

REQUEST UNDER THE KANSAS OPEN RECORDS ACT

December 21, 2021

Jen Arbuthnot
Designated Custodian of Public Records
University of Kansas
1450 Jayhawk Boulevard
245 Strong Hall
Lawrence, KS, 66045-7535

By Email: openrecords@ku.edu

To Ms. Arbuthnot or University Records Officer:

On behalf of Energy Policy Advocates, a non-profit public policy institute incorporated in Washington State, and pursuant to the Kansas Open Records Act, K.S.A. 45-215, *et seq.*, I hereby request copies of all electronic correspondence and accompanying information, including also any attachments, that a) was sent to or from or which copies (including cc: and bcc:) Rachel Krause (Associate Professor in the School of Public Affairs and Administration) that b) also includes anywhere in an email “thread” or in any attachment(s), one or more of the following, i) Timmons, ii) Brulle, iii) CSSN and/or iv) @Brown.edu, and c) is dated from i) October 1, **2020** through November 1, **2020**, inclusive, and those which are dated i) October 1, **2021** through November 1, **2021**, inclusive.

We request that the University conduct a non-conflicted search, as necessary to fulfill its obligation to conduct a reasonable search. A non-conflicted and therefore proper processing of this request does not merely entail asking the faculty named in the request if they possess responsive information. We request that the university assert in its response whether that response is based on a search conducted by the faculty identified in the request, or by another party.

Any records meeting this request’s search parameters are inherently related to the faculty’s work at this public institution, as affirmed by CSSN touting the faculty’s University position/affiliation as the relevant credential (<https://www.cssn.org/about-us/scholars/>) for purposes of the work engaged in by the faculty and by the University’s decision to promote and encourage non-teaching “service” by its professors.

In the event that the University's custodian of public records determines that a release of a given record would contain confidential or private information or otherwise seek to withhold information, we request that you state the reasons for any such withholdings.

EPA is a non-profit public interest organization organized under the laws of Washington State. As such, it does not seek these records for commercial purposes. Rather, EPA seeks these

records to determine certain uses of taxpayer-funded resources by faculty including to what extent they are used in the performance or pursuit of certain “global warming” related activism, combining political or policy advocacy with dedicated publicly funded resources.

In the interests of expediting the search and processing of this Request, EPA is willing to pay fees up to \$100. Please provide an estimate of anticipated costs in the event that fees for processing this Request will exceed \$100.

As noted earlier in this request, EPA is a non-profit public policy organization dedicated to informing the public of developments in the area of energy and environmental issues and relationships between governmental and non-governmental entities as they relate to those issues.

EPA’s ability to obtain fee waivers is essential to this work. EPA intends to use any responsive information to continue its work highlighting the nexus between interested non-governmental entities and government agency decision-making. The public is both interested in and entitled to know how regulatory, policy and enforcement decisions are reached. EPA ensures the public is made aware of its work and findings via media, its website epadvocates.org. The public information obtained by EPA has been relied upon by established media outlets, including the Washington Times and Wall Street Journal editorial page.¹

Furthermore, as this matter involves a significant issue of public interest, please produce responsive records as they become available on a rolling basis but consistent with the Act’s prescribed timelines.

To keep costs and copying to a minimum please provide copies of all responsive records in electronic format if you have them (records requested are emails, so this should be all of them).

We look forward to your response. If you have any questions, do not hesitate to contact me by email at Schilling@allhookedup.com.

Sincerely,



Rob Schilling
Executive Director
Energy Policy Advocates

¹ See, e.g., EPA In the News at <http://epadvocates.org/news/>; see also, e.g., Stuart Parker, “Conservative Group Says States’ Ozone Suit ‘Trojan Horse’ for GHG Limits,” Inside EPA, February 24, 2021, and https://www.wsj.com/articles/bidens-backdoor-climate-plan-11616020338?mod=opinion_lead_pos1.