 1998. Just a few years later, 9/11 happened here on our soil. They were at war with us long before we ever noticed. That was part of the problem.”

“One of the 9/11 commissioners said something interesting. Because we never really engaged them, they believed they could get more emboldened. They could do more and be bolder. They could do things like 9/11. One of the things they also said

**“We won’t tolerate the spread of radical jihadists around the world, and we will not tolerate them threatening the United States in any way”**

**Chairman Rogers**

is that we lacked imagination. We had bits and pieces of information, but no one had the imagination to put those bits and pieces together. We knew they were taking pilot lessons. We knew that they were jihadists. We knew they were committed to acts of terror and violence. But we couldn’t quite put it together. No one asked, ‘What if they got our airplanes and flew them into buildings?’ No one had that imagination to put the puzzle together. So 9/11 happened, and now we fast forward to where we are today.”

Noting that Al Qaeda became a real threat to the U.S. once Osama bin Laden found safe haven in Afghanistan, Rogers said a similar situation is happening with ISIS in Syria today.

“What you see happening now with ISIS is that you have a group taking safe haven in Syria,” he said. “They are

further radicalizing their individuals, employing their harsh version of Sharia law that includes beheadings, cutting hands off, summary executions, burning churches, killing Christians, and killing people of the Muslim faith who don’t agree with their version of the Muslim faith. They have taken oil refineries, and we think they have \$1 billion in cash to sustain their operations. The notion that we can call any of these teams ‘JV’ or less than serious is a serious mistake. I’m very proud that the President decided to change his path. He stood up last night and said we have to do something. That’s a good start.”

Rogers added that while he agreed with much of what President Obama had to say in his speech, he disagreed with the President’s decision to withdraw U.S. troops from Afghanistan and believed the country must understand and gird itself for the fact that we are at war.

“I hope that America shakes itself out of the notion that we can’t be there,” the Michigan lawmaker stated. “Less than three percent of the nation was asked to do anything. You didn’t have to give up sugar or your tires. You didn’t have to stop eating eggs; didn’t have to ration flour. We’ve done all those things in this country before. Those people were at war. They had to give up a lot to fight. We have to give up a little Kardashian TV. If that is who we’ve become then we will have to suffer the problem of terrorism for generations to come. I hope this is our moment. I hope this is the President’s moment. I hope that America rallies around the President and bucks him up a little bit. I hope that we do this together – Republicans and Democrats -- and say we’re not going to tolerate this. We won’t tolerate the spread of radical jihadists around the world, and we will not tolerate them threatening the United States in any way wherever we find them. If we don’t, you’re going to have this conversation with two more Members next year on 9/11 wondering why this is taking so long.” **RF**



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# Ripon Profile

**Name:** Mike Pence

**Occupation:** Governor, Indiana

**As Governor, you've been successful at providing private, market-based Medicaid reforms for Indiana's low-income adults. Can this become a national model?** As national leaders in healthcare innovation, Hoosiers understand that empowering people to take greater ownership of their healthcare choices is better than government-driven healthcare. I have long advocated for the repeal of Obamacare, but any sensible repeal must be accompanied by market-based reforms and a flexible block grant program for states to administer Medicaid as they see fit. The Healthy Indiana Plan 2.0, also called HIP 2.0, is the closest thing America has seen to a Medicaid block grant program that works and will serve as a model for the nation in future debates about healthcare reform.

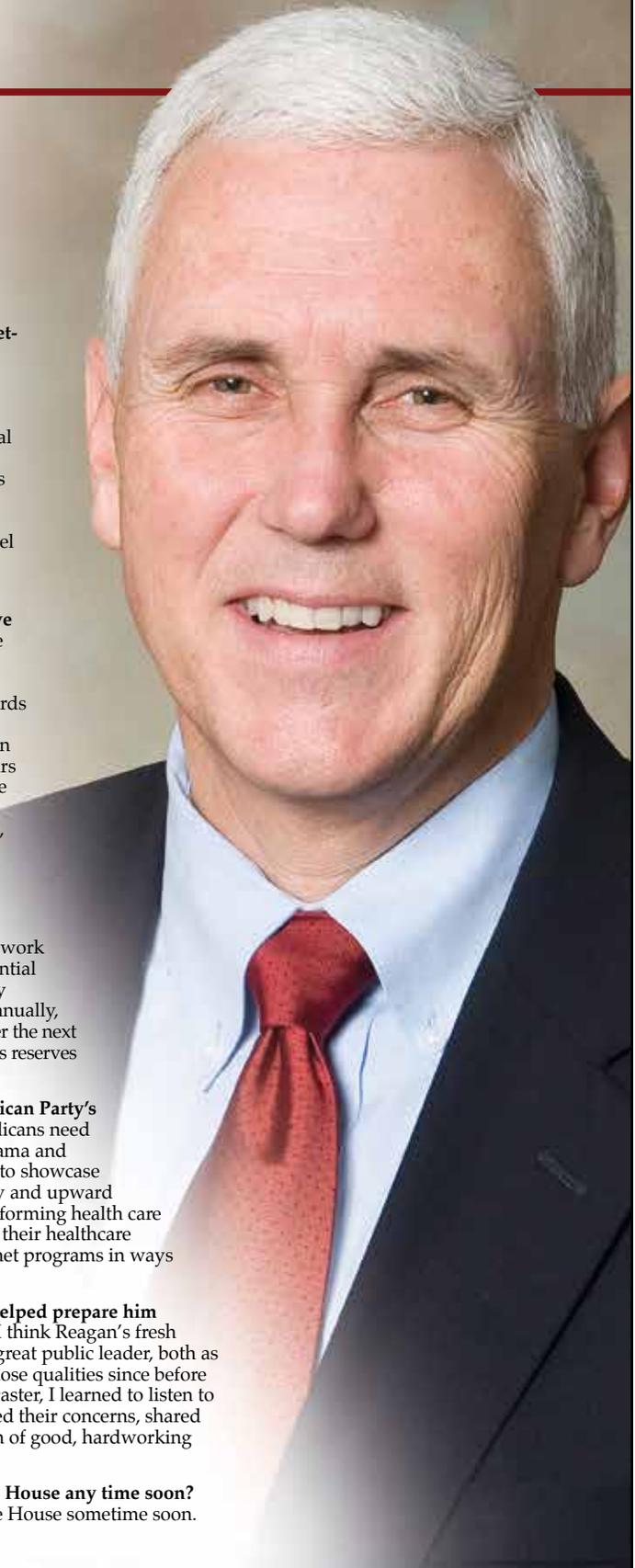
**With Indiana being the first state to withdraw from Common Core, what kind of role should the Department of Education have in formulating curriculum?** I've long held that education is a state and local function. Accordingly, decisions regarding standards and curriculum are best made at the state and local levels. State governments should be responsible for the creation of high standards with individual schools and teachers responsible for designing curriculum best suited to meet those standards. We achieved this in Indiana. More than 150 educators worked for more than 6,000 hours in an open and transparent way to create standards that we believe are better than Common Core. And, because we have opted out of Common Core, if we want to modify those standards in the future, we can – because we are free to do so and not bound to a national organization.

**Earlier this year, Indiana was recognized as a top 10 state for its business tax climate. What can Washington learn from your pro-growth agenda?** In order to keep Indiana's economy growing, we work to keep the state's fiscal house in order. Fiscal discipline is an essential foundation to a growing economy. In Indiana, we have an honestly balanced budget that kept our spending increases at 2.5 percent annually, which matches the average inflation rate of the past ten years. Over the next two years, our state's surplus is in excess of \$100 million each and has reserves that will average more than 12 percent of the spending.

**Looking ahead to this November, what do you think the Republican Party's message should be heading into the general election?** We Republicans need to offer a positive alternative to the failed policies of President Obama and the Democrats. We need to be "solutions conservatives." We need to showcase constructive solutions that will lead to more economic opportunity and upward mobility for everyone. This includes fixing our broken tax code, reforming health care in a way that lowers costs and gives families greater ownership of their healthcare choices, reducing job-killing regulations and changing our safety net programs in ways that truly help people move up out of poverty.

**Ronald Reagan once said his experience as a radio broadcaster helped prepare him for public life. As a former broadcaster yourself, do you agree?** I think Reagan's fresh perspective, optimism, and commitment to principle made him a great public leader, both as Governor of California and as President. I have tried to emulate those qualities since before I entered public life – even while I ran my radio show. As a broadcaster, I learned to listen to people as they called in from across the Hoosier state and expressed their concerns, shared their ideas, and asked questions. Listening to the common wisdom of good, hardworking people teaches you a lot – and helps you be a better elected leader.

**Do you think America will see another broadcaster in the White House any time soon?** What's most important is to have another Republican in the White House sometime soon.





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