



COMPETITIVE
ENTERPRISE
INSTITUTE

CEI Achievement Report

An Abridged Summary of 2018 Accomplishments

Limited Government



Free Enterprise



Individual Liberty

Overview

For the past year, the generosity of our supporters has enabled the Competitive Enterprise Institute (CEI) to advance both principled ideas and concrete solutions to several significant policy challenges. The following is a report to highlight some of CEI's fiscal year 2018 accomplishments.

Center for Economic Freedom

Labor and Employment

On June 27, 2018, the Supreme Court ruled 5-4 in *Janus vs. AFSCME Council 31*. The Supreme Court overturned decades-old precedent that allowed government unions to require public employees to pay union fees or risk being fired. This was a huge win for CEI and public employees.

CEI's labor policy scholar Trey Kovacs, along with the CEI's communications department, played a lead role in making the public case for *Janus* and the benefits of member-only unions. CEI submitted two amicus briefs in support of the petitioner in *Janus v. AFSCME Council 31*. The first brief, filed at the petition stage, exposed how forced union dues fund political activity, even though they are meant to be used exclusively for collective bargaining. This happens despite the purported safeguards that are currently in place. We filed a second brief on the merits of the *Janus* case. The briefs, written *pro bono* by Andrew Grossman of the law firm BakerHostetler, were unique in focusing on a series of nearly unbelievable abuses, and were widely covered in the press.

In the months leading up to the February 26 oral argument, CEI

released videos, op-eds, blog posts, and reports. CEI's video about the case, built support for worker freedom and was viewed nearly 80,000 times. Kovacs wrote op-eds in *The Washington Post*, *Washington Examiner*, *Inside Sources*, and *foxnews.com* on *Janus*, official time, and members-only unions. Since September of 2017, when the Supreme Court decided to hear *Janus*, Kovacs has written fourteen blog posts about *Janus* or related labor issues. Kovacs also served as the go-to person for the news media on members-only unions and received more than 400 media hits from a variety of local and national news organizations.

Leading up to the ruling, Kovacs wrote a ten-page report on the potential policy implications of the case, explaining in detail how "workers choice" and members-only policies were the best alternatives to forced dues. Staff of the House Committee on Oversight and Government Reform and the Senate Committee on Homeland Security and Government Affairs cited this report multiple times in their memo on official time.

Consumer Financial Protection Bureau (CFPB)

President Trump provided a critical victory on November 1, 2017, when he signed legislation putting a stop to the Consumer Financial Protection Bureau's arbitration rule, which would have restricted consumers' access to credit.

On January 11, 2018, CEI General Counsel Sam Kazman, attorney Devin Watkins, and Policy Analyst Daniel Press submitted a formal complaint under the Paperwork Reduction Act to have the Office of Management and Budget disapprove of the CFPB's short-term "payday" lending rule. The CFPB's rule makes it harder for

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Acting
Director
Mulvaney
announced
changes to the
Equal Credit
Opportunity
Act that
included all of
CEI's
recommendations.

millions of struggling Americans to cover emergency expenses between paychecks.

CEI experts met with staff of the CFPB and Office of Management and Budget, and released Press' study on the payday loan rule on January 17, 2018. *American Banker* reported, "Data in the report could be used to provide a basis for reopening the rule under the Administrative Procedure Act." The next week, CFPB Acting Director Mick Mulvaney announced that the agency would reconsider the rule. Twenty-three free-market groups, led by CEI, sent a letter to Congress asking lawmakers to stop the CFPB's rule against payday loans on February 6. CEI urged Congress to take action to protect these vulnerable consumers' access to credit. While members introduced the resolution in both chambers of Congress, neither took a vote. CEI is currently working closely with CFPB leadership to make necessary changes, and the Bureau has announced that it intends to reconsider the rule in early 2019.

On May 15, 2018, CEI published Daniel Press' analysis of the CFPB's enforcement of the Equal Credit Opportunity Act, a fair-lending law, with recommendations for reform. The next week, Acting Director Mulvaney announced changes to the Equal Credit Opportunity Act that included all of CEI's recommendations. In June 2018, CEI filed comments on the CFPB's request for information regarding its rulemaking processes. The agency has implemented a number of CEI's suggestions, including a new Office of Cost-Benefit Analysis, which will increase the transparency, accountability, and quality of the Bureau's rules and enforcement actions, and an Office of Innovation, which will foster a more innovative

and entrepreneurial financial marketplace.

On December 6, the Senate confirmed Kathleen Kraninger as Director of the CFPB. CEI supported Ms. Kraninger during the confirmation process, as noted in *The Washington Times* article "Free-market group calls on Senate to confirm Kathleen Kraninger to lead consumer bureau." CEI continues to fight the Bureau's many as-yet-unreformed policies on Capitol Hill and in court, challenging the agency's constitutionality and rules. CEI took its constitutional challenge to the agency's structure to the Supreme Court, *State National Bank of Big Spring v. Mnuchin*. CEI has also made the case for overturning several of the CFPB's rules that threaten consumers, community banks, and the future of financial technology. CEI is one of few free-market organizations to focus so heavily on the CFPB, and with the most effect.

Center for Technology and Innovation

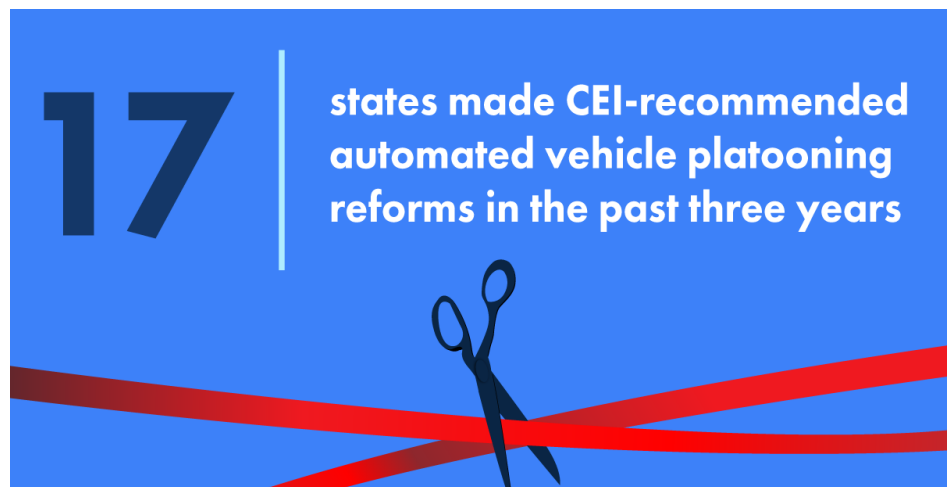
Regulatory Reform

This year, CEI released the 25th anniversary edition of the study *Ten Thousand Commandments: An Annual Snapshot of the Federal Regulatory State*. Written by CEI Vice President for Policy Wayne Crews, it shines a light on the large and under-appreciated "hidden tax" of federal regulation. Crews concludes that federal regulations and interventions rival the burden of federal taxation, constituting a hidden tax that amounts to nearly \$15,000 per U.S. household each year, more than Americans spend on any category in their family budget except housing.

Numerous members of Congress have cited *Ten Thousand Commandments*, including Sen. Mike Lee (R-UT), who sent a Dear Colleague letter endorsing and recommending it. Sen. Lee's staff also requested additional hard copies for distribution to the members of the Senate Steering Committee. The Senate Republican Policy Committee also featured *Ten Thousand Commandments* in its weekly "Policy Note" email, which goes to members of the Senate Republican conference and outside organizations. Wayne Crews' regulatory dark matter research was also the foundation for a House Oversight and Government Reform Committee report released March 15, "Shining Light on Regulatory Dark Matter."

Transportation

CEI remains the most active free-market group on emerging transportation technologies, particularly automated vehicle policy. In 2018, CEI submitted comments to numerous regulatory agencies on emerging vehicle technologies, including the National Highway Traffic Safety Administration, Federal Motor Carrier Safety Administration, Federal Highway Administration, Federal Railroad Administration, and the Office of the Secretary of Transportation. NHTSA's October 2018 revised federal automated vehicle guidance incorporated nearly all of CEI's recommendations and CEI provided additional recommendations to further improve the document in November.



On legislation, CEI's recommendations on performance-based regulatory reform were included in final passage of the Federal Aviation Administration Reauthorization Act of 2018. CEI also authored two state-level automated vehicle model policies. In addition, CEI currently publishes an annual report, *Authorizing Automated Vehicle Platooning*, on state-level "following too closely" laws that prohibit automated platooning trucks. Since we began publishing this research in 2016, 17 states have made CEI-recommended reforms, and our advocacy on this will continue in the 2019 state legislative sessions.

E-commerce

The Supreme Court heard oral argument in the major Internet sales tax case of *South Dakota v. Wayfair, Inc.* on April 17, 2018. South Dakota challenged the "physical presence" standard for sales taxation that had been in place since the court's decision in *Quill Corp. v. North Dakota* (1992). That standard prevented states from reaching outside their borders and forcing remote

businesses to calculate, collect, and remit sales taxes even when the seller has no physical presence in the state. On June 21 the Supreme Court sided with South Dakota and allowed states to tax Internet sellers regardless of their physical location. This action will likely cost online sellers and consumers dearly as state governments move to extend their taxing authority over online commerce.

CEI's General Counsel Sam Kazman and Associate Director of the Center for Technology & Innovation Jessica Melugin spoke at the National Press Club in the week prior to oral argument and participated in several media events related to the case. CEI also submitted an *amicus curiae* brief on April 4, contending that without congressional action, a state cannot constitutionally force a business to collect sales taxes if it has no physical presence in that state.

While CEI's position lost at the Supreme Court on *South Dakota v. Wayfair*, we did gain multiple media appearances in the aftermath of the disappointing decision, including Jessica

According to the agencies, making CAFE more lenient will save over 12,000 lives.

Melugin's op-ed in *The New York Times* on June 21 and her appearance on Fox Business to discuss the ruling and what steps Congress can take to curb its effects. Melugin also submitted testimony on the decision for the House Judiciary Committee on July 24. In her testimony, Melugin detailed the harm in allowing state legislators to act with only their self-interest as a guide, as well as providing specifics on how Congress should address the growth of remote online sales.

CEI will continue to make the case for limiting Internet sales taxes. In early March 2018, Jessica Melugin joined U.S. Sen. Steve Daines (R-MT) and representatives from a number of other free-market organizations at a Capitol Hill press conference to oppose efforts to include an Internet sales tax in the then-current omnibus spending bill. Following the press conference, Melugin released a CEI Web Memo that outlined how attempts to empower states to tax outside their borders are unpopular with voters and undermine both fiscal conservative principles and state sovereignty.

CEI advocates for an origin-based sales tax system, which provides a more equitable and efficient approach to Internet sales that preserves healthy tax competition among states. On June 13, 2018, CEI released a video that explains why Congress needs to keep states from unfairly burdening small business owners.

Center for Energy and Environment

Corporate Average Fuel Economy (CAFE)

In October 2017, General Counsel Sam Kazman and Senior Fellow Marlo Lewis testified and filed comments in

support of revising the stringent fuel economy standards for new cars set under the Obama administration. Their position was based on CEI's landmark 1992 case in which a federal appeals court ruled that the Department of Transportation (DOT) had illegally concealed the lethal effects of the standards on vehicle crash worthiness. Then, on April 2, 2018, the Environmental Protection Agency (EPA) released the result of its mid-term evaluation of its mileage and emissions regulations for new cars. Then-EPA Administrator Scott Pruitt announced that the Obama Administration's standards for light-duty vehicles were not appropriate and should be revised.

Requiring a higher miles-per-gallon average for an automakers' entire fleet forces manufacturers to make cars lighter and smaller—and therefore less crashworthy. According to several peer-reviewed studies, the downsizing of cars that began to occur in the late 1980s has contributed to as many as 2,000 additional traffic deaths per year. Despite these studies and the 1992 court ruling, DOT and EPA continued to push for stricter efficiency targets. CEI came out in strong support of revision. On April 3rd, Marlo Lewis discussed how the pushback on CAFÉ signaled the "beginning of the end" of the Obama administrative state, on both *The John Batchelor Show* and *The Larry O'Conner Show* on WMAL. On the same day, Myron Ebell joined *The Jim Bohannon Show* on WMAL. Then, on April 4th, Sam Kazman authored an op-ed in *The Wall Street Journal* titled "Coffee Won't Kill You, But CAFE Might."

In August 2018, the EPA and the Department of Transportation (DOT) proposed to freeze the standards rather than let them get increasingly stringent. One of the agencies' chief arguments was the safety issue that

CEI had pioneered in its 1992 court case. According to the agencies, making CAFE more lenient will save over 12,000 lives.

In late October 2018, CEI filed extensive comments on this new proposal. We applauded the agencies' recognition of CAFE's life-and-death risks, but pointed out that even more lives could be saved if the agencies had actually rolled back CAFE rather than simply freezing it.

Environmental activists and officials from states such as California are vehemently opposing any relaxation of CAFE, and are doing their best to obfuscate its safety impact. Whether EPA and DOT will bow to their demands is still unclear, but our comments may set the stage for yet another CEI court case if the agencies return to ignoring the safety issue.

Government for Rent

CEI Senior Fellow Chris Horner discovered questionable payments from green activists to government officials in Washington state and elsewhere. Horner uncovered emails through a series of Freedom of Information Act (FOIA) requests that show environmental special interests are paying the salaries and expenses of staffers in Washington Governor Jay Inslee's office. Gov. Inslee is one of the ringleaders fighting President Trump's decision to withdraw from the Paris climate treaty.

In one of these deals, an environmental advocacy group, the World Resources Institute (WRI), funded the position of Gov. Inslee's senior policy adviser for climate and sustainability, currently held by a former Obama administration official. *The Wall Street Journal* called "remarkable." Based on other emails, it appears that the ultimate source of funding for the WRI's contract is the left-leaning Hewlett Foundation.

Gov. Inslee is clearly not acting alone. After President Trump's Paris treaty announcement, he joined New York Governor Andrew Cuomo and California Governor Jerry Brown in organizing the U.S. Climate Alliance, a coalition aimed at enforcing Paris-like energy restrictions in fifteen states. The Hewlett Foundation, which has pledged \$600 million for climate advocacy work, has directed some of that money to the U.S. Climate Alliance.

The Wall Street Journal published three articles on Chris Horner's work and the implications of "dark money" in the left's environmental agenda. One of them, titled "Climate of Unaccountability," (January 11, 2018) questions the lack of transparency in funding state energy policy via donations from private foundations. CEI is leading the fight against the axis of nonprofits, left-wing funders, and politicians who are working together at the state level to undermine the Trump administration on Paris.

CEI published Horner's research in a two-part series titled "Law Enforcement for Rent" and "Government for Rent."

CEI is exploring the ways in which the environmental movement is using this network to funnel money and staff to politicians, as well as sponsor research, public relations work, and potentially more for state government offices—an astonishing example of unauthorized private government.

*Horner
uncovered
emails that
show
environmental
special
interests are
paying the
salaries and
expenses of
staffers.*

*U.S. Supreme
Court granted
our petition
for certiorari
and agreed to
hear the case
Frank v. Gaos.*

Center for Law and Litigation

Class Action Law

Pending: *Frank v. Gaos*

In *Frank v. Gaos*, plaintiffs sued Google seeking trillions of dollars in statutory damages for alleged federal privacy violations by its search engine. Class counsel negotiated a settlement that provided zero dollars to class members while \$8.5 million went to class counsel and unrelated third parties, including the class attorneys' alma maters and several charities to which Google routinely donated.

This type of settlement is an abuse of the trust-law doctrine known as "*cy pres*." This term—meaning "as near as possible"—typically applies to charitable trusts where it has become impossible to perform the original objective of the trust. A court can amend the trust to provide for activities as close as possible to original intent. For example, March of Dimes was permitted to focus on other childhood diseases once polio was eradicated. But plaintiffs' attorneys have abused this doctrine in the class action context by claiming it is too difficult to distribute the money to class members, and are instead funneling millions of dollars of settlement money to their favorite charities.

The U.S. District Court for the Northern District of California approved the original settlement over CEI's objection. CEI appealed to the Ninth Circuit, which affirmed the district court's order approving the *cy pres*-only settlement. On April 30, the U.S. Supreme Court granted our petition for certiorari and agreed to hear the case *Frank v. Gaos*. CEI filed its opening brief on July 9. Thirteen individuals, groups, and organizations filed amicus briefs in support of our position, including one from the attorney general of Arizona and eighteen other state attorneys general.

CEI argued the case before the U.S. Supreme Court on October 31 and we await a ruling.

Victory: *In re: Subway Footlong*

In 2013, occasional discrepancies in the size of Subway Footlong sandwiches turned into a notoriously ridiculous class action lawsuit. In August 2017, CEI succeeded in overturning the settlement that this lawsuit produced.

The class action lawsuit was filed in 2013 after an Australian teenager posted a photo of an 11-inch Footlong. The sub was shorter in length due to natural variations in the baking process, but the shorter sandwiches contained just as much bread and fillings as other Footlongs, since Subway's portions are routinely pre-measured. Despite the lack of harm to consumers, a U.S. district court approved a settlement of \$525,000, practically all of which would go to fees for the attorneys who had brought the case.

CEI objected to the settlement as an abuse of the class action process. The Seventh Circuit Court of Appeals agreed and threw out the deal. Circuit Judge Diane Sykes noted that the settlement "results in fees for class counsel but yields no meaningful relief for the class," calling it "no better than a racket."

Victory: *Ma v. Harmless Harvest, Inc.*

On March 31, 2018, a district court rejected a settlement because, like the *Subway Footlong* sandwich case, it offered "valueless injunctive relief" to the class while the class attorneys received the only real benefit.

The class action lawsuit was filed in the Federal District of New York in December 2016 against Harmless Harvest, alleging that the manufacturer wrongly labeled its coconut water as 100% raw and organic. But eighteen months

before the complaint was even filed, Harmless Harvest had voluntarily removed the text “100% raw” and “100% organic” from its labels. The settlement took credit for Harmless Harvest’s voluntary labeling changes made prior to the lawsuit and offered no relief to class members while awarding class counsel \$745,000 in fees and expenses. The district court rejected the settlement as unfair because it “enriches only class counsel.”

Constitutional and Administrative Law

Federal Communications Commission (FCC) Mandamus Action

In 2016 CEI petitioned the FCC to reconsider the wide-ranging conditions that it had imposed on the merger of Time Warner Cable and two other cable companies. In our view, and in the view of dissenting FCC commissioners, these conditions were an illegal attempt by the agency to micromanage the Internet economy. Even though the agency was required to respond to our petition within 90 days, it sat on the petition for more than two years. We sought a writ of mandamus—a court order instructing the FCC respond. One week before our hearing the FCC finally acted, denying CEI’s petition. This mooted the case, but we’ve now filed a new lawsuit on the underlying merits of those merger conditions. Our opening brief was filed in January 2019.

Eric Schneiderman Appeals Freedom of Information Loss to CEI

In 2017, a New York state court awarded CEI attorney’s fees for the blatant violation of the state’s open documents law by then-Attorney General Eric Schneiderman. The document at issue was the founding agreement for his multi-state coalition of attorneys general dedicated to shutting down the climate science debate. CEI was one of the coalition’s

three targets. We successfully fought off a subpoena from one of its members, which sought a decade’s worth of documents relating to our climate and energy work.

CEI’s Dishwasher Petition to the Department of Energy

Dishwashers have become remarkably worse in recent years, due to federal regulations that restrict their energy use. Dishwashers today take more than twice as long as they once did, and they turn out dishes that are dirty and wet. In March 2018, CEI formally petitioned Energy Secretary Perry to permit a new category of dishwashers that can wash and dry a full load in less than an hour, freeing this category of dishwashers from the stringent regulations that have made most modern dishwashers ineffective and slow.

CEI’s petition drew over 2,000 personal comments from consumers, who detailed the grief that the regulated machines imposed upon households. A Daily Caller headline sums up the story as “Energy Department Petitioned to Stop Making Dishwashers Even Crappier.”

We are currently awaiting a ruling by the agency on our petition.

Paperwork Reduction Act Complaint against the Consumer Financial Protection Bureau’s Payday Lending Rule

In January 2018, as CFPB Acting Director Mick Mulvaney was reportedly reconsidering the payday lending rule, CEI filed a detailed Paperwork Reduction Act complaint against it with the White House Office of Management and Budget, also headed by Mr. Mulvaney. The CFPB reopened consideration of the rule later that month, though not on paperwork reduction grounds. Our filing, however, may well have played a role in that decision.

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CEI played a primary role in drafting the amicus brief for Carpenter v. United States, arguing that property rights makes seizures subject to the Fourth Amendment.

Notable Amicus Curiae Briefs

Christie v. NCAA (later Murphy v. NCAA)

CEI joined the Pacific Legal Foundation and the Cato Institute in *amicus* briefs at both the petition and merits stages. The case challenged the constitutionality of the federal government's attempt to commandeer New Jersey into maintaining a state gambling ban. The briefs tie into both CEI's constitutional work and its extensive policy analyses of gambling and the black markets that legal prohibitions create.

The Supreme Court heard oral argument in December 2017. On May 14, 2018, the U.S. Supreme Court overturned the federal law that, for 25 years, prevented states (except Nevada) from legalizing sports gambling. This was a major win for CEI, consumers, states, and the constitutional principle of federalism.

Ulbricht v. United States

CEI played a major role in drafting an *amicus* brief which the Reason Foundation, Cato Institute, and R Street Institute joined. The brief is part of CEI's continuing work on digital privacy. The Supreme Court has refused to consider if the government can access an individual's web browsing history without a warrant in *Ulbricht v. United States*.

Carpenter v. United States

CEI played a primary role in drafting an *amicus* brief which the Reason Foundation and Cato Institute joined. The brief focused on whether, as CEI contended, the law's understanding of property rights makes seizures and searches of electronic data subject to the Fourth Amendment. On June 22, 2018, the court upheld Timothy Carpenter's Fourth Amendment right to privacy, extending it to personal information on cell phones. The court found that the government violated

his Fourth Amendment protection against unreasonable searches when it collected 127 days' worth of cell phone location records without obtaining a warrant. This was an important victory for Americans' privacy.

Gundy v. United States

CEI submitted an *amicus* brief, which was joined by Reason Foundation and Cascade Policy Institute. The case calls into question Congress' actions in delegating authority to the attorney general, in violation of the nondelegation doctrine. CEI's brief challenges Congress' delegation to the U.S. Attorney General of unfettered discretionary powers to create binding law. This brief continues CEI's deregulatory efforts, given that many agencies delegate their authority in a similar, unconstitutional manner.

Gundy v. United States was argued before the Supreme Court in October of 2018 and is currently awaiting a decision.

Communications and Marketing

CEI engages a variety of audiences in order to achieve our policy goals. Using our research and expert commentary, we combine strategic media outreach, digital marketing efforts, and coalition-building to educate the public, motivate and engage our supporters, and reach government officials. CEI serves as a go-to resource for journalists, members of Congress, the administration, business leaders, and our supporters on legal and regulatory issues, including energy, environment, labor, finance, technology, transportation, and consumer freedom.

CEI's communications team specializes in developing and executing media strategies that aim to increase the number of advocates on our side and persuade our key

audiences on why supporting free-market policies is in the best interest of all Americans.

Coalitions

CEI communications and policy staff maintain a strong presence at coalition meetings, working group gatherings, conferences, and Capitol Hill briefings, where allies share and discuss the latest state and national developments and opportunities. From October 2017 to September 2018, we originated or signed onto more than 70 coalition letters to government officials on regulatory and other policy concerns. Through a mix of connections to industry representatives, academics, activists, legislative staff, and other stakeholders, we have tracked key openings in the policy debate and successfully leveraged the work of other groups to advance our own reform goals.

Media Outreach

In order to reach our target audiences, CEI connects with people both inside and beyond the Beltway using traditional, earned media. CEI's media outreach team leverages existing media relationships and builds

COALITION BUILDING



CEI signed onto more than 70 coalition letters to government officials on regulatory and other policy concerns

new ones in order to ensure our research and expert commentary are read in newspapers or online, seen on television, and heard on the radio. From October 2017 to September 2018, CEI was mentioned in news media outlets more than 6,000 times. This includes CEI experts authoring nearly 300 opinion pieces and appearing (or being referenced) on more than 500 radio and television programs.

Digital Marketing

In the past year, CEI's Facebook fan base has grown by 49 percent and our Twitter audience grew by 44 percent. In 2019, CEI projects Facebook and Twitter audiences to grow by an

additional 30 percent on both platforms. CEI's social audiences include many policy experts, journalists, Capitol Hill staffers, political appointees, and grassroots activists. CEI engages an average of 2,278 people per week, and reaches more than 32,000 people each week on Facebook. On Twitter, CEI averages nearly 72,000 total impressions each week. In 2018, CEI used social media advertising to grow the subscriber list for our weekly email newsletter, *The Bulletin*, by 20 percent.

Through organic search and paid advertising our website, cei.org, received an average of 59,661 visitors and 98,192 total page views per month in the past fiscal year. CEI's digital media team keeps cei.org optimized for top search performance and our blog, *OpenMarket*, is indexed by Google News.

With over a million video views, 2018 was a breakout year for reaching online users with CEI-produced video content. Our *Untied* series, featuring CEI Associate Director Jessica Melugin on Internet sales taxes, Vice President for Strategy Iain Murray on the platform economy, and Senior Fellow

IMPACT

300 
opinion pieces

500 
radio & tv appearances

6,000 
mentions in news media outlets

Marc Scribner on self-driving cars, explained how entrepreneurs are revolutionizing the way we work, travel, and build communities, and why we must keep them free from red tape and bureaucratic controls. The series drove 544,830 video views, making it our most successful video series to date. We expect viewership to top 1.5 million total views in 2019.

Government Affairs

The government affairs team is a critical part of CEI's mission to make good policy good politics. Through dynamic engagement with policymakers, CEI is able to effectively influence policy outcomes. After decades of excellent scholarship, CEI has established itself as a trusted resource for both Congress and the White House. As a result, these institutions seek advice from CEI on a broad range of topics. Whether we are fighting a regulation or supporting a piece of legislation, CEI develops plans to ensure we reach members of Congress, federal agency staffers, and other administration officials with the right message at the right time.

In addition to scores of briefings of agency staff by CEI experts, CEI's president was invited to meet and brief cabinet officials, agency leaders, White House staff, House leadership, and Senate committee chairmen on the research and policy proposals of CEI's team.



Government affairs successes include:

- Inclusion of CEI Senior Fellow Marc Scribner's proposal for performance-based standards for transportation safety which became law on October 5, 2018, as a part of [H.R.302 - FAA Reauthorization Act of 2018](#). See [Sec. 329. Performance-based standards](#).

Testimony before lawmakers:

- Trey Kovacs – Subcommittee on Economic Opportunity and Subcommittee on Government Operations – February 2017
 - [Testimony to Subcommittees on Use of Official time at the Department of Veterans Affairs](#)
- John Berlau – House Oversight and Government Reform Committee – March 2017
 - [Legislative Proposals for Fostering Transparency](#)
- John Berlau – House Financial Services Committee – July 2017
 - [The Cost of Being a Public Company in Light of Sarbanes-Oxley and the Federalization of Corporate Governance](#)
- Trey Kovacs – U.S. House Oversight and Government Reform's Subcommittee on Government Operations – May 2018
 - [Union Time on the People's Dime, A Closer Look at Official Time](#)
- Myron Ebell – House Natural Resources Committee's Energy and Mining Subcommittee – June 2018
 - [GOP Offshore Drilling Proposal Triggers Debate](#)
 - [Legislative Hearing on Enhancing State Management of Federal Lands and Waters Act](#)
- Ryan Radia – United States Congress Joint Economic Committee – June 2018
 - [Ryan Radia Testifies Before the Joint Economic Committee in Congress on Digital Trade](#)
- Myron Ebell – House Western Caucus – July 2018
 - [Caucus Kicks Off Bipartisan Endangered Species Act Modernization Package](#)