

# NoDOG Strategy Effective And Insidious

By Ron Arnold

BELLEVUE, WA.—No Dirty Oil and Gas (NoDOG) is the name of an organized multiyear campaign to remove oil and gas production from federal lands in the West.

I first heard of this odd-sounding menace when Marc Smith, executive director of the Independent Petroleum Association of Mountain States, invited me to speak at the association's 2007 annual meeting.

Smith had heard rumors about a covert campaign organized by several environmental groups, which had been making allegations of toxic chemical pollution, lobbying to close federal lands, demanding more drilling waste treatment, and pushing for surface use regulations. He wanted to alert his members to a potential threat and understand how this new effort in the Rockies might be tied to other developments.

Smith and IPAMS knew about the prominent attack groups: the Colorado-based Oil and Gas Accountability Project and its Washington parent, Earthworks (\$1.4 million revenue in 2005).

But there also was a surprising alliance of hunters and anglers in the Theodore Roosevelt Conservation Partnership (\$3.4 million revenue in 2005) and its Union Sportsmen's Alliance (20 labor unions) working against the oil and gas industry.

Most intriguing, however, was an extraordinary memo circulating in the industry, which talked about NoDOG's campaign and became the centerpiece of my presentation to IPAMS in June. The NoDOG "manifesto" gained additional attention when it was distributed at the Liaison Committee of Cooperating Oil & Gas Association's June 12 meeting in Henderson, Nv. An article in the July 2007 issue of *The American Oil & Gas Reporter* ("Group Sets Plan To Stop Oil And Gas," pg. 49) told of the mysterious (and anonymous) NoDOG memo from a still-unidentified informant who had obtained inside knowledge.

## The NoDOG Strategy

The anonymous author wrote that a "large coalition of (unnamed) nongovernmental organizations" was operating a fiendishly elaborate array of orchestrated attacks to remove the whole oil and gas industry from federal lands.

The NoDOG strategy proceeds in phases from:

- Lobbying shutdowns of federal lands

(In December 2006, President Bush signed HR 3817, forbidding oil and gas operations in New Mexico's Valle Vidal, and this June the Bureau of Land Management imposed no-surface-occupancy rules on more than 50 percent of Colorado's Roan Plateau);

- Lobbying state legislatures (New Mexico and Colorado passed surface-owner-rights bills this year, and Montana adopted new notification requirements); and

- Pressuring states to ban unlined pits (The New Mexico Oil Conservation Commission ignored industry recommendations in its new pit rule).

With that accomplished, the coalition will run a "marketing campaign" that a) frightens the public; b) makes the industry look dangerous (see Earthworks' Web site at [www.earthworksaction.org/NMToxics.cfm](http://www.earthworksaction.org/NMToxics.cfm)); and c) touts the new state laws as a "code of conduct" that companies must follow even in states that don't have such laws.

For the next phase of its strategy, in 2008 NoDOG will single out one company (probably not yet selected) for a nationwide bad publicity campaign accusing it of groundwater contamination, toxic air pollution, and damaging the health of children. The intent is to force the company to cave in and sign its "code of conduct," which NoDOG believes will intimidate many other companies to sign on. Then the NoDOG coalition will take its code of conduct to Congress, saying that industry is ahead of federal regulations.

Finally, in 2009:

- The coalition gets its code of conduct enforced as federal law.
- The law will be so onerous that oil and gas operations end on federal lands.

## The Players

The 2007 state-level strategy was largely carried out by Earthworks, the Oil and Gas Accountability Project, and a few local allies such as the San Juan Citizens Alliance and the New Mexico Wilderness Alliance.

This year's federal strategy was operated by the Theodore Roosevelt Conservation Partnership (TRCP) and its Union Sportsmen's Alliance project in a congressional hearing titled, "Access Denied," with shameless testimony accusing oil and gas operations of interfering with sportsmen and harming hunting and fishing habitat.

TRCP then sponsored a public opinion poll purporting to show that hunters and anglers put energy at the bottom of

their preferences. It was meant to justify a "no-energy energy bill" that resulted from the "Access Denied" hearing (HR 2337).

However, when examined closely, TRCP's poll data actually show that sportsmen are, in fact, supportive of energy development on federal lands. IPAMS made the discovery and issued a news release, pointing out the discrepancy. TRCP then removed the poll from its Web site (but IPAMS had already posted it on its own Web site).

In just the short time since the industry's awareness of NoDOG began to broaden this summer, the coalition has rapidly evolved into a broader, many-headed movement, signaled by the appearance of the Sportsmen's Alliance for Responsible Oil and Gas Development (SAROGD), which is composed of the giant National Wildlife Federation (\$99 million 2005 revenue), Trout Unlimited (\$20 million 2006 revenue), and the Theodore Roosevelt Conservation Partnership with its Union Sportsmen's Alliance of 20 labor unions. These groups are supported with research by the Environmental Working Group (\$3.7 million revenue in 2005).

The combined forces of all these groups and their many allies in the environmental and labor movements have the clout and financing to make good on NoDOG goals. Their clout comes from long experience, good contacts and shrewd strategizing. Their financing comes from wealthy private foundations.

## The Money

More than 200 foundations donate to Earthworks, its affiliates, and the four SAROGD groups. Most donors are members of the Environmental Grantmakers Association (EGA).

EGA is a voluntary consortium of more than 250 foundations, and is operated as a project of the Rockefeller Family Fund in New York City. EGA offers quarterly meetings in Washington on specific issues, but the big gathering that attracts most members is the annual retreat, held in a different scenic resort each year. The EGA member directory is online at [www.ega.org/funders/funders.php?op=list](http://www.ega.org/funders/funders.php?op=list).

EGA serves as an idea exchange and planning board where foundation executives share funding priorities and divide tasks to avoid duplication.

As a result, more foundations have become prescriptive; that is, they no longer accept applications from grant seekers.

Instead, they create their own social-change programs and invite suitable non-profit groups to take their money and do their bidding. One sees more and more "by invitation only" notices on foundation grant guidelines.

This practice has substantially increased the concentration of financial power in foundations. Grant seekers now take the old joke about the golden rule very seriously: He who has the gold, rules.

That rule is getting more aggressive. Foundations' IRS reports now contain some highly targeted grant descriptions. Take, for example, the Gordon and Betty Moore Foundation (2005 assets of \$5.3 billion). Its IRS Form 990-PF for 2005 shows a gift of \$600,000 to the Theodore Roosevelt Conservation Partnership "to change the course of energy development on public lands."

That is written in the sanitized language insiders call "foundationese." It masks unpleasant intent. In plain English it would say, "Work to ban energy development on federal lands," which is exactly what TRCP used the money for.

## The Origin Of NoDOG

It was a foundation that prescribed the NoDOG strategy. Here is how it happened.

Earthworks was known as the Mineral Policy Center from its creation in 1988 until 2004. It was an anti-mining group and nothing else. In early 2004, the Brainerd Foundation (assets of \$42.3 million)—it's the private charity of software multi-millionaire Paul Brainerd—gave Earthworks a grant to change things.

Brainerd thought the old name was ambiguous: Was the Mineral Policy Center a think tank, activist group or industry trade organization? "Earthworks" was clear, clever, and hip.

Brainerd also thought the original anti-mining purpose was too limited. His grant required Earthworks to merge with the Oil and Gas Accountability Project so they could conduct strong anti-oil and gas campaigns together.

Brainerd also thought they it technical backup for credibility, and his grant required Earthworks to partner with the Montana-based Center for Science in Public Participation.

The Mineral Policy Center had previously been operating a "No Dirty Gold" anti-mining campaign very similar to the strategy outlined for NoDOG. It was a simple task to use No Dirty Gold as the template for No Dirty Oil and Gas.

On Nov. 15, 2006, Earthworks registered the Web sites [www.nodirtyoilandgas.com](http://www.nodirtyoilandgas.com) and [www.nodirtyoilandgas.org](http://www.nodirtyoilandgas.org). So technically, Earthworks owns the brand "NoDOG." As

of late September, both Web addresses were parked at a commercial holding site and were not yet active.

## The Strategy Dilemma

Back in 1981, game theorists in economics, psychology, sociology, political science and applied mathematics finished a two-year strategy tournament—the best minds trying round after round to beat each other. It revealed that the most successful way to cope in a competitive situation was a strategy called "tit for tat."

In this strategy, party one starts by being cooperative. If his opposite number cooperates in return, party one continues to cooperate. If party two defects against party one, party one likewise defects against party two. One returns like for like, thus tit for tat.

If one party continued to cooperate after its competitor defected—the doormat strategy—it lost, every time.

It's a hardheaded version of the golden rule: "Do unto competitors as they do unto you."

It is pretty clear today that NoDOG strategists are competitors who have defected against the oil and gas industry. Their strategy is to form a coalition to put oil and gas companies out of business over a period of years by raising public concerns and outrage over alleged threats that exploration and production pose, and then to lobby that perception into unsurvivable laws against the industry.

Tit for tat says the oil and gas industry should do the same to the NoDOG strategists. It would take some know-how, but it wouldn't be impossible to analyze each NoDOG tactic and mirror it back at them, even down to the unsurvivable laws.

But if a coalition of for-profit companies tried to do that, they would run smack into anti-trust problems.

So the successful strategy, tit for tat, simply isn't available to for-profit industry. All that is left is the usual "what a good kid am I" public relations approach, and that is merely an expensive form of the doormat strategy. It doesn't attack; it only defends. Defensive teams don't score a lot of touchdowns.

Tit for tat: nonprofits can do it, but for-profits can't. That is the oil and gas strategy dilemma.

## What To Do?

But think how many civil rights and welfare nonprofits would rise to protect America's domestic energy supply, given the right message. After all, the disadvantaged suffer most when prices rise from cutbacks in supply.

Think how many nonprofits would be

outraged to know that North America's self-sufficiency in natural gas was being wiped out by the NoDOG groups. Think how many nonprofits would be glad to post profiles of the "energy killers" or the "energy thieves" to inform their members about who was hurting them.

Think how many average citizens would join nonprofits that worked to protect the energy sources the nation has until it gets the energy sources it wants—once they knew that alternatives such as solar, wind and geothermal combined provided less than 1 percent of the energy used in the United States last year; or that biomass, including ethanol, contributed only 3 percent. By contrast, oil provided 40 percent, coal supplied 23 percent, natural gas contributed 22 percent, nuclear was 8 percent, and hydroelectric supplied just under 3 percent.

Think how many people would detect NoDOG executives' vast ignorance of the average person's everyday life, and laugh them to scorn once people knew how privileged they were:

- National Wildlife Federation President Larry Schweiger has spent his whole career in nonprofits, but gets \$250,016 salary, \$15,699 benefits and a \$1,813 expense account, while 181 other federation employees make more than \$50,000 a year.

- Moore Foundation President Edward E. Penhoet gets \$417,400 salary, \$21,000 for his 401(k) account, and \$19,761 for health-care benefits, while 71 other Moore employees earn more than \$50,000 a year.

It is easy to see why the NoDOG "non-profit" elite don't care about the home heating costs and price at the pump the rest of America pays.

The allies are out there. The task is getting them networked, informed, concerned and outraged at NoDOG . . . and on the attack! □



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