When Climate Work Comes at a Cost: Dispatches From the Upside Down

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Music: In

Kousha Navidar: So this week's episode is called When Climate Work Comes at a Cost: Dispatches From the Upside Down. And I think some listeners might be interested in knowing what the upside down is.

Ariana Brocious: Yeah. So the Upside Down is a reference to the show Stranger Things. And to the uninitiated, it's basically this alternate mirror dimension of the real world but one that is kind of underground, very dystopian, it's dark, it's scary, it's decaying, there are electric storms and really scary monsters, and a mirror of the world that the characters live in. And that felt apt to the moment we're living in.

Kousha Navidar: Yeah, especially for a lot of people who are working in climate right now, it can feel like a bizarro world where you start out as a scientist and you get attacked for your research. And it's not fantasy, it's real scary situations.

Ariana Brocious: Indeed. I'm Ariana Brocious.

Kousha Navidar: I'm Kousha Navidar.

Ariana Brocious: And this is Climate One.

[music change]

Ariana Brocious: It is a really tough time to be working in fields like climate and the environmental sciences. Honestly when I read the daily headlines, feels like a deluge of disaster. There's a lot of bad news out there.

Kousha Navidar: Ariana, it's important to say climate work isn't completely stalling out but it's hard to see all these rollbacks and cuts and canceled projects when we should be making progress.

Ariana Brocious: And "climate" in particular has seemed to become almost a taboo realm, because of the opposition and outright denial and attacks that are coming from many parties, including our own government.

Kousha Navidar: It reminds me of having a scientist show up to a pre-interview in tears saying they can't risk being on a show called "Climate One" right now. That it's too much exposure. She did end up joining us, by the way. But it was a very difficult choice.

Ariana Brocious: And YET… There are many real-life heroes who are still finding ways to keep their critical work alive, even in the face of cuts, layoffs and personal attacks.

Kousha Navidar: Yeah. And one of the best parts of my job right now is getting to talk to some of those people. I'll just say that it's very gratifying for me personally to witness someone sharing their story.

Ariana Brocious: This week's episode shines a light on what it's like to be a climate scientist, researcher, or an environmental professional trying to do meaningful work in a country with a government and emboldened private interests that increasingly don't want it.

Kousha Navidar: That's the case for Brent Efron. He worked at the EPA during the Biden administration. He then found himself at the center of a viral backlash and personal attacks. It began with what seemed like a normal, sort of boring, first date. But before we get into that, I wanted to know how Efron found his way into climate work.

Brent Efron: So I studied mechanical engineering. When I was in college Trump won, my junior year of college. I went to mechanical engineering because I thought I wanted to be a rocket scientist and work on spaceships. And when Trump won, I decided I wanna work on issues a lot closer to home. I wanted to work on saving democracy, partly because I was worried about the climate crisis, but also partly just because I was worried about our country. So after the 2020 election, where I had worked for the Biden campaign, I had the opportunity to go work at EPA, and to work in the Office of Policy for the principal advisor to the administrator for regulatory policy. And she was in charge of a lot of the implementation of, of Biden's climate agenda at that time. And so that was a role where I really got to learn a lot about climate policy.

Kousha Navidar: Let's fast forward to 2024. So the November election happens, Trump is elected. Uh, did your job change? Did morale change? Tell me about the impact it had on your work.

Brent Efron: Yeah, so in 2024 I was, at a different role at EPA I was working on the BIL and IRA implementation team, so the –

Kousha Navidar: And IRA is the Inflation reduction Act.

Brent Efron: Right. Yeah. So the Inflation reduction Act, the bipartisan infrastructure law, this was a hundred billion dollars in funding that the EPA had gotten for climate environment infrastructure programs, across the country. It was about 70 different programs that were funded under these laws at EPA. and, my role had been to help make sure that these programs are being implemented

effectively. When Trump won, I was very concerned. Trump had run on repealing these laws on ending these programs he had run. Saying that climate change was a hoax, calling what we were doing a scam. Yeah, naturally that made me very concerned. I saw what we were doing as so, so, so great. We were developing programs that were gonna be putting solar panels on low income houses. We were replacing lead pipes. We were protecting communities that were literally at risk of falling into the ocean. I mean, one of the grants that I know has since been canceled was to protect one of the communities in Alaska that just got hit by a typhoon. and has been really destroyed as a result. And we were gonna be giving money to protect those very types of communities.

Kousha Navidar: And so there's a wide variety of programs that you were working with and, and looking at and around this time, shortly after the election, you go on a date from somebody you meet on, on Tinder. Tell me about that date. Where did you go? What was it like?

Brent Efron: Yeah, sure. So, this was, yeah, someone I met on Tinder. We had messaged a bit, for I think probably a week or two and we decided to go on a date. and we went to a bar in DC called Licht. It's a gay bar, on U Street. I actually showed up to the date, having already been out with some coworkers, just kind of, I don't know, feeling bad for ourselves and for our work. And worried about the future and we'd already been kind of, it already put me in this mindset of not feeling so good about, about what was coming in the coming months at work. When we got to the date, we sat down. And I mean, when I go on a first date, I talk about my life, and what's going on, that's just normally what I do.

Kousha Navidar: I'm sure in DC it's kinda like a job interview for a lot of people.

Brent Efron: Yeah, it's very, I mean, it is a very DC thing to talk about work. But I also want to talk about my family and my friends. One thing he clearly was most interested in talking about was work. I mean, he asked me about what I did. I told him what I've, I've sort of told you now that I worked at the EPA, that I've been working on the implementation of these laws. And that I was concerned. And I made a comment that was something I'd already made at work to some coworkers that it, it, it felt like working at the EPA, with the impending Trump administration coming in after everything that he had been saying about wanting to gut the agency and stop climate action and, and, and repeal this law that I've been working on. It felt like being on the Titanic. And these programs that I had worked on, that the, the, the funding that I was helping to deploy and ensure, ensure was being implemented well, it felt like we were throwing it into lifeboats. I didn't have a good time. I didn't want to go on a second date because he was so interested in talking about work.

Kousha Navidar: So you, you have the date, you two part ways. You're saying you didn't have a great time, you didn't wanna have a second date, no more talking between each other, I'm guessing.

Brent Efron: No, there was not.

Kousha Navidar: And then two weeks after the date, you received an email from Project Veritas, which is a far right group known for producing undercover videos aimed at discrediting mainstream media and liberal organizations, and you got the email and it said, Project Veritas intends to release a video that contains comments made by you to a Project Veritas journalist. Below are some of those quotes. We appreciate any consideration for comment by 8 PM and the EPA received the same email. Brent, take me back to that moment if you could. How did it feel when this email arrived?

Brent Efron: My heart sank. I mean, I knew what Project Veritas was. I'd, I'd heard of them before. and I was so worried about my comments being twisted immediately. It was clear to me that was their intention was to make this out, to be that I'd revealed some sort of something bad. I was so worried that my words would be twisted even then. I also, pretty quickly was worried for my own

safety.

Kousha Navidar: Sure. So what did you do?

Brent Efron: Well, when we first got the notification the video was coming out, the way I learned about it was I got a call from my boss who told me that the email had come, I actually hadn't seen it myself first. and, I mean, he assured me everything was gonna be okay, that we were gonna figure out how to get through this. He wanted to make sure I was okay. And I mean, all I could really do at that point was just kind of wait and see what was gonna happen. I mean the email came out about 24 hours before the video was actually released.

Kousha Navidar: So it was a day of just stress. I mean, what would become many days of stress, I'm sure. But it was 24 hours that you had to wait. So the video was released about a day later. We have a clip of it. We didn't edit this. It was edited by Project Veritas. I'd like to just listen to a portion of it, then we can talk about it in a bit.

Brent Efron: Sure. Yeah, let's do it.

Kousha Navidar: Let's take a listen.

[video recording] Brent Efron: Now we're just trying to get the money out as fast as possible before they come in and [unintelligible]. It truly feels like we're on the Titanic, like we're throwing gold bars off the edge.

Project Veritas: Where are the gold bars going to?

Brent Efron: Nonprofits, states, tribes. We gave them the money because it was harder… if it was a government run program they could take the money away if Trump won. Because it was an insurance policy against Trump winning. [end video recording]

Kousha Navidar: So Brent, I appreciate you being willing to sit with us and listen to that back. I'm wondering what's it like for you to listen to it right now after some time away from it.

Brent Efron: Well, I think that. I think I'm embarrassed. I mean, for anyone to be recorded without their knowing, it's probably pretty embarrassing. But I mean, I mean, in that video I was a bit inebriated. And I do regret what I said because I regret what would come after, that my words were twisted and used to justify some actions that I think are really terrible. And really harmful to a lot of people. And, I mean, it was a date and I think I should have been allowed to say what I said because what I was doing was expressing a political opinion outside of work. But yeah, I mean every time I hear those comments and I've listened to them a few times, I feel embarrassed and I feel regret.

Kousha Navidar: Yeah. And you, you, you mentioned that you didn't know what was to come. A lot was to come after that. I mean, Elon Musk shared the clip on his account, formerly known as Twitter in December, with hundreds of millions of followers and things just kind of blew up from there. I cannot imagine what that is like. What was that experience like for you after you got all that attention?

Brent Efron: It was really hard. Yeah, as you said, pretty soon after that video was released, it was reposted by Elon Musk. It was also tweeted by Lee Zeldin, who at the time had been nominated to lead EPA under the Trump administration, now is the administrator. Speaker Johnson also mentioned it in a press conference pretty soon after. And yeah, I started to receive a lot of hate online. In anticipation of this video being released, because I had gotten the 24 hours notice, I had deleted all my social media. cause I'd basically been advised that that was likely to happen. But it got

pretty scary. I mean, I wasn't seeing what was going on online. My friends were, and just telling me not to look. But I also started getting phone calls and um, that was really scary.

Kousha Navidar: What did they say?

Brent Efron: Well, it's been a while since I listened to those, but I remember being called a traitor. I was told that like, like I was gonna be going to prison. I hadn't deleted my LinkedIn, because I was in the process of looking for a job. and,

Kousha Navidar: Because the administration was about to turn over.

Brent Efron: Right, right. And, I started getting some hate messages there. similarly calling me a traitor, criminal. Some of them were homophobic.

Kousha Navidar: Let's move ahead in time a little bit. It's January. You've left the EPA and as you mentioned, Lee Zeldin, the Trump appointed EPA administrator posted a video to his Twitter account, specifically referencing, and this is a quote, “an extremely disturbing video featuring a Biden EPA political appointee, talking about how they were tossing gold bars off the Titanic” and he continued. “I'll be referring this matter to the Inspector General's office and we'll work with the Justice Department as well. The days of irresponsibly shoveling boatloads of cash to far left activist groups in the name of environmental justice and climate equity are over.”

Brent Efron: Right. So a few days after that video was released, I'm laying in bed. It's a Friday morning, and I get a knock on my door. It's two agents from the EPA Inspector General's office. I don't open the door, but I do talk to them through the threshold. I asked them who they are and why they're here. They say that they wanna ask me some questions. and I asked them if I have to answer the questions and they said, I'm not, I'm not required to. It's totally optional. I told 'em I'm not interested, and they, they leave and they leave their business cards. That afternoon, I'm connected actually with a lawyer. My lawyer now, Mark Zaid, who happens to represent a lot of victims of both Project Veritas and some of the other groups that do this type of recording of folks without their consent. A few days later, on Monday, and I go out for a run. And when I come back, I find another business card under my door. It's from an FBI agent. It says, please gimme a call. I'd like to speak with you. Thank you. I mean, so that's obviously terrifying. to have an FBI agent show up at your door, I mean, it was terrifying to have any government agent show up at door, but for me,

Kousha Navidar: For some people it's terrifying to have anyone show up at your door and ring a doorbell. It's a very millennial thing, I think, but yeah.

Brent Efron: Yes. This is right. This is also true. It was terrifying of anyone at my door. Uh, government agent at a whole other level, and FBI put even higher. Actually, around the same time when the FBI agent knocks on my door. I also get a call from the Washington Post reporter, which I don't answer, but I refer him to my lawyer as well. And on February 27th, there was an article that then came out in the Washington Post, about, the sort of behind the scenes investigation that brewing around this program that the EPA’s claiming was the gold bars I was referring to. This was the first real mainstream article to mention me, it shows kind of what was happening at that time and there was a prosecutor that resigned because they didn't want to be a part of this investigation that was being referred to them.

Kousha Navidar: Let's make clear here that the EPAs Ethics Department cleared you of any misconduct and a Justice Department investigation found no evidence of wrongdoing, and the funds mentioned in the video were approved by Congress through the IRA, the Inflation Reduction Act, which you mentioned. So everything seemed above board after the investigation went through. For

you, the aftermath went beyond your time at the EPA. So I'm wondering for you, you know, you're looking back on it now, what have you learned about yourself in the time since you left the EPA?

Brent Efron: I think I've learned that I can do hard things, that I'm resilient. It was a really hard year. I mean, after the FBI showed up my door. I then later sat down for questioning with them. and then it seemed like for a while on like a weekly basis, Administrator Zeldin would quote me in press conferences or on podcasts or on tv, and felt like I was living in this crazy world where something that I had said to express just how concerned I was about the Trump administration and how important I thought the work I was doing was, had been twisted to mean something entirely different. and, I felt very alone. I mean a lot of people were reaching out to be supportive, but at the end of the day it was, it was me who was going through it. And it was hard for anyone to really do much 'cause we were up against the Trump administration. But I did get through it. And it also connected me to a lot of other folks who were victims. And, it made me feel like I could actually maybe turn this really terrible thing that's happened to me, into something to help others.

Kousha Navidar: I wanna talk about that for a second cause there are others who have been doxed, they've reached out to you. What do you, what do you say to them?

Brent Efron: Yeah, well, I try as hard as I can to, to, to connect with every victim that I can, anyone who's been a victim recently. And, I wanna be a resource. When I went through this, I was sort of figuring out on my own, the playbook, figuring out, how to get my information pulled off the internet, figuring out how to get a lawyer, figuring out how to respond to press, how to deal with –

Kousha Navidar: Figuring out how to get a job at the same time. Let's not forget.

Brent Efron: Figuring out how to get a job, exactly how to communicate this in interviews, how to communicate it. At all. I had to talk about it in networking and interviews and just in, in general. And, in the end, I was able to get a job and I love what I'm doing now.

Kousha Navidar: Yeah, tell me about it. What's your, what's your new position? What are you doing?

Brent Efron: Yeah. So, I'm continuing to work on climate policy. I work at the Environmental Policy Innovation Center, which is a nonprofit, and I'm doing permitting reform, trying to figure out ways to make the ways that we approve clean energy projects, transportation, housing, other infrastructure projects that are so important in, fighting climate change, in, in advancing climate solutions for adapting to climate change make it easier for these projects to be built.

Kousha Navidar: It enlivens me to hear you talk passionately about solutions after everything you've been through. How does it feel for you now to be able to talk so passionately about solutions in the climate space?

Brent Efron: It is a relief. I remain so worried about climate change. It's relieving to be able to work on something that I care so much about. Whether it's, it's our, it's, it's the climate crisis. It's protecting democracy, making the government just work for people. And I felt for a long time this year that I was not be able to be helpful anymore. That my words had been twisted in a way that, I wouldn't get to play a part in, in helping to, to address these problems that really concern me. and the fact that I'm able to work on this again, that, I feel like I'm, I'm, I'm helping to deploy solutions, it really, really feels meaningful and really, really feels good.

Kousha Navidar: Hmm. Before I let you go, can I ask about your dating life?

Brent Efron: Sure.

Kousha Navidar: I mean, as somebody who has dated on the apps, I know it can be tough and I feel like you have so much more reason to say that. Are you dating again? Is that something that is on your radar?

Brent Efron: Yeah. Um, I am dating again. It was actually really important to me that I start dating again, uh, pretty, pretty actually soon after, well, maybe a few months after this all happened, as a way to heal, and to remind myself that I could trust strangers again. and yeah, I'm going on dates. There's no one special I guess at the moment, but I'm going on dates. There's some more Googling now, to make sure I know who I'm, who I'm meeting. But yeah, I'm happy to say I'm back on the apps.

Kousha Navidar: Brent Efron is Senior Manager for Permitting Innovation. He really likes talking about permits at the Environmental Policy Innovation Center. Brent, thanks so much for coming on, for sharing your story.

Brent Efron: Thank you so much for having me. It was great.

Kousha Navidar: We reached out to Project Veritas for comment. In an email they said, <quote> "Project Veritas upholds the core principle of the public's right to know in our journalism." The email went on to say that Mr. Efron's candid remarks about the Biden Administration's EPA rushing $50 billion in taxpayer funds out the door raised significant concerns. Project Veritas also noted that an appeals court in September ruled that the Trump administration could terminate the grants in question, and that the gold bars video was damning evidence.

Music: In

Ariana Brocious: Coming up, a lawyer who advised on laws to make corporate polluters pay gets targeted by groups linked to fossil fuel companies.

Rachel Rothschild: And it's required an enormous amount of time. I mean, I've spent more hours dealing with this lawsuit at this point than I did performing the pro bono work that led to it.

Ariana Brocious: That's up next, when Climate One continues.

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Music: Out

Kousha Navidar: This is Climate One. I'm Kousha Navidar. Lawyer and scholar Rachel Rothschild has become a leading expert in climate superfund laws. Recently, she and her work have come under intense scrutiny by organizations linked to fossil fuel interests. You may be asking yourself, what are climate superfunds?

Rachel Rothschild: The way the state climate super funds are supposed to work is they're going to impose fees on what are called responsible parties, which are very large fossil fuel companies. Listeners might think of a company like ExxonMobil or Chevron. They're likely to be responsible parties under this law. And the states are going to require them to pay a portion of the costs to adapt to climate change and help offset the harms to natural resources and public health that states are going to experience.

Kousha Navidar: I live in New York City, so for the past year and a half or so, there's been a lot of discussion about climate Superfund laws and what's called polluters pay. So are those the same thing?

Rachel Rothschild: So the Polluters Pay concept undergirds the State Climate Superfund Laws in the following way. So the polluter pays concept is very old. It actually goes all the way back to the 1970s when some of our first environmental legislation was passed, at the federal level, not just in the United States by the way, but in other industrialized countries around the world. And the idea was that those who've most profited from a particular industrial activity, should be the ones responsible for helping to pay to remedy the harm that results from that activity, right? Because environmental problems are really market failures. They're companies externalizing, socializing the costs of their activity and privatizing all of the profits, all of the benefits. And so the Polluter Pays model make sure the companies are contributing to remedying the harms that they're causing to the rest of society.

Kousha Navidar: The collateral damage, some might say.

Rachel Rothschild: Exactly. Exactly.

Kousha Navidar: Yeah. And so Vermont became the first state to pass a law like this. It was in May 2024. New York followed December 2025. How did you support the passage of the law?

Rachel Rothschild: So when I was at Policy Integrity, my job was really to think through how to do this in a way that's consistent with the US Constitution and the cases and legal precedent that exist. And so since thinking through some of those legal issues, I've helped advise different environmental groups that are interested in this legislation. I've given public testimony to various state legislatures about these laws, and just tried to make myself available as a resource for people who might have questions about the legal issues involved.

Kousha Navidar: Mm. So as being like kind of a thought leader on this part, let me call you a thought leader. You're somebody who people go to to ask about how to draft these kinds of policies, and you're doing a lot of this work at the University of Michigan. Is that right?

Rachel Rothschild: So I started it when I was at the Institute for Policy Integrity, when I was a legal fellow there. And I worked on it, did the bulk of my work, initially there, and then once I transitioned to my faculty position at the university, I've continued doing this work, pro bono, um, for, you know, some, some of the environmental groups I was working with before, but also other environmental groups that I, I've started working with since I became faculty here.

Kousha Navidar: Well, the reason that I bring that up as, as I'm, I'm sure you can anticipate is to delve into the pushback that you've received as a part of this work. I mean, shortly after the Superfund Law was passed in Vermont, the University of Michigan got a letter right from a group called Government Accountability and Oversight, which we'll refer to as GAO, and they're seeking your emails related to climate superfunds. Tell me about that. What were they looking for? What were they asking the University of Michigan for?

Rachel Rothschild: So just to clarify a little bit on the timeline. So the request for my private communications with environmental groups by the government accountability and oversight organization started coming in after I'd been on the faculty for about a year and a half. So I think it was around February of 2024, if I'm getting that timeline right. Yes. And they were requesting my communications with some of the environmental organizations that have worked on this legislation and that I had been providing pro bono legal advice to since I've been a faculty member here. And

the university denied those requests. Their belief and, and my belief is that this is work I was doing pro bono, external to my role at the university, but the organization, just after the Vermont law was passed, sued the University of Michigan saying that the university needed to turn over my private email communications with environmental groups under the Michigan State Freedom of Information Law.

Kousha Navidar: So the FOIA, the Freedom of Information Act, was what they were using. How, why could they use that on the University of Michigan?

Rachel Rothschild: So the University of Michigan, because it's a public university, is considered by the courts here, it's not explicitly in the statute, but it, uh, there's a lot of cases that say that the university, because it receives taxpayer funding, it's a public institution, the university itself is considered subject to the state freedom of information law. Now, how to interpret that when it comes to individual faculty or when it comes to faculty's external work is something that I think there hasn't been a lot of litigation on, and so my case is really testing the limits of how far these Freedom of Information Act requests can go.

Kousha Navidar: Mm. For me at least, the Freedom of Information Act has a very specific place in my mind because I started experiencing it when I worked in a political administration as a speech writer, and the ethics department told us that all of our records were available under the Freedom of Information Act. Most people think of FOIA as like a real strong tool of democracy to democratize the access of information. What do you think about that in this context? Like for listeners who might think of FOIA as one thing? Is it, is it that, or is it multiple? Do people use it in all different ways?

Rachel Rothschild: That's a great question. I should first acknowledge I have used the Freedom of Information Act myself. So as a scholar and a researcher who's studied environmental regulation, I've used Freedom of Information Act requests in a lot of my scholarship, to try to better understand agency decision making and understand how different issues have affected the regulatory process. So I am certainly very pro-FOIA in the sense that it can be really important and useful, as you said, as a transparency tool. Kinda small d democratic tool so that the public can know what the government is doing. What's different in the context of universities and scholars is that. At least in my view, most people don't think of professors as part of the government, right? We're certainly funded by taxpayers, but we don't have the same kind of role as a government official or decision maker. And so there's been differences across states and there's certainly been a lot of public debate about using FOIA in a way that was never really intended by a lot of legislatures and it hadn't really come up as a big issue in a lot of states, I think, until probably about the last 15 years or so with the proliferation of electronic communications. That's been something that the FOIA laws didn't quite anticipate, right? There's just a lot more written communications we now have because of email and some groups who don't like faculty's research or don't like the particular viewpoints of faculty have started to use these laws to go after professors whose work they're opposed to. So, the more common one we're seeing nowadays. Is certainly corporate groups, um, or corporate funded organizations using this to go after faculty who are researching issues that might be problematic in a corporation's view to their bottom line. Um, which I think is a real weaponization of FOIA and, and not how the law was originally intended to be used.

Kousha Navidar: And you mentioned groups. The group in this case asking for that information is GAO, a part that kind of confused me a little bit when I was learning about this is that GAO, the G stands for government, but it is not a government organization. Right?

Rachel Rothschild: No, they're not a government organization and they've changed their name several times. So I think they used to be the American Tradition Institute, then I think they were the Energy and Environment Institute or something like that. So they've kind of reconfigured themselves

over time. But yeah, that's their current title.

Kousha Navidar: Why do you think they wanted your emails?

Rachel Rothschild: I think the biggest reason they want my emails is because they're hoping to find something in them to discredit the state climate Superfund Laws. So currently there are lawsuits being filed against both Vermont and New York, the two states that have passed these laws, and in the complaints that were initially filed by the US Chamber of Commerce and the American Petroleum Institute. Those are the industry groups that are suing Vermont and New York. Those complaints cite actually documents that the GAO has FOIAed from various other governmental organizations. And so when I saw that it initially, you know, struck me that, wow, that that must be what they're hoping to get out of this, right, is to just try to find something in my emails that they're then gonna be able to use and cite as a way to attack the laws themselves. Um, and that could take different forms, I suppose. I'm not sure exactly what they think they're gonna find, but from at least reading some of the things they posted publicly. They do seem to have in mind that I am part of some green conspiracy type thing, and perhaps they're hoping that they'll find something to discredit me and, and, and thus discredit the laws by association. I think another reason they want to see my emails and have filed this lawsuit is because opposing something like this as a faculty member is incredibly time consuming and stressful and takes a lot of resources and energy that I could be spending doing on other things, but that I now have to spend kinda dealing with this lawsuit. And so it's a tax in some ways on the people who wanna do pro bono work for environmental organizations and in some ways make an example out of me, to show other people this is what will happen to you if that will kind of come after you in this way if you do this work. And I'm really sad about that aspect of this 'cause I do think that it has had that effect that I've seen in some ways on other environmental law scholars. It's had a real chilling effect on my ability to do the pro bono legal work that I wanna be doing.

Kousha Navidar: It goes without saying that it is a lot to deal with. I mean, not just being embroiled in a lawsuit and asking your institution that employs you to. Send records of you, but also GAO is seeking to depose you, right. And that's happening shortly after this episode is publishing on November 7th. So you know, when you talk about the personal tax on doing this kind of work, it is very real. It sounds like. What's it been like for you personally? What's been like you, for you professionally to go through this?

Rachel Rothschild: It is been really, really difficult. it's taken an enormous toll on me in terms of my time. SoI'm a junior faculty member at the University of Michigan, which means I'm, I'm on the tenure track, supposed to be getting ready to go up for tenure in a few years. I should be really focusing on my, on my scholarship, becoming the best researcher I can be, the best teacher I can be, and instead I've had to manage this. And it's required an enormous amount of time. I mean, I've spent more hours dealing with this lawsuit at this point than I did performing the pro bono work that led to it. And so, you know, to keep up with my other professional obligations to do my job at the university, it's meant time away from my family. It's meant canceled vacations, missed time on the weekends with my children. And that's taken a real, a real toll on me and my family. Right. 'cause that's time that I won't, I won't get back. I would also say I've been really heartbroken at the way this has affected my ability to work with certain organizations that I previously worked with, because they're really worried about getting caught up in a lawsuit like this, uh, given how horrible it is to go through. So the, the hardest example of this for me is with my prior employer and where I'm an affiliated scholar, the Institute for Policy Integrity, which is the organization where I started this work.

Kousha Navidar: Started. Yeah.

Rachel Rothschild: on state climate superfunds. So you know, my relationship with policy integrity goes back all the way to law school. I was a student in the clinic there. I was so excited to work there as a legal fellow, you know, so excited to stay on as an affiliate scholar. But when things started escalating with this case back in March of this year, you know, I had a conversation with the current director there who basically told me that the institute was considering ending my affiliated scholar status with the organization because they were really worried about their litigation risk and exposure by working with me. And so, you know, that was just absolutely heartbreaking. Absolutely heartbreaking to sort of think that my ability to do this work might be compromised with the institute because of this lawsuit.

Kousha Navidar: And also just people that you trust or have built a relationship with at a pivotal part of your life, distancing themselves from you. Right.

Rachel Rothschild: Yeah, absolutely. I mean these were, this is where I got trained as an environmental lawyer. I mean, this is where it kind of made my career initially. And, people there I considered not just people I went to work with every day, but, but my friends, um, and people I really cared about. And so to not be able to talk to them to have the, this kind of big wall put up has been really hard.

Kousha Navidar: Yeah. Were you expecting it?

Rachel Rothschild: No, not at all. Not at all. I mean, I think it hasn't been, I should say it hasn't been the reaction of everyone. So, you know, I have had some environmental organizations pull me closer in this experience, as this has all transpired. Want to make sure we, you know, just take steps to formalize our relationship even more, to, to come up with better ways to work on things together that would be, you know, more protected. And so I've had that experience with groups like the Center for Progressive Reform, where I was recently elected a member scholar. You know, and other environmental organizations that I do consulting work with. So, so that has been heartwarming that, you know, I, I have had people who have said, you know, we, we wanna stand with you and support you, and we're gonna do everything we can to help you through this and make sure that you can continue to do this public pro bono work that you, that you wanna do. So it hasn't been everyone, but this is not a unique phenomenon. I mean, we're seeing similar things with law firms that have come under attack, right? Some law firms have struck deals with the Trump administration when they faced scrutiny. Others have decided to push back, and I know that these are really hard decisions that people have to make. For me, I'm just very grateful that I have a number of environmental groups that are choosing to kinda push back with me.

Kousha Navidar: Yeah. So I'm sure that you've experienced a lot that most listeners, I certainly haven't going through this experience, has anything surprised you?

Rachel Rothschild: I guess I would say one thing that I hope to share with listeners is just how scary it is to be doing this work right now given the world we're living in, given the threats that a lot of people have received. So when I decided to come forward publicly about what was happening with this lawsuit, I confided in trusted advisors and the environmental legal community about the fact that I was gonna come forward publicly, and I got the strong suggestion and advice that I needed threat monitoring. Because of concerns that have emerged within the environmental community about security and people's just basic physical safety. And I did receive threat monitoring pro bono from a democracy protection group because of concerns along those lines. And, and that was. Really surprising and scary to think that that was something that I needed. I'm just a professor. don't consider myself a public official in a, in a way, right? That somebody would need that kind of thing.

Kousha Navidar: What is, what is threat monitoring? Like? They meant they look for your name on social media sites?

Rachel Rothschild: Yeah, it's monitoring kind of very right wing in my case, websites, forums, chats, to make sure that no one is making any threats against me.

Kousha Navidar: Wow. What part of that surprised you that you would be in this position to begin with?

Rachel Rothschild: Yeah, I, I guess because I've always been somebody who's kind of been the nerd in the room. Like I'm just the person who kind of sits behind the desk and, you know, works on the research and tries to help think about things deeply and give, you know, my best advice as a scholar and an expert. The idea that someone like myself would need that kind of protection is really, really surprised, was really surprising to me. And no, I, I never really thought of myself as somebody who would take on this kind of public profile in the way that I, that I have

Kousha Navidar: Yeah. Scary. That's the word that you used.

Rachel Rothschild: Yeah, it is super scary.

Kousha Navidar: I was going to ask, why aren't you afraid to speak out? But I think that question needs to change to, why not give in to the fear, I suppose, and stop?

Rachel Rothschild: So I don't really know how to be any other way than to kind of stand my ground when this kind of thing happens. If I'm thinking about what, what I'm gonna regret in my life, if I sort of try to fast forward 10, 20 years from now, I think I would deeply regret not standing up for important principles and values that I have. And so, you know, if I'm gonna be able to live with myself and sleep well at night. For me personally, it's just really, really important to stand up for myself and for what I think is the right thing to do in this situation. You know, I come from a family of refugees.

My grandparents came here from, Nazi Germany, um, in the years in and around World War II and after the war. And I've thought a lot about my grandparents as I've been going through this experience. What they sacrificed and what they had to endure in what were far scarier circumstances than what I'm dealing with as as frightening as as they are. And so I kind of try to think about ways of acting consistently with their values and how they would want me to kind of stand up in this particular, in this particular moment.

Kousha Navidar: Yeah. And I imagine having that connection can be very affirming Right.

Rachel Rothschild: Yes, absolutely.

Kousha Navidar: How about as a, how about as a teacher?

Rachel Rothschild: I think a lot about wanting to be a good role model for my students. I've had a number of students who said to me, especially since learning about this lawsuit, after it was reported in the media, oh, you know, professor, I look up to you and, and I wanna kind of follow in your footsteps and, and do this work. And so I, I take very seriously my responsibility to set an example for the people who are gonna come after me and the students who wanna go out and be environmental lawyers to, to try to make sure that I. Brave and, and show courage even if it's hard and scary sometimes.

Kousha Navidar: Rachel Rothschild is assistant professor at the University of Michigan Law School.

Rachel, thank you so much for coming on with us.

Rachel Rothschild: Thank you so much for having me.

Kousha Navidar: We reached out to the Government Accountability and Oversight organization for comment, but they did not respond.

Music: in

Kousha Navidar: Coming up, digging into climate obstruction:

J. Timmons Roberts: Who's blocking action on climate change? Who are their allies?

What are their networks? What are their tactics? And how can they be pushed back against?

Kousha Navidar: That's up next, when Climate One continues.

Music: out

Ariana Brocious: This is Climate One. I'm Ariana Brocious. Environmental studies and sociology professor J. Timmons Roberts leads the Climate Social Science Network, an international group of 800 scholars focused on climate obstruction. He also runs the Climate and Development Lab, a student-faculty program at Brown University.

A few years ago, his lab began to release a series of reports revealing connections between groups who opposed offshore wind development and climate denial think tanks and the fossil fuel industry.

J. Timmons Roberts: A lot of the groups that have sprung up are really coastal property owners. And what we found out was that a group in, in Delaware, a conservative far right think tank had sent letters to 37,000 front row property owners, commercial and mostly residential, and said, you know, these things are huge. They're going to destroy your tourism and your view and your property values. And I think a lot of the people freaked out when they saw that. People saw, for example, survey ships out there trying to figure out exactly where they should put the turbines and where to put the cables and so on. Just, you know, to map the nature of the ocean floor, the continental shelf. So there were, um, strange boats out there and people wanted to find out what they were and went online. And there online, of course, is a massive amount of information. Many negative claims about the impacts of offshore wind, on the marine ecosystem, on shipping, on fishing, on, human health, tourism, the, you know, the economy and, and on and on.

Ariana Brocious: Roberts' team found that a lot of that information or misinformation was being supplied by groups with ties to the fossil fuel industry.

J. Timmons Roberts: We have never claimed that these groups are receiving money from big oil and so on, but we are claiming that they are receiving some benefits from organizations that are receiving money from big oil. There is what we call a misinformation subsidy. Or we could say sort of a capacity subsidy, that is they're receiving in kind services of different sorts, whether it's talking points, you know, memes, social media posts, material that they can put into their PowerPoints and websites, Facebook groups, about these negative impacts of wind that are often, in my professional opinion, exaggerated or, quite sensationalized claims about wind's impacts. They're also receiving lawyerly help. They're receiving connections to hire PR firms and, you know, consultants. So just to say there's a lot of different sort of services that were provided by these think tanks and actors who were fighting renewables for quite a long time before these local groups came along.

Ariana Brocious: And he says the level of opposition to offshore wind can feel out of proportion with the actual impacts of the turbines, which are located 15 miles off the coast.

J. Timmons Roberts: You know, I went down to the, to the coast of Rhode Island a couple days ago with my wife just to see the, the ones that are being built, the main wind farm down there. Revolution wind is getting to be almost complete. And you stand on the beach, and the beach is so beautiful. It is really a glorious coastline, and you hold out your arm and your thumbnail. The height of these turbines is less than like a third of your thumbnail at arm's length. And then I held up a toothpick at arm's length and it's far less diameter, whatever. It's smaller than a toothpick, you know, a third of the height of your thumbnail. And I just think, we can live with these things. you know, we had done research earlier in my lab about how Rhode Island could decarbonize, how it could do, its part on climate change to the level that the science tells us is necessary. And we did this study back in 2019 with a consultant from the Stockholm Environment Institute, a leading energy modeling group. And what we found was that we could decarbonize in Southern New England and Rhode Island specifically. And that the on the shelf available technology that would get us there the most quickly and affordably was offshore wind. We have a lot of wind. We have a beautiful shallow water, continental shelf, close to the electrical grid, close to the population centers. It really is a fantastic resource. We could be producing extra electricity. And exporting it to the nearby states. You know, and this is a tiny state that imports $3 to 5 billion a year in fossil fuels. Why wouldn't we wanna produce our energy here and cleanly? So, you know, yes, it's, it's energy infrastructure. It will have impacts as any energy infrastructure does. But I, you know, my, my feeling is that these are people who have never had to live near energy infrastructure, they're not like the people where I lived in Louisiana for 10 years, who are living literally, a chain link fence in your backyard away from a massive oil refinery, which is, you know, exploding, leaking, smelling, making noises, flaring, and so on in the middle of the night, on the weekend.

Ariana Brocious: Most recently, your group has released a report documenting the legal support in particular, and Marzulla Law, one of the five networks that you talk about in this Legal Entanglements report sent a letter to Brown demanding that the research you published be redacted. What was your reaction when that letter came in?

J. Timmons Roberts: I was, uh, a little surprised, to say the least, especially 'cause many of the things. That they were complaining about we had published two and a half years ago. This letter came on August 11th. I was forwarded it by the General counsel. It came directly to Brown University. It wasn't sent to me. And it was, as you said, um, as demanding that Brown take down the climate and development lab. My lab's research on this organization. You know, we all looked at this letter and said, well, it looks like some other threatening letters we've gotten in the past. Um, and, and just to be clear, the ones in the past also demanded that, you know, they take down my research from the website and Brown has each time said, this is academic freedom. We don't tell faculty what to do research about, nor what to say. So it didn't look like anything new until reading it more carefully. And then there was like two things that were new. The first being a threat of all the science funding of the whole university. So Brown University is a leading global university, you know, globally ranked and, and does some really cutting edge research. And so in the letter they said they were also going to be sending coordinated reports to the National Science Foundation, the Department of Energy and the Mellon Foundation, so public and private funders of research and, and work in the university and. you know, that we should take down these reports and apologize to, the organizations that are being discussed to, described in their reports to the best of our ability. And the other, the other new thing is, was that it came from this Marzulla Law company, which we had actually already been doing all this research on their relationship with the offshore wind groups and looking back at their history. And so we had a lot to say about that. And we had this report almost ready to go. So when we got this letter, I said, we need to get this report out because it's

documenting exactly what they're saying is not true. And that is that they're linked to networks that include fossil fuel industries.

Ariana Brocious: What does Marzulla Law stand to lose by having this report out there?

J. Timmons Roberts: Yeah, I think like, like public relations firms, law firms would like to sort of linger in the background. The best ones are the ones that, um, you know, the focus is on the plaintiff or the defendant, not on the lawyers. But they're a really important part of this, uh, whole network. And we had some in the original report, the one called Against the Wind. And we also had this Marzulla Law Group, uh, in the first one. And then we decided we needed to understand them much, much more, because it seemed to me that they are crucial pieces of this network. They have experience, they have connections they have, often and, you know, they can say they're, they're providing, you know, legal services, even-handedly. But this Marzulla law has represented some of the most, most extractive is the sort of neutral word for it. Some of the most rapacious companies in America, as they attempted to roll back the major environmental laws of the United States, everything, you know, from the en endangered species act to marine mammals and other things that would get in the way of extraction of oil and gas, lumber, ranching, and so on. And were members of a climate denialist coalition.

Ariana Brocious: Yeah, so I wanna put this in context. You know, this letter sent by the law firm, they claim that your report is false and injurious. And this is happening at a moment, a pretty fraught moment for universities. There's a ton of pressure being put on them and their funding streams, particularly federal funding by the Trump administration. So, you know, Brown defended your work as they have in the past, but does this give you concern, this letter intended to basically silence you?

J. Timmons Roberts: Yeah, of course. I mean, there was some sleep that has been lost, but that doesn't mean, you know, one can’t back down. And I, I think it, you know, it's a reflection of emboldened actors believing they can bully universities who, who are indeed in a vulnerable position right now, very vulnerable. Why not throw in this threat of, uh, you know, attacking the funding of the whole university because they want to get what they're, you know, what they can. I will note it's been about seven weeks or so since Brown responded to this letter from Marzulla Law. And we've not heard anything.

Ariana Brocious: You know, this sounds upsetting, frankly. I mean, to be threatened, to have the work you're doing be challenged, the funding sources of the university itself, be threatened, you sound really calm and even-keeled about it. So do you get upset? Are you, do you get worked up about this?

J. Timmons Roberts: Yeah, I do. If I let myself worry about it too much for sure. I'm calm because, well, I'm an old white, native-born, tenured guy who's going into phased retirement. I mean, I'll be direct that I'm, I'll go forward with this work somehow. You know, I do worry about my colleagues if, if, they really did come after Brown's research funding. I think that's just pitiful to threaten a whole university, to threaten unrelated research because you don't like what one professor is saying and his undergraduate students working in his lab. That's really sad and I think that the people who are bringing these should be ashamed of doing that. And so I, I guess I feel like, when people understand the full story, it's pretty clear that this is, this is not gonna hold up if we live in a country of laws. this, this will be, Thrown out as a SLAPP suit if, if there is a, if there is a lawsuit. There's a law in Rhode Island, um, called an Anti-SLAPP Law.

Ariana Brocious: Uh, SLAPP stands for, go ahead.

J. Timmons Roberts: Strategic lawsuit against public participation, which was enacted in 1995 because they were seeing a lot of people being harassed for saying things that other people didn't like.

Ariana Brocious: So right now, climate action and academic freedom are frankly under attack by the federal government. You work with this lab, and a lot of undergraduates, and I'm wondering how you talk about this moment and their careers, with them in, in, in this time, especially given everything we've already talked about that you've been facing.

J. Timmons Roberts: I'm very proud of the students. I've, frankly, I'm at the other end of my career from where they are. And it, I think it would be very unsettling to see the just all out attack on all this important work. I, you know, of course it's disheartening for me to see decades of efforts to deal seriously with the issue of climate change. We put this off at our peril, of course, and it's gonna bite us. It's gonna bite us badly. And these are the, the students are the ones who will feel it the most, but all of us are already experiencing climate change and it's just gonna get worse. The students are really confronting it and they understand that, this time is pivotal and they're not giving up. And I think they are very excited about this work. And I think they've, they feel just like I do, that there's real therapy in taking action, in doing something, in trying to be useful. To address the issue of climate change. This focus on who's blocking action on climate change, how they're doing it. What are their discourses? Who are their allies? What are their networks? What are their, you know, their tactics? And how can they be pushed back against? So that's what our whole global organization called the Climate Social Science Network is focused on that work. And we now have over 800 scholars in 50 different countries working on understanding who's blocking action on climate change.

Ariana Brocious: Yeah. And I wanna note for listeners that you have co-edited a book that was just released, documents a lot of this climate obstruction and the book's called “Climate Obstruction: A Global Assessment.” And for listeners who wanna know more, it really details all the different industries that are involved in some form of climate obstruction. So as we wrap up, I wanna return to this letter and, and the kind of threat of lawsuit from Marzulla Law. It does appear for now that they may not actually end up filing a lawsuit, but how do these kinds of threats affect the work you do, even if they don't file a lawsuit?

J. Timmons Roberts: I have to say we are very careful. I have all of our work that might be attacked, I have it run by a defamation lawyer. There's also a pretty wonderful group called the Climate Science Legal Defense Fund which is here set up just for cases like this to help academics and researchers deal with attacks from those who don't like what we're saying. And I have them look over work as well. Whenever there are these threatening letters I talk to our university's general counsel. I also send them our work before we put it up on the website. I add these disclaimers that I mentioned before. But have I stopped? No. And will I stop? No. In fact, we're learning. Each of these attacks really teaches us some things about the organizations, about how they work, about their connections. So we have lots more research we're working on. You know, it's fairly diverse on a series of different issues, but it's the core of it is trying, again, trying to understand who's, who's obstructing action on climate change. We have to deal with this issue. We need those who would like who believe we need to advance climate action to understand their opposition. People really were quite, I think, quite naive that more science, good information, good public policy and good technology would lead to us just solving the climate change crisis and markets all by themselves. But that's not been the case because we've really failed to understand those who have an interest in us not solving the problem. So, you know, I'm a social scientist. I really see the opportunity to learn from all of the input that we can collect. And so, um, I see it sort of as an opportunity to, to see it on the inside.

Ariana Brocious: J. Timmons Roberts is a professor of environmental studies and sociology at Brown University and the executive director of the Climate Social Science Network. Thank you so much for joining us on Climate One and sharing your research with us.

J. Timmons Roberts: Thanks Ariana. I appreciate it and it's been very good to be with you.

Ariana: We contacted Marzulla Law for comment, but they did not respond.

Music: In

Kousha Navidar: And that's our show. Thanks for listening. Talking about climate can be hard, and exciting and interesting -- AND it's critical to address the transitions we need to make in all parts of society. Please help us get people talking more about climate by giving us a rating or review. You can do it right now on your device. Or consider joining us on Patreon and supporting the show that way.

Ariana Brocious: Climate One is a production of the Commonwealth Club. Our team includes Greg Dalton, Brad Marshland, Jenny Park, Austin Colón, Megan Biscieglia, Kousha Navidar and Rachael Lacey. Our theme music is by George Young. I'm Ariana Brocious.

Music: Out