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Chris HayesAssociated Press

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CHRIS HAYES, MSNBC ANCHOR: Good Morning from New York. I`m Chris Hayes.

In his weekly address this morning, President Obama urged the Senate to confirm his appointments of Mary Jo White to head the Securities and Exchange Commission and Richard Cordray to head the Consumer Financial Protection Bureau.

And in Bangladesh, police say a fire in a garment factory has killed six female workers and injured another five. That`s just months after more than 100 people died in another factory fire there.

First, my story of the week, hope and climate change. I will admit, as I watch the president`s inaugural address on Monday morning, I was definitely not expecting this.

(BEGIN VIDEO CLIP)

BARACK OBAMA, PRESIDENT OF THE UNITED STATES: We will respond to the threat of climate change knowing that the failure to do so would betray our children and future generations.

(APPLAUSE)

OBAMA: Some may still deny the overwhelming judgment of science, but none can avoid the devastating impact of raging fires and crippling drought and more powerful storms. The path toward sustainable energy sources will be long and sometimes difficult. But America cannot resist this transition. We must lead it.

(END VIDEO CLIP)

HAYES: You`ll recall with the exception of a single line in his DNC speech, our current state of climate peril was barely mentioned in the campaign. In fact, it was the first time in 24 years it was never raised at any of the debates. So, I was not the only commentator who was surprised to find such a passionate, lengthy passage in his speech.

A speech, of course, is just that. And often, we have a tendency to overestimate just how much presidential rhetoric can accomplish. But right after the speech, the "New York Times" ran an article with the headline, "Speech Gives Climate Goal Center Stage." "President Obama made addressing climate change the most prominent policy vow of his second inauguration address," reported the "Times."

Setting in motion what Democrats say will be a deliberately pace, but aggressive campaign built around the use of his executive powers to sidestep Congressional opposition. Libertarian author, Gene Healy, has coined the term "cult of the presidency" to refer to our cultural investment in the idea of the president as a kind of a quasi-monarchal figure near (INAUDIBLE) Colossus who docked the stride or system of government directing the nation`s attention and resources at a whim.

And in the sphere of national security, that is increasingly what we actually have. But when it comes to domestic and economic policy, the president isn`t really the most pressing issue.

If you were to start listing the obstacles to climate progress in order, you`ve start with the major fossil fuel companies themselves then you go to the conservative noise machine (ph) that has converted climate change into a cultural war issue.

Another example of out of touch at least, trying to tell you what to do, and then the House Republican caucus which almost unanimously committed to the most deprave kind of denialism, and then Senate Republicans who manage to kill the last big climate bill, and then Democrats from cold country and other regions that depend on fossil fuel extraction, and then Democrats who say they care about climate change but wouldn`t go along with the kind of reform that filibuster that would make a Senate climate bill a reality.

And only after that, you would get to President Barack Obama. For this reason, it is somewhat per verse to focus discussions of climate policy exclusively on the president. But Barack Obama is also the most powerful person in the world who says he`s committed to averting climate disaster and with acknowledging that

comes some responsibilities.

It turns out that even short of Congressional action, there are a number of extremely significant things the executive branch could do to reduce emissions, develop alternatives, and move us closer to the radical generative transformation of our industrial life we must have very, very, very soon.

The Environmental Protection Agency has the legal authority to begin regulating carbon under the Clean Air Act. No need for Congressional approval. The executive branch is such a massive purchaser of energy vehicles and equipment. It could use that purchasing power to create new vibrant markets for clean energy.

And the White House currently has the authority to block the Keystone XL Pipeline which would pipe extremely carbon intensive tar sands oil from Canada to refineries in Texas. If that pipeline is built, it means a huge new source of emissions out into the foreseeable future. The cliché about second presidential terms, one which I think a good deal of truth to it, is that in the second term, a president's attention turns to leaving a legacy.

And I am almost certain that 50 or 100 years from now, the only issue that will really matter to people is what we did about the climate.

Right now, I am joined by Phaedra Ellis-Lamkins, chief executive officer of the green jobs advocacy group, Green for All, Paul Bledsoe, former communications director from the Clinton White House climate change task force, now president of Bledsoe and Associates, a strategic public policy firm, Frances Beinecke, president of the Natural Resources Defense Council, and Ta-Nehisi Coates, senior editor at "The Atlantic" magazine. It's great to have you all here.

(CROSSTALK)

HAYES: So, there was a lot -- I mean, I thought that portion of the speech was surprising. Were you surprised?

FRANCES BEINECKE, NATURAL RESOURCES DEFENSE COUNCIL: Surprised and excited.

HAYES: Yes.

BEINECKE: It was, I think, something we've been hoping for to get the president's commitment. He made -- he made it very strongly. This was not a one line or two words climate change. Eight sentences, policy, commitment.

HAYES: You're counting the sentences there, that's --

BEINECKE: Well, no longer counting the words. That's progress.

(LAUGHTER)

BEINECKE: We`re counting the words for four years, now we`re onto -- I think what was a very bold commitment on his part, and you know, if you were there, and I know Phaedra was there, Paul probably was, maybe you were as well, the cheer just rippled down the entire mall. I mean, this was not --

(CROSSTALK)

HAYES: Well, and only those were the people who determined the future of our climate policy.

BEINECKE: That`s true, except they`re the base. And I think you have to move from the base out.

HAYES: I want to get to a series of sort of substantive issues about what exactly -- I mean, when we get to brass tacks about what the president can do. And we know the Republican House isn`t just -- isn`t going to vote for anything.

(CROSSTALK)

HAYES: Before we get to that, though, one of the things you hear from advocates a lot on climate and a lot of other things is like he needs to use the bully pulpit. Like, he needs to get out there and talk about it explicitly. And Ta-Nehisi, you`re someone I think who thinks that the effect of rhetoric among the sort of cult of the savvy cynical (ph) journalist is underestimated. That actually rhetoric can actually move things.

TA-NEHISI COATES, THEATLANTIC.COM: Yes, -- no, I mean, there`s a lot of research out there that shows that you can`t get up and give a speech and that will then guarantee that`s something will be passed. That`s not how rhetoric works. But I`ll tell you this. I live in New York City.

We have experienced, since I`ve been here, a blackout in 2004, two hurricanes, power issues every time. Last time this happened, I had this great haunting feeling that, OK, this is just the way things are going to be. Nothing is actually going to happen. And I`m -- you know, I`m part of that base, right?

I`ll throw my biases out there. A kind of cynicism creeps in, you know? And so, when you hear like the president get up and say something like that, you know (INAUDIBLE) OK, I can do something about this, maybe we can actually do something. I think people underestimate how presidential science just depresses the base, then you get to this kind of cynicism and you say, well, the process can`t do anything --

HAYES: Right. So, it`s about -- it`s actually the president -- in fact, the president`s rhetoric isn`t persuasion, because actually, the evidence - -

COATES: No, I think persuasion is way overstated.

HAYES: Yes, exactly. He can`t actually bring people around.

COATES: Right, right. No.

HAYES: It's actually just keeping the energy and investment --

(CROSSTALK)

BEINECKE: I think it really does motivate people because they know he's going to lead. They're going to come behind.

HAYES: Do you feel that way, Phaedra?

PHAEDRA ELLIS-LAMKINS, GREEN FOR ALL: Yes. I guess, I'm not as excited about the speech. I'm really more excited about action and how people's lives change.

HAYES: Right, right.

ELLIS-LAMKINS: And so, if there were incredible support for the administrator, Lisa Jackson, if we'd seen some new standards around air or water, in some ways, if his speech had said, I'm going to use executive power, I'm going to support this type of leader in environmental protection agency, I think that would have been a greater sign of change.

I actually feel like we've been living off rhetoric, not living off change. And so, I think the base was excited to hear it, but I think part of what I think the -- I think the political establishment will better understand is that rhetoric got him re-elected with the guarantee that there would be some action.

COATES: OK. Now, can I put out a really, really just dumb question here to the panel, and that is, the thing you just listed, why did that not happen in the first time?

PAUL BLEDSOE, BLEDSOE & ASSOCIATES: Well, some of it did.

HAYES: Yes.

BLEDSOE: The president promulgated regulations on future power plants limiting the emissions that they could put out.

HAYES: And they're quite stringent.

BLEDSOE: Passed the strongest fuel economy standards in history, doubling American fuel economy, but Chris, my view is the president has a massive political opportunity because of climate change impacts.

People now are feeling that in their lives, in their neighborhoods, and in their livelihoods, expecting our economy already, major insurance study show this, but when I was working for President Clinton, we had to talk about climate change in future tense. Now, President Obama can talk about it in present tense, and that's a

huge political opportunities. So, all the difference in the world.

HAYES: I thought that was one of the most significant things about him talking about this storms and fires, because to me, the only hope we have and it`s a bizarre grim hope is that, actually, the effects of climate change are happening faster than people anticipated, and because they`re happening faster than people anticipated, they are happening now and we are seeing them and is now a tangible thing that we could confront as opposed to our grandchildren who no one really cares --

BLEDSOE: And this is an opportunity to bring the country together over this issue. Why the issue has become partisan? It`s very complicated. Part of it is political opportunity. What has --

HAYES: It`s not that complicated.

BLEDSOE: Yes, well --

(LAUGHTER)

BLEDSOE: Actually, it is really complicated because what happened was the administration came up with a cap and trade proposal before the great recession happened.

HAYES: Right.

BLEDSOE: And then they stuck with it even in the face of the worst economy in 75 years. That was a political mistake. The reason was it radicalized everybody against us.

HAYES: I think that`s totally wrong.

BLEDSOE: They could have passed a clean energy standard in the Senate. It went begging. It could have been on the books right now. It could have had a massive effect, but the over -- I think the president overreached in trying to push through a tax in the middle of the worst economy.

And what it did was it radicalized the Republicans and made them see political opportunity. Now, I think the pendulum can swing back, but it`s important to recognize that there`s a lot of work to do out --

HAYES: Actually, can I just --

ELLIS-LAMKINS: That`s a different senator conference than I remember as someone who worked on clean energy standards. We must have been talking to different people. So, I think we all had the same conclusion that we should be doing clean energy standards, that there was something different. And I think it`s important to just say, there wasn`t enough capacity.

We all tried really hard. We invested. We learned some lessons. We wished the

president would have been, I think, stronger, but I think he did, I think, to the extent he could. But I think it was a bad Congress and a bad Senate who didn't take leadership, and we shouldn't pretend it was anything but the most insane group of people that we'd ever seen --

BLEDSON: Sometimes, half a loaf is more important --

(CROSSTALK)

HAYES: No, let me say one last thing. I think it's morally perverse to exculpate someone like Lindsey Graham who should know better, who says the climate change is happening, who said he was for cap and trade, and then who saw a political opportunity to stick a knife in it.

(CROSSTALK)

HAYES: Hold that thought for one second. I want to come back to the gap between rhetoric and reality right after we take a quick break.

(COMMERCIAL BREAK)

HAYES: Frances, you're going to make a point before --

BEINECKE: No. The point I was going to make is that I think it's important to look ahead at what we can get done. We know what we weren't able to get done. So, now, we have to look at what we can get done. I thought in your lead-in you identified it. The president not only does he need to lead, but he needs to demand action and get action, using his executive authority through EPA.

There's a pathway to actually get on a serious reduction in climate emissions which will, in the end, affect people on the ground. And we need to get that done.

HAYES: OK. So, hold your thought on EPA, because before we get to EPA, the first test I feel like of the rhetoric reality is the keystone decision which was punted until after the election. Keystone, incredibly -- incredible political mobilization about this issue which, I think, a year and a half ago was totally obscure and then actually became a political issue because activists mobilized around it.

They mobilized around it. They made it very difficult to just go make this a kind of behind-the-scenes deal that the state department signed off on. The state department has to sign off on it because it crosses international boundaries which means the president has the authority to block it or give it the OK.

Nebraska Republican governor who is giving some bipartisan cover to opposition to it has now approved a new proposed route for it that he says preserves the aquifer that is in the state of Nebraska. The big question to me is, can we take seriously the president's commitment if he allows Keystone to go forward? How much is that this defining --

BLEDSOE: It's important to differentiate between approving Keystone and whether the oil sands will be developed. Here's the problem --

HAYES: The oil sand -- let me just explain for folks. It's very thick and dirty energy in Alberta. Just so people know, production emissions from Canada oil sands 134 percent higher than emissions from domestic crude oil, 100 percent higher than emissions --

BLEDSOE: That's in production. Well to wheels, it's about 5 to 15 percent --

HAYES: Right. Right. Once you --

BLEDSOE: But here's the key to understand, the price of oil is \$95 a barrel today. The production cost of oil sands is less than \$50. Here's the truth, it's a sad truth, but it's the truth. These are going to be developed. Now, we've got to figure out a bigger way to get in front of climate.

Keystone is not the sine qua non of climate protection. It's not. The oil sands are going to be developed. Now, I'm not urging that the president approve the pipeline. What I'm saying is, we need bigger solutions than one pipeline. That's not going to get it done.

BEINECKE: So, I disagree with Paul. I think Keystone is very important. It's a very important symbol that the president can make. Is it in the national interest or not to bring down dirty tar sands oil from Canada so that it can be exported to another country, which is the intent? It is not in the national interest.

The whole point of the president's comment at the inaugural is we need to get on a new path in our energy future. We need one that's cleaner. He said it may be hard, but we have to do it. So, it may be hard for him to turn down the Keystone pipeline. He should turn it down, and we should get on a clean energy pathway.

ELLIS-LAMKINS: Yes. To me the answer is undoubtedly, unequivocally, if he supports it, he's not authentic on climate. I love the president. I voted for the president. But Keystone is wrong. It's putting tar in the ground. The people that are impacted are people of color, Native Americans. You know, I completely disagree. I just --

BLEDSOE: So, you don't agree with the economics of tar sands that when there's a \$50 a barrel profit to be made, they're not going to be developed?

ELLIS-LAMKINS: Here's what I think, I think --

(CROSSTALK)

ELLIS-LAMKINS: I just want to say this really quickly. I think the people that pay the cost, I hope that the president is going to say, the people that will end up paying the cost of that, the people that will see the consequences of storm in the Rockaways, the people that will actually near the tar, that it's not OK --

(CROSSTALK)

HAYES: OK. But I want to make a meta point about arguments from inevitability, which is a kind of argument that you just made that you see a lot in climate discussions which is, this is going to happen because there's overwhelming economic logic behind it. I don't think that's a ridiculous argument.

But I mean, there's a certain circularity of that, right? Everyone said, Keystone was going to be approved. That was a done deal, except it wasn't because activists spoke up. And then you say, well, if Keystone's blocked, they're going to find a way to get it out of the country because of economic incentives, but there's a lot of Canadian activists who are going to go crazy about building a port on the Pacific Coast --

BLEDSOE: I'm not advocating one way or the other.

(CROSSTALK)

BLEDSOE: What I'm saying is that we need bigger solutions. We need to price carbon so that -- so that the economics of the oil sands don't work. That's the bigger solution.

HAYES: That I agree with. The problem is, pricing carbon is going to require Congress, and Congress --

BLEDSOE: By the way, we're talking about Canada now.

HAYES: Right.

BLEDSOE: The resources in Canada, I think, we need to bring a lot more pressure on the Canadians for what they were doing. And we should talk about the international aspect here. U.S. emissions are only 16 percent of the global total.

BEINECKE: Paul, let's just say denying Keystone does put pressure on Canada. Canada can't build a pipeline to get it out of their own country. They can't go east, they can't go west.

BLEDSOE: It's unclear.

BEINECKE: They're trying to go south. Why should we be the vehicle for them to develop one of the dirtiest sources on the planet?

(CROSSTALK)

BLEDSOE: I'm just telling you that there are bigger solutions.

(CROSSTALK)

BEINECKE: But I will tell you about Keystone. It has lit a fire across America in a way

that you cannot imagine. There will be tens of thousands of people in Washington on president`s weekend demonstrating on Keystone. They are demanding action. They don`t want the Keystone Pipeline, and they want action.

BLEDSOE: They should demand the price of carbon.

BEINECKE: Keystone is a symbol of going in the --

HAYES: Ta-Nehisi, you thought a lot about the sort of -- the president and the way that we put a lot on to him and this sort of calculations of his pragmatism. How do you sort of interpret this decision?

COATES: I think symbols are important, you know? I think lines in the sand are important. And again, speaking again as somebody in the base, you know, I think making a stand is actually important. One of the things about this discussion is, you know, you talk about economic imperatives. I think it feeds the idea that there will be no cause, you know, for taking on big issue. There will be a cost, and we should say that. We should be very upfront --

(CROSSTALK)

HAYES: Henry Waxman, of course, has co-authored the bill, the Waxman- Markey Bill that made it through the House which was somewhat miraculous it made it through the House. You know, he, basically, is taking Paul`s line on Keystone and I think what he`s trying to do is prepare the base that it`s going to get approved.

He says it`s only small issue compared to the overall objective of the president we want to achieve (ph). Should I say the president, if you don`t agree with me, Keystone, I`m not going to work with you on solving climate change issue? That would be a little bit childish and counterproductive.

You mentioned something other than Keystone which is the EPA and what they can do. I want to talk about that after we take a break.

BEINECKE: OK. Great. Thanks.

(COMMERCIAL BREAK)

HAYES: All right. So, one of the, I think, amazing hidden stories about climate is this court decision that basically found the EPA can regulate carbon under the Clean Air Act. And it`s not a crazy idea. Carbon is a pollution, right? It has negative externalities, and those negative externalities are precisely the sorts of thing that the Clean Air Act was designed to allow us to regulate, right?

COATES: It`s an endangerment finding.

HAYES: It endangerment finding. Right. They found that it can be dangerous to public health, right, and it certainly does. We see it all the time now. The question is, is the EPA going to exercise that power? And that`s a really fraught question, but

what is your sense about --

BEINECKE: Well, our sense is that EPA will do it. I mean, I think that was clearly the indication from the president's comments at the inaugural, and I think we'll see more in the state of the union. I certainly hope we do because that is the pathway. There's no other pathway right now to reduce emissions.

Ultimately, we need legislation. We're not going to get it in this Congress, in my view. So, let's get started in an area where the Supreme Court -- it's the Supreme Court that gave them the authority to do it. So, you know, there is a great pathway for that reduction. We got to get going.

HAYES: OK. Walk me through what this looks like if we can get into the weeds a little bit. So, there are rules that are due in April for new power plants. Am I right?

BEINECKE: There are two different rules.

HAYES: Yes.

BEINECKE: And last year, the administration came out with rules on new power plants, which would basically regulate carbon emissions, keep them very low, make it impossible, in effect, to build a new coal-fired power plant, unless, you read carbon capture and sequestration. It couldn't be done.

But that only deals with new power plants. So, you know, that's good, but that doesn't deal with the source of the pollution --

HAYES: Right, which is out there right now.

BEINECKE: -- emissions in the U.S. come from dirty power plants. We have to regulate those dirty power plants. So, Clean Air Act authority under section 111-D allows the regulation of the pollution from those existing power plants. You have to model that. That has to be created in a way that's going to work.

One thing about our energy fabric is, it's different in every state. Some states have a lot of coal, some have hydro, some have gas.

HAYES: Right.

BEINECKE: So, NRDC, actually, has come up with a proposal that would allow flexibility among states. Each state would design -- there'd be a standard that they couldn't go above, you know, a level of emissions. And then, each state would have to design their pathway. It could be through greater efficiency, which is the most cost effective. It could be through more renewables. It could be --

HAYES: However, they get there, though, they hit the target.

(CROSSTALK)

BLEDSOE: One of the most interesting things about this is the president isn't -- this isn't a choice of the president. He's required under law, because EPA found that these pollutants are an endangerment to public health. He is required under law to regulate them.

HAYES: Yes.

BLEDSOE: He has no choice in the matter. He has to regulate them.

HAYES: Do you -- A, did you see that happening, and, B -- I hear that and I think great, but the political blowback is -- I mean, I can only imagine what will happen on Capitol Hill and on Fox News if this happened.

ELLIS-LAMKINS: I mean, I think one thing that would be important is to look at who the next administrator will be. I think that will be the greatest indicator.

HAYES: Of the EPA.

ELLIS-LAMKINS: Of the EPA, because I think, Lisa Jackson who's been the administrator has really been a fierce warrior on these issues. I think she's put herself out there and take it a really significant hit back. It will be important to see who the White House selects, what type of power and support they're going to put behind that person, because I think the reality is, the hit from Fox News and others, the litigation, cannot be not taken really seriously.

HAYES: And it can't be -- I mean, I think the key point here is, it can't be defended by the administrator alone, right?

ELLIS-LAMKINS: Right, right.

HAYES: If you're going to do it, the president and the White House has to stand --

(CROSSTALK)

ELLIS-LAMKINS: I think one of the greatest challenges over the last couple of years has been -- it's been this incredibly vibrant EPA. And we think it's great for the president appointed someone so important, but it's really been a fight between EPA and everyone else.

HAYES: Right.

ELLIS-LAMKINS: So, the success of what happens in the future will be, is it a fight with the White House's EPA or it is a fight with the EPA?

BEINECKE: So, Chris, on this point, I think, it's very important that this cannot be an issue that's solely inside the beltway.

HAYES: Right. That's why we're here.

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BEINECKE: Exactly, and I appreciate that, because there has to be support, wide support across the country. And, you know, it`s our responsibility, the environmental community, others with an interest to really work on getting that support because you`re going up against the toughest industry out there, fossil fuel industry, and it`s a toe to toe fight. No question about it.

HAYES: And I think, actually, the message is simple. We have a Clean Air Act to protect us from pollution and it`s negative the consequences. Carbon is pollution. We should have --

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