

2 CEQ 6

Onley, Kameran L.

From: Mollie Ziegler [mziegler@atpco.com]
Sent: Wednesday, September 24, 2003 2:36 PM
To: Onley, Kameran L.
Subject: FW: Lieberman/Global Warming Lawsuit

this cracked me up for some reason . . .

-----Original Message-----

From: Levy, Sari (Govt Affairs) [mailto:Sari_Levy@govt-aff.senate.gov]
Sent: Wednesday, September 24, 2003 2:34 PM
To: Govt Affairs, Press (Govt Affairs)
Subject: Lieberman/Global Warming Lawsuit

Contact: Leslie Phillips
202-224-0384

FOR IMMEDIATE RELEASE
September 24, 2003

**LIEBERMAN SEEKS WHITE HOUSE CONTACTS REGARDING GLOBAL WARMING LAWSUIT
CEQ, THINK TANK DISCUSSED HOW TO "CLEAN UP THE MESS"**

WASHINGTON - Governmental Affairs Committee Ranking Member Joe Lieberman, D-Conn., sought clarification Wednesday as to whether the White House played a role in a lawsuit challenging an Administration report on global warming that exposes the flaws in President Bush's environmental policy.

In a letter to White House Chief of Staff Andrew Card, dated September 24, 2003, Lieberman asked Card "to clear the record once and for all by publicly disclosing all the White House contacts" in the last two years with The Competitive Enterprise Institute, a conservative think tank, regarding global warming. At issue are communications between Philip Cooney, Chief of Staff for the White House Council on Environmental Quality, and Myron Ebell, Director of the Competitive Enterprise Institute's Global Warming and Environmental Policy, as evidenced by a June 2003 email in which the CEI director referred to a White House's request that the think tank help "clean up this mess."

"The mess" refers to the submission of the global warming report in May 2002 by the State Department to the United Nations, which embarrassed the Administration because it found that increasing concentrations of greenhouse gases in the atmosphere are responsible for the warming of the earth. The Bush Administration, by contrast, has supported the unfettered use and production of fossil fuels regardless of environmental ramifications. On August 6, 2003, CEI filed a lawsuit against the Administration, asking for the invalidation of a Clinton-era report on global warming, a decade in the making, and which provided the basis for the May 2002 Bush Administration report.

"This lawsuit may have been seen by the Administration as the best means to that end," Lieberman wrote to Card. "I hope that the lawsuit.... is not the result of a collusive plan conceived by the CEI in concert with the Administration, itself. It would be wrong in any circumstance to reject the well-founded findings of the (Clinton-era report), but for the Administration to use an outside group to pursue such an ill-conceived goal would be doubly wrong, and could also be abuse of the courts at the expense of the taxpayers."

Lieberman asked Card to explain what the White House was seeking from CEI that prompted the "clean up this mess" email.

A Freedom of Information Act request by the Attorneys General of Connecticut, Massachusetts, and Maine uncovered the June 3, 2002, between Ebell and Cooney. Mr. Ebell goes on the express doubt as to "whether we have the resources to clean up this one."

Following is a copy of the letter:

September 24, 2003

Mr. Andrew H. Card, Jr.
Chief of Staff to the President
Executive Office of the President

1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Dear Mr. Card:

I write to express my concern about communications that have recently come to light between high-ranking White House staff and the Competitive Enterprise Institute (CEI), a conservative think-tank, regarding a May 2002 report on global warming submitted to the United Nations by the State Department. As you know, that report was at odds with Bush Administration efforts to reject mounting evidence of the serious effects of climate change. A June 3, 2002 email from Myron Ebell, Director of Global Warming and Environmental Policy at CEI, to Philip Cooney, Chief of Staff for the White House's Council on Environmental Quality (CEQ), appears to show efforts by Mr. Cooney to use CEI, an outside group, to discredit settled and official scientific conclusions regarding climate change.

The U.S. Climate Action Report was issued in May 2002 by the United States pursuant to its obligations under the United Nations Framework Convention on Climate Change in 1992. The Climate Action Report relied to a significant extent on the National Assessment of the Potential Consequences of Climate Variability and Change, which was published in 2000 by the Clinton Administration after a decade of study. Both these reports recognized that increasing concentrations of greenhouse gases in the atmosphere were causing the Earth to warm. Both also warned that the warming temperatures would have dire environmental consequences. These alarming findings provide additional evidence that we must make every effort to reduce our nation's greenhouse gas emissions. Such a pursuit, however, is contrary to the Bush Administration's short-sighted goals of increasing the use and production of traditional fossil fuels without regard to the long-term effect on the planet. Thus, when asked about the May 2002 Climate Action Report, President Bush dismissed it as having been "put out by the bureaucracy," while reaffirming his own environmentally hostile approach. (George Archibald and Carter Dougherty, "Bush Pans Kyoto as Japan OKs Pact; EPA Diverges From President's Views," Washington Times, June 5, 2002.)

The June 3, 2002 CEI-CEQ email, which was produced as a result of a Freedom of Information Act request by Attorneys General from Connecticut, Massachusetts and Maine, was apparently written in response to a telephone call to Mr. Ebell of CEI from Mr. Cooney of CEQ requesting "help" in dealing with the political fallout from the Climate Action Report. In the email, Mr. Ebell indicates his understanding of Mr. Cooney's request -- that CEI is being asked "to clean up the mess" -- and expresses some doubt as to "whether we have the resources to clean up this one." No other email exchanges between these parties have been released.

However, on August 6, 2003, CEI filed a lawsuit against the Administration to invalidate the National Assessment of the Potential Consequences of Climate Variability and Change -- published in 2000 by the Clinton Administration after a decade of study -- which formed the basis for many of the conclusions in the Climate Action Report. The suit is apparently an attempt to have the National Assessment (and therefore the Climate Action Report) withdrawn.

The June 3, 2002 email suggests that CEQ may have worked with CEI in forming a strategy to "clean up the mess" left by the Climate Action Report. This lawsuit may have been seen by the Administration as the best means to that end. I hope that the lawsuit, in which the Administration is in a position to defend these official U.S. conclusions on climate change, is not the result of a collusive plan conceived by CEI in concert with the Administration itself. It would be wrong in any circumstance to reject the well-founded findings of the National Assessment, but for the Administration to use an outside group to pursue such an ill-conceived goal would be doubly wrong, and could also be abuse of the courts at the expense of the taxpayers.

I call upon the Administration to clear this matter up by explaining what help, exactly, Mr. Cooney was seeking, prompting Mr. Ebell to send the June 3, 2002 email. I also call upon the White House to clear the record once and for all by publicly disclosing all White House contacts with CEI regarding the issue of global warming from May 1, 2002, to the present. "Contacts" include all communications, including meetings, conversations, telephone calls, emails, letters, or facsimiles. Please provide the names of all people who participated in each contact between CEI and White House staff in which global warming was addressed. This includes providing the names of all people present at relevant meetings or conversations, all those who authored or received relevant documents (such as emails or letters), and all those who made or received relevant telephone calls. Please provide me copies of all documents evidencing or regarding communications with CEI addressing global warming from May 1, 2002 to the present.

Thank you for your assistance with this matter. I look forward to your timely response, but please provide the information requested no later than October 10, 2003. Feel free to call me with any questions, or have your staff call Cynthia Lesser of my staff at 202-224-2627.

Sincerely,

Joseph I. Lieberman
Ranking Minority Member