



Response to the Maine Democratic Party's Lies About Eliot Cutler's Environmental Record

The Maine Democratic Party's mailer against Eliot Cutler is one the most shameful, patently false attacks ever made against a candidate in Maine politics. **No one in the race for governor has stronger environmental credentials than Eliot Cutler.**

Eliot helped Ed Muskie write the Clean Air and Clean Water Acts and the National Environmental Policy Act (NEPA), and went on to serve as Associate Director for Natural Resources, Energy and Science in the White House Office of Management and Budget (OMB).

Thomas C. Jorling, former assistant administrator of the Environmental Protection Agency, describes Eliot's critical role in the enactment of the landmark Superfund law while at OMB this way:

"Had Eliot Cutler not risked his career by taking the issue to the President, there likely would be no Superfund today. The cause of environmental protection owes Eliot a tremendous debt of gratitude."

After leading government service, Eliot went on to build the one the largest environmental law firms in the country.

Here is the truth about each of the Maine Democratic Party's lies:

I. Eliot Cutler has been working as a lobbyist for big oil companies most of his career.

Eliot Cutler has been registered as a lobbyist only **four times** in his 36-year career as a lawyer, and **never once has been a lobbyist for an oil company**. These are the four times that Eliot has been registered as a lobbyist.

1. During the 1990's, Cutler & Stanfield represented the City of Bridgeton (MO) in litigation opposing the expansion of Lambert Field, the St. Louis airport. Partners and associates of Cutler & Stanfield met with members of Congress from Missouri and other states in order to explain the City's position on the project. Eliot was the leader of the Cutler & Stanfield team representing the City of Bridgeton, and may have participated in some of these informational meetings.

2. Also throughout the 1990's, Cutler & Stanfield represented the City of Burbank (CA) in the City's successful litigation against the Burbank-Glendale-Pasadena Airport Authority regarding a proposed expansion of the Burbank Airport. Partners and associates of Cutler & Stanfield met from time to time with members of Congress from California and other states in order to explain the City's position on the controversial project. Eliot was a member of the Cutler & Stanfield team representing the City of Burbank, and recalls occasional telephone conversations to provide information about the litigation to Representative Howard Berman (D-CA) and other members whose districts either included or abutted the Airport.
3. At Cutler & Stanfield, Eliot represented the Lehigh Northampton (PA) Airport Authority. The firm registered as a lobbying representative of the Authority in order to enable the firm's lawyers to brief members of Congress on the airport's expansion plans. Eliot did not participate in those meetings.
4. During the 2003-2008 period, Akin Gump represented the New York State Energy Research/Development Authority (NYSERDA) in efforts to **force the federal government to clean up nuclear waste from the West Valley Spent Fuel Reprocessing Plant**. Ultimately, Akin Gump represented NYSERDA in a lawsuit filed against the U.S. government. For a period of time, Eliot headed the Akin Gump team on the NYSERDA case, and recalls meeting with then-Representative Tom Reynolds (R-NY) and his staff on one or two occasions to brief them on the status of the matter. Rep. Reynolds had urged NYSERDA to be more aggressive in its efforts.

II. Cutler helped China National Offshore Oil Company try to buy a major American company...

Eliot was never involved in a 2005 attempt by the China National Overseas Oil Corporation (CNOOC) to purchase Union Oil Company of California, better known as Unocal and now part of Chevron.

Other lawyers at Akin Gump represented CNOOC in 2005, but Eliot was working on other matters at the time, including a major case in Spain. The CNOOC-Unocal deal collapsed after members of Congress expressed concerns over the purchase by a Chinese company of a company that owned oil and gas resources in the United States. (Most of Unocal's oil and gas assets were located in Asia, which is what attracted the Chinese, but a relatively small amount -- less than 1% of total U.S. production -- was located in the United States.)

Commenting a few years later, **well after the deal fell through**, Eliot said in an interview that "had CNOOC come to us earlier... [it] would have made the deal much easier to get approved." He went on to say, in several speeches and interviews in the U.S. and in China, that if CNOOC had sought Akin Gump's advice before structuring the transaction, Akin Gump likely would have advised the Chinese to make the purchase in association with a U.S. partner that would have acquired the U.S. assets, leaving the Asian assets to CNOOC.

The **only** oil company or oil services company that Eliot has ever represented was Bridas, an Argentine company that completed a major transaction in 2010 involving the creation of a South American joint venture with CNOOC.

III. *...Cutler is proposing to abolish the Maine Board of Environmental Protection, which enforces the Maine's environmental laws.*

Eliot believes we must have strong environmental laws because these laws protect our most valuable assets. But he also believes we can do a better job of environmental permitting and enforcement. Eliot has called for abolishing the *Board* of Environmental, not the *Department* of Environmental Protection, which actually enforces Maine's environmental laws. Eliot believes that despite the laudable efforts of the volunteer members of the Board of Environmental Protection (BEP), the BEP is no longer necessary to protect Maine's environment. Forty years ago when major environmental regulations like the Clean Air Act and the Clean Water Act were brand new, the BEP provided a critical check on an untested and politically vulnerable regulatory system.

Today, in contrast, Maine has a strong Department of Environmental Protection staffed by hardworking, competent professionals, and public participation in the permit review process today is robust, as it will continue to be under Eliot's plan. Eliot will replace the Board with a three-judge appellate court from which an appeal can be made directly to the Maine Supreme Court. This will preserve both the predictability of the regulatory process and the ability to appeal Department decisions.

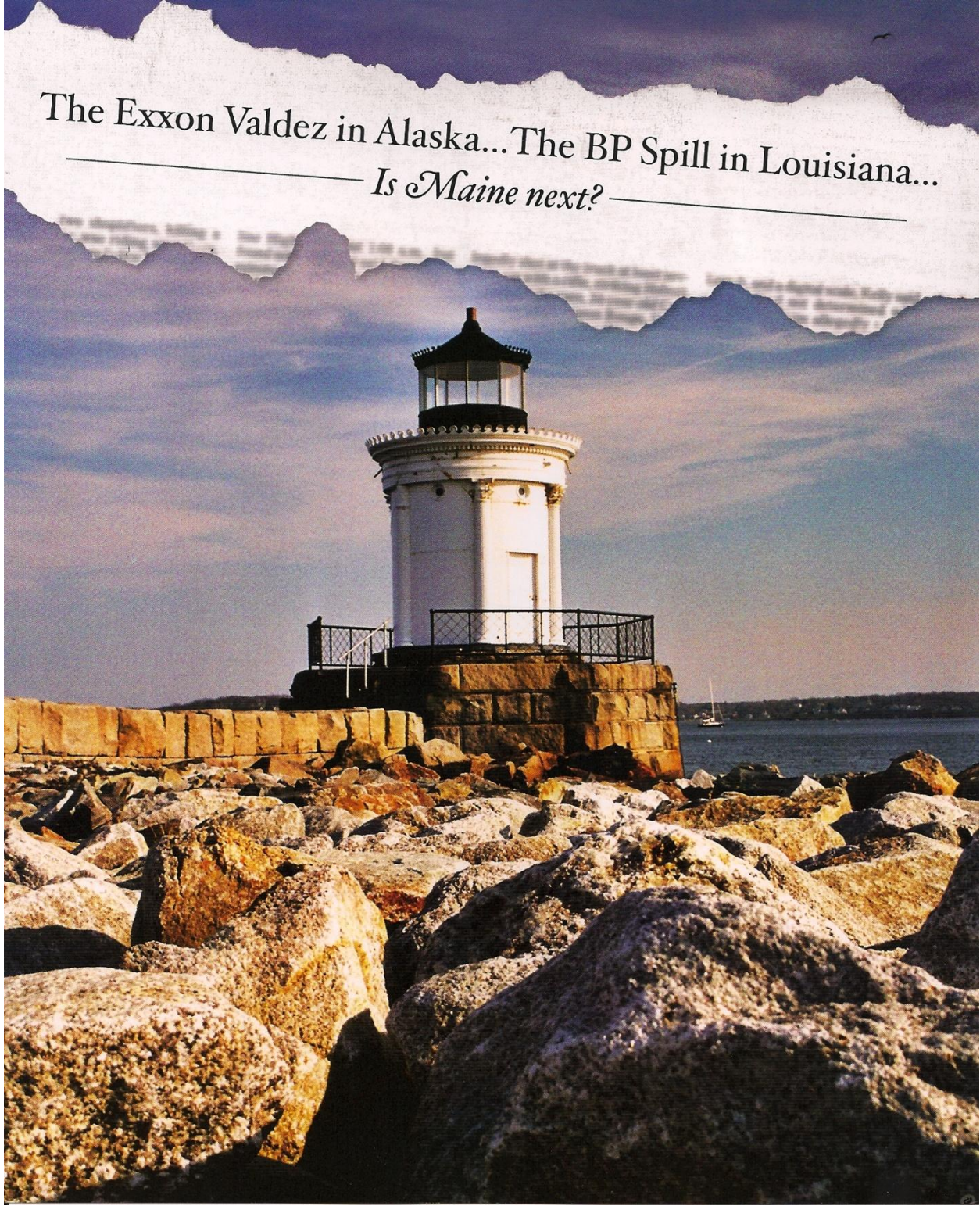
IV. *Protect Maine's Coast and Environment from Offshore Drilling on Election Day.*

No candidate has spoken out more forcefully or more often against drilling off the Maine coast than Eliot.

"Anyone who has read a newspaper or seen a newscast in the past few months has to be horrified at what has happened in the Gulf of Mexico and deeply concerned about what could happen to our Maine coast in a similar situation," said Cutler. **"As governor, I will not allow it to happen. They will have to drill right through me to get to the Gulf of Maine."**

- Cutler 2010 news release [Cutler Repeats Firm Opposition to Oil Drilling Off The Maine Coast](#), August 13th, 2010

Please join us in setting the record straight about Eliot's outstanding environmental record and in repudiating the Maine Democratic Party's politics of lies and distortion.



The Exxon Valdez in Alaska... The BP Spill in Louisiana...
— *Is Maine next?* —

With Eliot Cutler as Governor –

Maine could be next.



Eliot Cutler has been working as a lobbyist for big oil companies most of his career. Helping companies

like BP loosen offshore oil and gas drilling restrictions. *

Cutler helped China National Offshore Oil Company try to buy a major American company – but that risky deal was forbidden by Congress because putting oil reserves in China’s hands was a risk to national security.*

Now, as a candidate for Governor, Cutler is proposing to abolish the Maine Board of Environmental Protection, which enforces Maine’s environmental laws.*

ELIOT CUTLER as Governor is a risk we just can’t afford to take.

Protect Maine’s Coast and Environment from Offshore Oil Drilling *on Election Day.*

CHECK THE FACTS: * World News, May 2, 2009; Xinhua News Agency, August 3, 2005; *Bangor Daily News*, June 30, 2010; *Kennebec Journal*, June 18, 2010.

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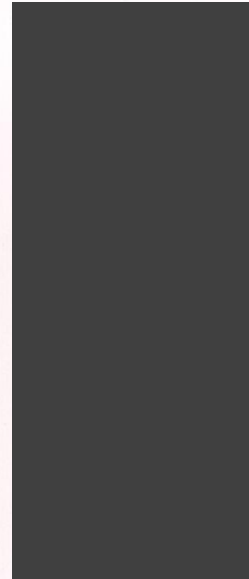


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