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Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051
FACSIMILE (202) 225-4784
MINORITY (202) 225-5074

www.oversight.house.gov

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December 3, 2009

The Honorable Edolphus Towns
Chairman
House Oversight and Government Reform Committee
2157 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Towns:

As you are aware, the Oversight and Government Reform Committee has a long and bipartisan history of conducting oversight over the federal government's role in responding to climate change. In the 110th Congress, Chairman Waxman held nearly a dozen hearings examining climate change and related energy issues and conducted extensive investigations into the alleged politicization of science and the Administration's denial of the California Waiver. Dr. James Hansen appeared before the Committee to testify about the Administration's management of climate scientists and many Members of this Committee, perhaps even including yourself, made judgments on climate change legislation based on what we learned at these hearings. Unfortunately, we are now learning that testimony, such as Dr. Hansen's was likely based on problematic data.

Recently, a large volume of email messages and documents, sent by prominent American and British climate researchers, were released from the Climatic Research Unit of the University of East Anglia (Hadley CRU). While we do not condone the manner in which these emails were released, their content raises serious questions about climate data manipulation that demands Congressional attention. Because this Committee is independent from vested special interests, we are uniquely positioned to fairly evaluate the importance of these emails and draw conclusions based on the evidence. Accordingly, we are writing to formally request the Oversight and Government Reform Committee launch a thorough investigation into the questions raised by the disclosure of emails from Hadley CRU.

On November 17, 2009, a whistleblower posted a large volume of email messages and documents to an international server.¹ These emails appear to be authentic, and were sent by prominent American and British climate researchers associated with the Hadley CRU. The Hadley CRU wields significant influence in climate change circles and works closely with the U.N.'s Intergovernmental Panel on Climate Change (IPCC), a scientific intergovernmental body tasked to evaluate the risk of climate change caused by human activity.² It is important to note the scientists involved are not bit players operating on the periphery of climate science. Rather they are opinion leaders whose work is integrated into the fabric of the IPCC and its reports. Professor Philip Jones, the CRU's director, and author of some of the most controversial emails, is in charge of the two key sets of data used by the IPCC to draw up its reports.³ His global temperature record is the most important of the four sets of temperature data on which the IPCC and governments rely.⁴

According to several reports, the content of the emails call into question the integrity of the underlying data used by the IPCC. The *Wall Street Journal* reported that in the emails, "Scientists appear to urge each other to present a 'unified' view on the theory of man-made climate change while discussing the importance of the 'common cause,' to advise each other on how to smooth over data so as to not compromise the favored hypothesis; to discuss ways to keep opposing views out of leading journals; and to give tips on how to 'hide the decline' of temperature in certain inconvenient data."⁵ According to the *New York Times*, the emails provoke three fundamental questions – whether "the correspondence reveals efforts by scientists to shield raw data, preventing it from being examined by independent researchers"; whether the documents... "prove that the data underlying climate scientists' conclusions about warming are murkier than the scientists have said"; and whether "the email messages indicate that climate scientists tried to prevent publication of papers written by climate skeptics."⁶

It is clear that the ethical and professional problems of key scientists revealed by these emails compromised the integrity of the scientific process that led to the drafting and publication of the IPCC Reports. Moreover, the suggestion that these scientists

¹ Editorial, *Hiding Evidence of Global Cooling*, WASH. TIMES, Nov. 24, 2009; L. Gordon Crovitz, *The Web Discloses Inconvenient Climate Truths*, WALL ST. J (NOV. 29, 2009).

² Andrew Revkin, *Hacked E-Mail Is New Fodder for Climate Dispute*, NY TIMES, Nov. 21, 2009; John Lott, *Why You Should Be Hot and Bothered About Climate Gate*, FOXNEWS.COM, Nov. 24, 2009; Declan McCullagh, *Congress May Probe Leaked Global Warming E-Mails*, CBSnews.com, Nov. 24, 2009.

³ *Id.*

⁴ *Id.*

⁵ Editorial, *Global Warming With the Lid Off*, WALL ST. J, Nov. 24, 2009.

⁶ Andrew Revkin, *Hacked Email Data Prompts Calls for Changes in Climate Research*, NY Times (Nov. 28, 2009).

prevented the dissemination, peer review, and publication of dissenting views is particularly alarming as the IPCC only considers peer reviewed publications. Consequently, an effort to control the peer review process is the equivalent of controlling the content of the influential IPCC reports.

These emails are of particular significance to Congress and this Committee for two reasons. First, the U.S. government has relied heavily on the integrity of the IPCC reports in developing a national policy response to climate change⁷ and second, several of the individuals involved in these emails, and apparently involved in manipulating climate data, are current and past recipients of federal research grants. It is therefore imperative that Congress, and this Committee, fully understand the impact that these disreputable activities have had on the IPCC reports and consequently U.S. policy decisions.

As you are aware, the Administration is poised to act on the Proposed Endangerment Finding and other regulations limiting greenhouse gas emissions based on findings and conclusions of the IPCC. These regulations will have a profoundly negative impact on our economy and therefore timely review of these emails is essential. Accordingly, we respectfully request that the Committee consider this investigation a top priority and that we receive a response no later than December 9, 2009.

If you have any questions regarding this matter, please contact Kristina Moore, Senior Counsel at 202-225-5074.

Sincerely,

⁷ EPA has rapidly advanced several regulatory schemes to reduce domestic emissions of greenhouse gasses (GHGs), under authority granted to the agency by the Clean Air Act (CAA). The key regulatory decision is the Proposed Endangerment Finding, which determines that Carbon Dioxide (CO₂) along with other Greenhouse Gases (GHGs) endanger human health and welfare. In developing these regulations, EPA failed to conduct its own assessment of the scientific literature when it developed the justification for the Endangerment Finding. Instead, the Technical Support Document (TSD), which provides the scientific basis for the finding, is based in large part on the conclusion of the (IPCC) Fourth Assessment Report.

Donald H. Spivey

Don Burton

Brian P. Bilby

Mark Souders

John Manning

Chas. C. Coo

David Ruff

Steve Chaffetz

Jim Jank

Ann Souders

AM Tabe

Patrick Mackey