

RALPH NADER RADIO HOUR EP 248

David Feldman: Welcome to the Ralph Nader Radio Hour. I'm David Feldman. Steve Skrovan will be back next week. But we do have Ralph Nader. Hello Ralph.

Ralph Nader: Hello David. Program today, sense of urgency has to get stronger on climate disruption.

David Feldman: I noticed you're no longer calling it climate change. You're calling it climate devastation.

Ralph Nader: Yeah, we have to change the words as Confucius taught us. We have to change the words Confucius once said, "Calling things by their proper name is the beginning of wisdom".

David Feldman: Is global warming reversible. Our first guest today thinks it is. His name is Paul Hawken and he is the executive director of Project Drawdown and the editor of a book entitled, Drawdown: The Most Comprehensive Plan Ever Proposed to Reverse Global Warming. We will be spending most of the hour with Mr Hawken discussing his hopeful vision. We're also gonna welcome back constitutional scholar Bruce Fein who's gonna give us his legal take on the Mueller probe, which appears to be winding down, or winding up. Somewhere in between, we will check in with our Corporate Crime Reporter, Russell Mokhiber who will fill us in on who in the white-collar world is trying to scam the rest of us. If we have time, we'll answer some of you listener questions. But first let's find out if we can truly reverse global warming or climate change or climate devastation. Paul Hawken is an environmentalist, entrepreneur, author and activist who has dedicated his life to environmental sustainability and changing the relationship between business and the environment. He is one of the environmental movement's leading voices and a pioneering architect of corporate reform with respect to ecological practices. Mr Hawken is executive director of Project Drawdown, a non-profit dedicated to researching when and how global warming can be reversed. Welcome to the Ralph Nader Radio Hour, Paul Hawken.

Paul Hawken: David, thank you so much. And thank you Ralph.

Ralph Nader: Yes, welcome indeed Paul. In 2009, Time magazine contacted me and they wanted me to suggest a name who would be in their 100 most influential people in the world. I unhesitatingly chose Paul Hawken. He is the ultimate connector. We're gonna see some examples of what has ensued because of his indefatigable global reach. He's willing to go to the highest levels in the corporate world to show that it's in their interest and in the interest of their stakeholders to start changing the way they're doing business. He has started successful businesses--one of the earliest innovators in organic

food and sustainable agriculture. So, he's really done it all. He's an author. He's a lecturer. He's done hundreds of major media interviews. He has negotiated with the highest levels of people in government around the world. With that, in 2017, you were the editor and project director of the massive production called Drawdown: The Most Comprehensive Plan Ever Proposed to Reverse Global Warming. You have [a] huge advisory panel, all kinds of interns that were working on it. First, I'd like you just to define the word Drawdown for our listeners.

Paul Hawken: Yeah, thank you Ralph. Thanks for the introduction. Drawdown in the context of climate means that first time that greenhouse gasses peak and go down on a year-to-year basis. The reason for titling the book that is because I feel like the goals that we have been enunciating around climate have been weak and limp, and actually inadequate to the task at hand. We use words like curbing, which is... I was in New York last week and I thought, can you please curb your dog. We use curbing and combating and fighting. We use sports metaphors, war metaphors; we say mitigating, which means reducing the pain of something. This is the greatest crisis civilization have ever identified and we're using words that you would use for a traffic accident. I wanted to name the goal first of all, which is to reverse global warming. That is the goal. The goal is not to mitigate. Second, to see if in fact we could achieve it, given what we know and can do, and are doing right now. What we know at hand, not depending on some silver bullet or some new technology that hasn't been invented yet, but actually reflecting back to the world what we are doing, what is scaling, and whether if it continues to scale in a rigorous, but reasonable way, whether we could achieve that point in time when greenhouse gases peak and go down on a year- to-year basis by 2050. That was the goal of Project Drawdown. I'm sure my interns would love to know that you mentioned it, but actually they were all scholars and scientists and PhD's and double degrees. They were young but they were Fellows, Drawdown Fellows, almost half of them, now 26 countries and six continents. It was important for us that as an NGO, that we did not... normally an NGO says, "Look, we know, and you don't listen to us, and we're gonna share what we know." We thought that that doesn't work anymore. What we wanted to do is reflect back to the world accurately, what it knows and what it is doing. So, it's a smaller we of 228 people. You mentioned the art advisors, our outside scientific advisors, our scholars, our Drawdown Fellows--a smaller we reflecting back to the larger we--the 7.4 billion people that inhabit this planet, what we know, what we're doing and to really try to reverse the narrative, which is about despair and hopelessness and we're screwing up. Of course, that is true also, but that obscures the fact that humanity actually does care and is compassionate, is on the case, is brilliant, is genius and innovative.

Ralph Nader: Yeah, Paul Hawken, you have in this beautiful book's 240 pages, beautiful graphics, photographs. You have about 80 ways to reverse global warming and a lot of them are already being done on the ground here and there, but they haven't been scaled up enough. Your categories are really interesting for listeners. You have categories in the area of energy, food, women and girls, buildings and cities, land use, transport, materials, and what you call coming attractions. You actually rank them in their importance in greenhouse gases they can each account for the best estimates. You want to just run through the top ten or so to give our listeners an idea of what's in this remarkable book?

Paul Hawken: Yes, I will. I would just back a little bit, all the 80 that we mapped, measured and modelled are all scaling. They're all scaling significantly so it's not like they're just sitting somewhere, waiting to be enacted. That was one of the criteria that we used, Ralph, to choose the ones. They are ranked according to impact, no question about that. The impact is, only two things you can really do about greenhouse gases, which is either stop putting them up there, or bring them back home. You bring them back home through photosynthesis, through farming, agricultural practices, forestry, marine solutions, because carbon is always cycling back to the earth, and we can accelerate that. Those are the two basic mechanisms we can do; and we model, of course, both of those. The top ten solutions, I think were shocking when we did this first. You remember the Paris Agreement and COP21 (Conference Of Parties)? We were, by that time, we knew that our guess as to what the top solutions were were wrong, but we didn't know what they were going to be. And at that time, we had staff there at COP21 and I realized that you had 30,000 people there in Paris talking about climate. Not one, single person there, if you had asked them to write down the top 5 or 10 solutions to reversing global warming, could have gotten it right--not one, single person. After 40 years in the public sphere of lamenting about the problem, which is lamentable, no question about it, we had never done what Project Drawdown set out to do, which is to map, measure, model the top 100 solutions to reversing global warming. The top solution, which was sort of a shock to us, was refrigeration management. Because the refrigerants that are used today have one to 9,000 times more global warming potential than CO2 and they're just leaking out from air conditioners and refrigeration systems all over the world. That was a surprise. That does not include the Kigali Amendment, which was passed through the Montreal protocol in 2017, which would in fact double that figure. The second solution is onshore wind, which I don't think is a surprise. The third was reduced food waste, and we waste 40% of our food in the United States, 30-40% overall in the world. In poor countries, they waste it because of lack of supply chains and cold chains. Here, where people are wealthy, we throw it away. The number four solution is plant-rich diet; get off the hamburger. It doesn't mean becoming a vegan or vegetarian. It just means reducing the amount of protein intake per day to about 50-55 grams instead of a 90 or a hundred grams, that is commonly consumed and to shift some of that to plant-based protein, which means a healthier human body as your own, and a healthier environment. The number five is tropical forests, again, not a surprise, both the protection of them and just intact. They're going very quickly. Number six is educating girls. It is a pathway to family planning because girls, 130 million girls, are not in school, who could be. When a young woman is allowed and supported to matriculate, to what we call high school education, she makes very different choices, reproductive choices in her life. She has an average of just 2 plus children, replacement rate, and if she's yanked out of school, because of early marriage, or go to work, to put her brother through school, or other reasons, then she has an average of five plus children; she has less education, less income, the children suffer, the health outcomes are not good, and the cycle of poverty is repeated. That's number six and number seven is family planning, which is to have family planning clinics everywhere in the world to support women's reproductive health, well-being and family choices. You put six and seven together, because they're both a pathway to family planning, but two different pathways. That would be the number one solution to reversing global warming. Number eight is solar farms. Number nine is silver pasture, which is combining, basically pasture trees and ruminants, if you will, cows or sheep or goats, whatever, together. It has an amazing impact in terms of productivity, and in terms of sequestering carbon and bringing it back home. Number 10 is rooftop solar. So, I think you can see from that, if you listen to Al Gore and others, the common understanding is that solar, wind and Elon Musk; somehow if you get those three right that we get a hall pass to the 22nd century and that's

just not true and those are absolutely crucial, crucial solutions, no question about it. But I think what happens is, when people hear that is that they feel like, well I hope they do it. Those guys, or women are putting up wind turbines and solar farms, and making electric cars that I can't afford. But it actually disempowers people, makes them feel like it's not in their control. That's not where we want to be with this.

Ralph Nader: Yes, well. I'm sure some listeners are now asking, how do we get this quantitatively significant, without either government mandates, standards and/or pricing systems. In Germany, they expanded their use of renewable energy, by pricing. In other words, they would price fossils higher than they would renewables, and let the market have an impact that way. Somebody asks you, Paul Hawken, you've been talking about this for decades. In 1993, Bill Clinton and Al Gore put out a very compelling report warning about global warming; it could have been written today. They were really urgent, and it didn't get much play, because soon after that the Clinton administration decided to give the auto industry a free ride. This is after Al Gore wrote his book saying the motor vehicle is one of the greatest menaces to the earth's environment. For eight years, they didn't push the auto companies for fuel efficiency and air pollution control, et cetera. When there's no sense of urgency following an urgent report, not much happens. Then the Republicans took over and so about four years ago, I wrote a letter to Al Gore, George Soros and Tom Steyer, a composite letter to all three of them saying, you've declared your sense of great concern and worry about the planet and about global warming and its devastating effect, but I don't see any major lobbying effort on Congress. This is when the Republicans basically gridlocked Congress on this. The word came back from their staff, Congress isn't where the action is because nothing's gonna happen. I said, "really?" I said, "When I go up to Congress, I walk down the corridors; I bump into the coal industry, gas lobbyists, oil lobbyists, nuclear power lobbyists. They must think that Congress is where the action is." That leads to my question, what in the world are the most visible advocates of doing something about global warming thinking if they think that only grassroots effort here and there is going to get what we desperately need, which is a national conversion program, that leads the world in reflecting many of the proposals in your book, Drawdown. What is going on here? There is not one person I know in Washington, who goes up on Capitol Hill every day on global warming. Maybe the new Congress will get more people, but most of the environmental groups are dealing with the EPA. They're dealing with bad reversals by the Trump administration on coal, opening up the Arctic Refuge. They basically said, nothing can happen in Congress, therefore, let's not lay the basis for a new kind of Congress, even though they have most of the Democrats behind them. But the Democrats were in the minority. What do you think of that strange gap between the advocates and putting, 20, 30, 40 million dollars into a major lobbying effort on Capitol Hill?

Paul Hawken: Well there's a lot of things; I want to unpack it a little bit. First of all, this is not a grassroots phenomenon. This is a middle-out phenomenon. There's a mistake that it's gonna be top down, or it's bottom up. That actually to me is an error. There's a top; and the top is an oligarchy. It's corrupt like all oligarchies are. It thinks short term like oligarchies do, because that's where the interests lie. And it is absolutely in the worst interest of the American people and the planet and our children and our grandchildren. There's no question about that. That's a political system we have at hand. If we all look at the political system[s] in the world today and say, look at somehow, if they change, we'll be able

to save the planet; that makes Don Quixote look like a pragmatist, frankly. National governments by nature tend to be corrupt, because of the way they're appointed. So now the question is, where is change happening, and is it happening fast enough? Fair question. To your point, if there was pricing, my gosh, carbon pricing, there's different ways to price it; it would be astonishing. It would be the biggest accelerant to these solutions, no question about that. CCL is working hard on lobbying on that one. We may get that someday, for sure; that would accelerate the solutions, too. When you have a functional government, like say, a Danish government, or a Dutch government, or governments that actually take it seriously that are literate, that actually read, that understand the science and so forth it is a tremendous difference in terms of activity on all levels of society, with respect to addressing global warming. We don't have that here. We do have it though, in many states, and many, many cities so that's really where the action is anyway. We will meet, for example, our commitments to the Paris Agreement, despite the fact that we have a sociopath in the White House, who doesn't understand the science. That's not optimal; that's suboptimal by far. But the fact is that we shouldn't think that changes in The Beltway, that somehow that's gonna solve our problems, because it will not, and that is not where problems are solved; that's pretty much where problems are created. What we're seeing is something very different. I think you tend to minimize it, what's happening in the world. We mapped, measured and modelled what's going in the world and it's astonishing and it's growing. What we read is the headlines, which are directed at our amygdala to make us go into fight or flight, or freeze and flight, really. I want to say something about this, because this conversation is symptomatic of it; where we're focusing, again, and again and again, is the problem, the despair, the hopelessness, the corruption, the perfidy--all these things are true. However, that is what has turned people off about global warming. The science is impeccable. The science communication, however it's being communicated, and how it has been communicated--has made people numb, turned off, made them just pull down their shades. They can't handle it. In every problem is a solution in disguise and this is the most gnarly, super-wicked, incomprehensively complex problem humanity has ever identified. What it is obscuring to people, because of the way it's communicated, is that the number of possibilities latent in this problem are incredible. If we keep focusing on the probability of what's gonna go wrong, when and how, and how badly it's gonna go wrong, it's going on faster than we thought, we should not be surprised that 99% of the world is completely disengaged about global warming. Because there's nothing in it for them the way it's communicated. And what Drawdown is trying to do is show that in fact [with] the solutions to reducing global warming, you could take global warming off the map. You could get rid of every climate scientist; you could be clueless as to what was causing extreme weather and you would want to do virtually every one of them, except one of them, because of their impact in terms of pure water, pure food, in terms of productivity, in terms of jobs, in terms of food, in terms of health, in terms of education, in terms of ...

Ralph Nader: In terms of overall economic efficiency.

Paul Hawken: Everything. Economic efficiency, educational, social, et cetera, so I'm just saying is the solutions to reversing global warming are solutions to just about everything that we face as a country, and as a planet.

Ralph Nader: Yeah, every single argument that the market fundamentalists give on behalf of fossil fuels is basically an argument for waste, inefficiency, destruction, stripping people of self-reliant production and energy, such as solar roofs and other aspects you point out in the book Drawdown. But you see, still coal is the main source of electricity production in the United States. So, while we can see the movement and the greatest source of new generation of electricity in this country, is solar and wind, as Amory Lovins and others have pointed out, but it's not fast enough. The issue now is speed and quantification, which means we have to take our level of urgency to a much higher level. Look at the introduction to your book Drawdown by Dr. Jonathan Foley, who is head of the California Academy of Sciences. Listeners, when you listen to what I'm gonna read briefly, just think of all the headlines that illustrate what he's been talking about just in the last 12 years. "Warmer air holds more moisture, allowing for higher rates of evaporation and precipitation. The heat waves coupled with intense drought, mark the perfect conditions for massive wildfires. Warming oceans trigger super-charged storms with greater rainfall and higher storm surges. We can expect a steady rise in extreme weather events in the coming decades, potentially causing countless lost lives and significant financial losses." When you see something like this, the ruling forces in the world who are starting to lose ground—the fossil fuels and the companies and countries that rely on it and foster it, and allow opening up of more areas, offshore, on shore, Arctic, you name it—they are still unable to get the issue of omnicide, that they're gonna go down with everyone else. Now, you have spent a lot of time, compared to other advocates, with corporate officials. I want you to tell our listeners, just one, great successful story of yours, because in 1994, I believe, the CEO of Interface Corporation, the great Ray Anderson, attended one of your many lectures and you had just put out your book; I think it was called The Ecology of Commerce, which is used in business schools all over the country, and is translated into many languages. What happened as a result when you and Ray Anderson connected?

Paul Hawken: Well, I mean, he had a "spear in his chest event" when he read the book and realized that, in his words again, that he was "a thief and a robber" and he was stealing the future from his grandchildren and so he set about to change that. Today - Ray passed five, six years ago - but today he set a goal for emission zero, which is zero fossil fuel use, and I think they're at 91% today, reduction of fossil fuel use, even though carpets are made of fossil fuels as you know. That's just one story. But there are stories all over the world.

Ralph Nader: But this is the one that I'm most impressed by, because Interface Corporation is the biggest carpet-tile manufacturer in the world. They have plants in the U.S. and abroad. And every year, he and his colleagues reduced pollution from their manufacturing. They increased recycling. He wanted to recycle every carpet-tile he ever sold and he reduced expenses, increased profits. In other words, he met the bottom line. He went all over the country lecturing, even persuaded some Walmart executives to change their packaging policies and reduce quite significantly, the amount of packaging they use for their products. This was a huge success story and he met the standard of profits, reduced expenses, bottom line, great place to work, and it still didn't diffuse fast enough, which shows the ingrained resistance of these giant corporate bureaucrats.

Paul Hawken: Again, I don't think of things in black and white. I think of things in complexity. The fact is the fossil fuel industry--coal, gas and oil--has a 200-year head start. And the renewable clean-energy world, the par to CO2 (?) is new. I mean it's growing much, much faster, than the fossil fuel industry. In fact the fossil industry is actually sort of capped out in terms of its gross (?) right now. Yeah, are the odds stacked against us? Absolutely. It's like going onto a football pitch and saying, okay, we spotted the other team 70 points, good luck. That's where we are. But that's the odds, Ralph. That's the ones you take. That's where we are. But the point being is, I want to say this again, repeating bad news and hopelessness does not work to motivate, engage people. What Drawdown has done, is create Drawdown organizations all over the world that are self-organizing. Drawdown New Zealand, Australia, Drawdown Switzerland, Drawdown Bendigo, Drawdown Cameroon, Drawdown Toronto, Drawdown Nova Scotia--hundreds of organizations are rising to reverse global warming. Companies are rising to say, we're not going to mitigate or go to RE100. We're going to reverse our emissions. One of the three biggest corporations in the world is gonna come out and say they're committed to reversing their emissions, not stabilizing, not capping, not reducing, but actually reversing their emissions. I'm just saying, yeah, there is a lag time between people understanding and then acting and the crisis at hand, but we do not help ourselves by constantly repeating how shitty it is out there, and how badly we responded. The fact is that, it doesn't work; it doesn't motivate.

Ralph Nader: Let me just clarify. I've always admired your optimism, Paul Hawken.

Paul Hawken: It's not optimism. It's Drawdown--the reality project. I did not write a hopeful book; I did not create a hopeful book. This is a reality project. There's 5 million data points in there. Not one of them is ours. We did not know what the data would show. "In God we trust all others bring data." My friend Amory Lovins says that. It's all data. This is a reality of what the world is, can do, and where we are right now with the solutions that are all scaling. And so, it doesn't counter the narrative of the corruption that you're talking about on the political level, but it does say something else besides that, which is humanity is not asleep at the switch.

Ralph Nader: Well, you know, I've always admired your optimism, because I share optimism. There's no alternative, obviously. But what I'm arguing for is to scale up much faster. Let's remember, World War II, the U.S. government forced these corporations to convert to military production in absolutely record time. I mean GM stopped producing cars and started producing tanks in less than a year. That is incredibly fast conversion of factory production. What we need is basically the leadership of federal and state, and local governments to move this much, much faster because we know that optimism, bright future, [is] very good psychologically. Fear also drives people. And you can see people on the coast now who have been flooded in Florida and elsewhere. They're getting it. Even though they're rock-ribbed Republicans, they're getting it. The off-shore drilling options that the Washington fossil fuel advocates were pushing, they were opposed by both Republicans and Democrats in South Carolina. It affected the members of Congress, too, and in Georgia, because of their own property being threatened. And so, what I'm arguing for is hundreds of skilled people in Washington, who go up every day on Capitol Hill, who connect with the staff, connect with the media, push for the public hearings, connect with the

members, connect back home with what's going on that you described in such detail, and develop national conversion missions here. For example, in the introduction to your wonderful book Drawdown, Dr. Foley says, "Drawdown demonstrates the potential for removing carbon dioxide from the atmosphere through innovative land-use practices, regenerative agriculture and agro-forestry." What's the Department of Agriculture and Department of Interior doing here? The Bureau of Land Reclamation?

Paul Hawken: You're repeating what I agree with, which is we have a corrupt oligarchy in Washington D.C. running the country.

Ralph Nader: Yeah, but I'm saying, how to change it.

Paul Hawken: Yeah, well I don't know how to change that. I do know that change is happening worldwide including this country, to work around the dysfunction that's there. It does not mean that we shouldn't address that dysfunction. I totally agree with you, totally agree with you. But we shouldn't address it with the idea that that is the end all and be all, because it can't be, otherwise we're screwed. And the fact is, we'll do work arounds while we try to figure out how to restore our government to something that approximates functionality.

Ralph Nader: Paul, here's what I'm saying. It's easier than we think to turn Congress around. I mean we've proved it again and again by organizing back home in the Congressional Districts, but you cannot expect, even with all that's going on in the US, with solar and wind power, et cetera, you cannot expect our country to move at the speed that you know has to be moved. When you have the national government, not only not doing the positive things, but actively opposing the kinds of things that you're talking about in Drawdown. So that's why we have to focus on Congress as the main fulcrum to turn the executive branch around, and to help the legislatures at the states to be turned around. There's almost nothing going on by the leaders of the draft to deal with global warming and the effect on the planet here in Washington.

Paul Hawken: Well, I wouldn't say that. I wouldn't tell that to Mike Brune at Sierra Club. I mean, he is... I wouldn't say that to CCL. I wouldn't say that to Al Gore, to NRDC or Wof Wof, or TNC [The Nature Conservancy]. I disagree. I think they're talking about it all the time. I'm not saying they're having a big effect, but I wouldn't say that that's true at all. I think the NGO's around climate are doing the best they can given the situation at hand. You just saw yesterday in Wisconsin, right? I mean, Wisconsin loses the governorship. Then the Republicans defrock the incoming Democratic governor. I mean, this is about gerrymandering; this is about years of corruption. This is about basically faking out the American people, basically, so that a small minority can take control of the country. That's what's happened. I'm just saying, while we address that in every way possible, we also have to understand that the pathway to reversing global warming do not run through 1600 Pennsylvania Avenue. They do not. Would it

accelerate and help, if there was somebody with a brain there, yes of course, no question about it; it would be heaven. But that is not something we should wait for. We should work on it at the same time when we work specifically at the solution. The fact is that solar and wind are growing a much, much greater-- The numbers are extraordinary in terms of their growth. The cheapest form of new electrical generation in the world is wind, according to Bloomberg [New] Energy in 92% of the world. Coal is actually shutting down even though we have a president who's trying to open it up. Yes, the world is dependent on coal right now. Forty-two percent of energy comes from coal-fired power plants. But the fact is, they're shutting down, they're shutting down, they're shutting down. China cancelled a hundred coal fired plants; even cancelled nuclear, which is so interesting, which is going to replace them. They're moving to renewable. It's because of actually people working really hard in reducing the costs. And the learning rates are incredible right now in these technologies. You talk about regen (regenerative) agriculture. The USDA is doing absolutely the opposite of what it should be doing. It is promoting companies that are destroying our farms, turning soil into dirt. No question about that. Right across or down from Saskatchewan to Texas - that red belt from Canada through the U.S. and so forth - there are thousands and thousands and thousands of farmers now going to what they call "no-till." They don't call it regenerative, no till agriculture - which is regenerative agriculture - because they'd hit the wall. They've hit the wall in terms of yield, productivity, human health, family health, animal health. Their soil is turned to dirt. And they're not making any money, and they're moving to regenerative. I bet you everyone I've met and talked to is a Republican. They probably voted for Trump. But they're doing it because path forward to the reverse global warming works on so many levels. I see that you're saying it just makes me wince to think about how much money they're spending every year of our taxpayer dollars to subsidize, basically, the wrong way, the wrong convention. It is crazy because the farmers are going to reign. They're doing it as Gabe Brown (from Brown's Ranch: regenerative farming for a sustainable future) says, "I got tired of signing the front of the check. I want to sign the back of the check. And that's what I'm doing now. I'm making money." That's why they're doing it. They're preserving their family farms. And they are healthier. Their vet bills are going down. The water retention is greater. Greater productivity. I mean, you just go, check, check, check. Everything a farmer wants is being accomplished by regen. We have the USDA still promoting basically pesticides.

Ralph Nader: Paul, how do you react to these scientific reports that say, we have only ten years left before it become irreversible? They give projections of 10, 15 years. How do you react to that?

Paul Hawken: Same as everybody else. I go, "holy shit." But we may be past that point already, too. Their sizes are all kind of conservative actually because it's got painted broad brush are being pessimist. I don't know that it's pessimist. Whether that is actually, whether it's five years. I don't know whether it's 15 years. I do know one thing, that this thing about the fires out here and all that sort of stuff. The fact is, most people don't change until they have a reason to change. There's two reasons to change. You said fear, fear is usually not a way people change; that actually ossifies their belief system. That's a psychological phenomenon. It's inexplicable, but true. But it does change some people. But what really changes people is possibility. In other words, like and that's what people gather together. That's when they come together as a community. That's when they come together as families, as companies, as cities and towns. When they see a better world. The pathway to reversing global warming is a better

world for everybody on all levels. We have to get that message out. Yup, the science, ten years, 15 years, irreversible, whatever; got it. Now, do we want to make a better world? Yes, we do. In the process of doing that, do we address that? We do that, too. That's the message we got to put out there. We're got to talk about possibilities.

Ralph Nader: One of the things in your book that you really highlight is refrigeration. India's gonna go big for air conditioners because of the heat and the stifling atmosphere in the cities that's happening in the 3rd world. You've warned about this. Can you give us quantitative assessments of this? Then I want to talk about what's been called the greatest commencement, environmental address ever to your class of 2009 that you gave Portland University. Go ahead.

Paul Hawken: There's a funny backstory there. Listen, it's true, if India goes, A/C the way the world is A/C right now, it is a disaster because of the refrigerants, and because of the amount of electricity. It's the number use of electricity, between the Tropic of Cancer and Capricorn, the number one used electrical generation is A/C. If that doubles, triples, quadruples, which is what's being predicted, you're gonna keep your coal power plants on. You're not gonna shut them down. I will say that we do have coming attractions. We do have these validated, scientifically, that is, solutions that do not have sufficient information to model them yet in terms of money because we did the money as well, the economics, or the scientific peer-reviewed papers. But what I see actually coming, and I can give you a list of them, send them offline, of technologies that get rid of the compression cycle, get rid of gases altogether and that are much, much more efficient in terms of, I see a whole new refrigeration technology coming. Some of it is already happening in server farms and things like that. I don't see, that technology was invented by what Carrier in 1916, standing in a railway station in Syracuse, and looking at dew point on the metal rails. It's the same A/C system for a hundred and two years and it's time for a change. The change is coming. Otherwise, yes, I agree, that is a disaster. I see those things. I hear them. I read them, I believe them. I understand them. At the same time, the perspective that you get from looking at the solutions and the companies, the technologies, the techniques, the practices, the social practices being implemented around the world, also give you a sense that there's a renaissance happening, there's a resurgence. There is a response. People who are tired of debating and working on the solutions, and the solutions are extraordinary. Both are true, you know. It's the best of times, it's the worse of times. It is Dickensian in that sense Ralph, no question about it. I don't disagree with anything you're saying so much as I'm saying is that the world needs a path forward, described in a way that's grounded, that's science based, that is practical, that is doable, in order to make sense of the science.

Ralph Nader: As you said to the class of 2009 at Portland State University in Portland, Oregon, you ended your speech saying, "The most unrealistic person in the world is the cynic, not the dreamer. Hope only makes sense when it doesn't make sense to be hopeful. Hope only makes sense when it doesn't make sense to be hopeful. This is your century, take it and run as if your life depends on it." Thank you very much Paul Hawken. I hope our listeners will spread the word even more. They're pretty serious. They know quite a bit about this. But you never know enough to develop the sense of urgency

as a consumer, as a citizen, as parents, and above all, as voters, and people who want to turn the country around for the pursuit of happiness, of course, but the pursuit of survival. Thank you very much Paul Hawken.

Paul Hawken: Thank you Ralph. Good luck and all the best to you.

David Feldman: We've been speaking with environmentalist, entrepreneur, author and activist Paul Hawken, who is the executive director of Project Drawdown, and the editor of the book, Drawdown: The Most Comprehensive Plan Ever proposed to Reverse Global Warming. We will link to Mr. Hawken's extensive body of work at the Ralph Nader Radio Hour website. Now we're gonna take a short break and check in with our Corporate Crime Reporter, Russell Mokhiber. When we come back, we welcome back an old friend and constitutional scholar Bruce Fein, who's gonna give us his insights into the Mueller investigation. You are listening to the Ralph Nader Radio Hour. Back after this.

Russell Mokhiber: From the National Press Building in Washington DC, this is your Corporate Crime Reporter "Morning Minute" for Friday, December 7, 2018. I'm Russell Mokhiber. Federal investigators are questioning former employees of General Electric about intricate details in a legacy insurance business that led to accounting problems at the conglomerate in the past year. That's according to a report in the Wall Street Journal. The insurance business failed to internally acknowledge worsening results over the years according to several former GE employees who said they had been interviewed by government lawyers. They described in interviews for the Wall Street Journal examples of what they call "lacks managerial oversight and buried risks" that ultimately kept the company from booking bigger reserves. The investigation by the [U.S.] Securities and Exchange Commission started, the company said, after GE earlier this year disclosed that a shortfall in those reserves for long-term care policies would require more than 15 billion dollars in funding. For the Corporate Crime Reporter, I'm Russell Mokhiber.

David Feldman: Thank you Russell. Our next guest has recently given us his insights into the appointment of John Bolton as National Security Advisor, where he argued that the post was too important not to be approved by the Senate. He also warned us about the elevation of Brett Kavanaugh to the Supreme Court, because of Kavanaugh's unconstitutional views of executive power. Today, he's gonna give us his take on what exactly is happening over there with Mueller probe. Bruce Fein is a constitutional scholar. He was Associate Deputy Attorney General under Ronald Reagan. Mr. Fein has been a visiting Fellow for Constitutional Studies at the Heritage Foundation, and an adjunct scholar at American Enterprise Institute. He's advised numerous countries on constitutional reform, including South Africa, Hungary and Russia. He's author of Constitutional Peril: The Life and Death Struggle for Our Constitution and Democracy. His other book is, American Empire: Before the Fall. Welcome back to the Ralph Nader Radio Hour, Bruce Fein.

Bruce Fein: Thank you for inviting me.

Ralph Nader: Thank you Bruce. Let's start with, what is the actual mission, the charge of the Mueller inquiry. Who does Mueller work for in the Justice Department? What has he achieved so far, and what do you think his strategy is, because people are saying, year and a half. But when is it gonna culminate?

Bruce Fein: Those are excellent questions Ralph and all justifiable. We go back, Mr. Mueller was appointed by then continuing Deputy Attorney General Rod Rosenstein. The appointment was made by Mr. Rosenstein, rather than the then Attorney General Jeff Sessions, because the latter had recused himself since he could be an individual who would be investigated as part of the Mueller probe into some collaboration influence between Russia and the Trump campaign. Then there's a catch in any crimes that grow out of an investigation. You could understand that if you're investigating, and people are committing perjury, and obstructing justice, that needs to be part of your writ otherwise, your main subject of inquiry could be easily deflected. He's appointed by Rosenstein, who then becomes Acting Attorney General only for the purpose of supervising the special prosecutor. Now, one of the things that the special prosecutor is bound by, this Mr. Mueller, is all Department of Justice policies. One of the policies, it was formalized in year 2000, is that a sitting president can neither be indicted nor prosecuted. That can happen only if he's no longer a sitting president; he's either been impeached and removed, or his term is naturally expired. Under Mr. Mueller's Writ, he cannot indict Mr. Trump. He can't prosecute Mr. Trump. Now, where we are now is things have changed because no longer is the Attorney General, Mr Sessions, who recused himself. Matthew Whitaker comes in and he's not confirmed by the Senate. It's an interim appointment under the so-called Vacancy Act, for about 270 days. There is a question, a serious one in my mind, whether his appointment is constitutional because he's never been confirmed by the Senate. The Attorney General is clearly a principle officer. There are no exceptions for Senate confirmation for short-term appointments. It's unclear whether Mr. Whitaker now is the one who is supervising Mr. Mueller or whether Mr. Rosenstein still continues to enjoy that responsibility. Because we have an illegal Attorney General, if that's not confusing enough. Now, it's also true that under the regulation that Mr. Mueller's operating, the Attorney General can override and repudiate any important decision that's made, subpoenaing the President, deciding to charge people with certain kinds of crimes, taking immunity from witnesses. Mr. Whitaker has not thought to override any decision on Mueller; neither has Mr. Rosenstein in the period when Jeff Sessions was the Attorney General. That's the basic idea. Now, you can ask, why are some of these crimes that we know about that he's charged and prosecuted Mr. Manafort, they really had nothing to do with Russian collaboration--failure to file under the Foreign Agents Registration Act, bank fraud, money laundering and that kind of thing--failing to pay income taxes. But those are crimes that Mueller apparently came upon in investigating Manafort's association with the campaign of Mr. Trump for which he led until these allegations of receiving tainted money from Ukraine or Ukrainian political parties arose. So, the crimes that actually Mr. Mueller has outstanding, and there are about a couple dozen if you add ones concerning perjury, those are not only Mr. Manafort, but Mr. Flynn who their sentencing memoranda suggested no time to be served when sentence is given very soon. George Papadopoulos is charged with perjury. Rick Gates is charged with perjury. These are crimes that basically grew out of the investigation itself; they weren't standalone crimes that had occurred because they had been charged with colluding with Russian officials to influence the outcome of the election. There's further background Ralph. There's prohibition in federal law; it's very longstanding that it's illegal, it's a federal

crime to solicit or use, or receive anything of value from a foreigner. It doesn't have to be a foreign government, just a foreigner, for the purpose of influencing the outcome of an election. That's why the Russian oftentimes called collusion, I think, that can be a little misleading, is so integral to the Mueller investigation. Because when you have a foreign government, or foreign officials, whether they're the government or not, you have the possibility of a campaign finance violation. There have been about a dozen Russian individuals or companies that have been indicted for attempting to influence what's called obstruct the effectuation of important federal programs, conducting elections properly for using the internet to send misleading or false or deceptive statements to particular groups to try to influence the voting outcome 2016. There isn't anything at present that's at all definitive as to whether these efforts influenced the actual voting. But that obviously was the purpose, according to the Mueller indictment.

Ralph Nader: What do you think is gonna happen? I know it's hard to look at the crystal ball. But you know enough about the Mueller Investigation and his team inside the FBI, in the Justice Department, what would you think is going to happen in the next six months?

Bruce Fein: Well I think the most important development in the next six months will be a clash over a subpoena for Mr. Trump's testimony. Mr. Trump has answered interrogatories, in writing, but they only related to actions before he became president, so it wouldn't include any of his interactions with Mr. Comey, or associates deciding who he needed to fire if he thought, you know, the Russian thing was hounding him and making him uncomfortable.

Ralph Nader: Or obstruction of justice.

Bruce Fein: Yeah. You could call, you could argue that firing for certain purposes was obstruction of justice. One of the allegations in the Nixon impeachment, on which I worked, an Article 3, actually charged Nixon with suggesting pardons or favorable treatment for witnesses who might lie under oath, or falsify under oath; they're not forthcoming. There are those who suggested Mr. Trump putting importance on the table, certainly for witnesses like Roger Stone and Manafort, would fall into that Nixon standard that was used in his impeachment inquiry by the House Judiciary Committee. Otherwise Ralph, my own view and I'm finishing an article right now, is that the investigation focusing on Mr. Trump should be run by the House Judiciary Committee, including Mr. Nadler, when he becomes Chairman. The policy already is that Mr. Trump can't be prosecuted or indicted while he's a sitting president. So, what's Mr. Mueller trying to do other than to gather what he might think, I suppose, is evidence of an impeachable offense. But only the Congress--the House gets to decide whether it's an impeachable offense. It's clear, it's kind of a combination of a legal and a political concept that has elements of prudence in it, but the decision was entrusted by the constitution with the body of the House, who collectively is voted on by the people just like the president is voted on by the people, through the electoral college. It wasn't intended that an impeachment decision would be made by a prosecutor or by somebody else [while] the House sits on his hands while the hard decisions have to be

made. I think one of the reasons why the Ken Starr aspect of impeachment of Clinton was so bad is because Mr. Starr really didn't have the legitimacy to characterize what Mr. Clinton was doing with Monica Lewinsky or lying as an impeachable offense. That should have been done by the House of Representatives. Now ultimately they did vote on it. But it wasn't because of any independent investigation. Mr. Starr basically did all the investigation and said, well, this is what I have. That is not how it happened in the Nixon case. John Doar was the lead attorney. He was formally Assistant Attorney General for civil rights in the Justice Department. The House Judiciary Committee did the investigation. They came up with the Articles of Impeachment. They voted on them. They went to the floor, and then Nixon resigned before they ultimately dropped because they were moot.

Ralph Nader: This is important, Bruce Fein, this is an important point you're making that even if Trump fires Rosenstein, fires Mueller, it's not over. Because the Mueller findings can be obtained by the House of Representatives. There's no such thing as executive privilege, you've said on occasions, between the Congress and the White House and then it moves over to Chairman Nadler of the House Judiciary Committee starting next month. That's very important. The press is not pointing that out at all.

Bruce Fein: Well they aren't and one of the things that, I don't know whether they call it disheartening; it was a little odd when Mr. Nadler at present has said, he's not gonna do anything on impeachment until the Special Counsel Mueller completes his investigation, prepares his report. That could be six months; could be a year. And moreover, during the Nixon impeachment, Ralph, you may remember, Leon Jaworski was running criminal prosecutions at the same time the House Judiciary Committee was doing impeachment. There's nothing inconsistent between looking at criminality and prosecuting Haldemann and Erlichmann. But Nixon was someone who was subject to the House Judiciary Committee. That's the allocation; the president is unique because he leads an entire branch. So why Mr. Nadler believes that he should just freeze things with regard to Mr. Trump until Mr. Mueller concludes his investigation, especially when Mueller is forbidden, under department regulations, from indicting or prosecuting Trump, is truly mystifying. Especially because with Trump's first term anyway ending in 2020, sitting on it, maybe Mueller doesn't complete the investigation for another year. I don't know; there's very little time even to run a thorough impeachment investigation.

Ralph Nader: Wouldn't testimony contaminate the Mueller investigation, if it was public? If Nadler held public hearings?

Bruce Fein: Well I don't know whether you call it contaminate the investigation. Ordinarily when you have a situation, and this happened with regard to Watergate and the Judiciary Committee hearings and Archibald Cox and then Leon Jaworski, is what happens if you want to prevent hearings, and it may result in immunized testimony in public, is that before the hearings begin, the prosecutor lodges with the judge all the evidence that's been compiled, so it can't be said to have been tainted--derivative of immunized testimony. And at that point, then you can go forward with prosecution.

Ralph Nader: I think Chairman Nadler basically doesn't want to be accused right now of pre-judging the results of the Mueller investigation. So, he's not even in office until middle of next month. I think we're gonna see a different Chairman Nadler.

Bruce Fein: But I would make this observation Ralph, and I think it's important. Mueller's not in the business of deciding what's an impeachable offense. The only institution entrusted with that decision is the House and especially the House Judiciary Committee. So, Mueller isn't investigating the same thing that Mr. Nadler would. Let me give you one example, one standard that was established at the Constitution Convention for Impeachable Offense were efforts to subvert the constitution, short of a crime. It could include violations of due process, threats of free press. It could include a violation of the Emoluments Clause, which is not in itself a criminal act. It's wrong, in the same way, I think it was wrong for Henry Hyde then Judiciary Committee Chairman to say, Mr. Starr, you tell us what's an impeachable offense. That responsibility is with the House. They're elected. Their constituents are the same ones as the president. That's why, I believe, it's misguided for Mr. Nadler to say, well, we'll let Mr. Mueller decide what's impeachable and what's not. Then we'll kind of take a review of it. That decision is to be made by the [House Judiciary] Committee and Mr. Nadler. And in some sense, by holding public hearings, the American people are brought in. This is as it should be, because it's a combined, legal, political decision, the public sentiments do have an influence, not necessarily dispositive. But it's another example, Ralph, where the Congress just runs away from all the responsibility. They don't vote on tariffs or quotas. They give it to the president. They don't want to vote war and peace; they give it to the president. They don't want to do surveillance; they give it to the president. They don't want to confirm people, you know, the president gets to do it on his own. They don't want to vote on treaties, so the president does executive agreements. The Congress in my judgement, is responsible for the greatest warping, if you will, of our Constitution, in 228 years. You go up there and ask them, why are you serving? Well, they're hard questions, so we'd rather give it to the executive branch. It's both Republicans and Democrats do the same thing. As a result, the whole constitutional equilibrium is wildly out of whack.

Ralph Nader: You know, listeners, that's about as irrefutable a characterization of Congress as you will hear. Well unfortunately Bruce, we're out of time. Thank you for your summary and your analysis. We'll have you on in future programs of course, as the Mueller investigation and House Judiciary Committee have to face some of their constitutional obligations, and their statutory obligations. Thank you very much Bruce Fein.

Bruce Fein: Okay, thanks. Wonderful.

David Feldman: We've been speaking with constitutional scholar Bruce Fein. We will link to his work at ralphnaderradiohour.com. Join us next week on the Ralph Nader Radio Hour when we speak to author, Andrew Keen, about how to fix the future. Thank you very much Ralph.

Ralph Nader: Thank you, David. Thank you, Jimmy. Until next week. I hope that you will get this book Drawdown and spread the word, and spread the human energy on this critical issue of global warming. Thank you.