Congress of the United States
Washington, DC 20515

January 27, 2006

Dr. Paula Dobriansky
Under Secretary for Democracy and Global Affairs
U.S. Department of State
2201 C St., NW
Washington, DC 20520

Dear Dr. Dobriansky:

We are writing regarding statements made by yourself and Dr. Harlan Watson, the heads of the U.S. delegation, at the conference of the Parties to the United Nations Framework Convention on Climate Change and meeting of the Parties to the Kyoto Protocol in Montreal, Canada last month. During the meetings, you and Dr. Watson stated that U.S. emissions of greenhouse gases were falling due to President Bush's approach to climate change. In fact, U.S. emissions of greenhouse gases have risen 3.5% during the Bush Administration, including a record increase in 2004, and now are at the highest levels ever reported.

The disconnect between the Administration's statements in Montreal and the facts is astonishing. One explanation could be that you were ignorant of the government's own data on greenhouse gas emissions. The more likely explanation, based on accumulating evidence of your prior statements, is that you and Dr. Watson selectively presented data to mislead the international community about the directional trend of U.S. greenhouse gas emissions. In either case, the implications are serious and have given other nations and the American public reason to doubt at least the accuracy, and possibly the good faith, of U.S. officials' statements on climate change and other topics.

Administration Statements on U.S. Greenhouse Gas Emissions

As you know, in your remarks to the opening plenary session on December 7, you stated that "[b]etween 2000 and 2003, U.S. emissions fell nearly 1 percent," and you went on to laud the Administration's climate change activities. You made similar statements to the press.[1] Similarly, in a press conference that he held on November 29, Dr. Watson stated the following:

> We have in place more than 60 mandatory, incentive-based, and voluntary Federal programs designed to meet the President's greenhouse gas intensity goal .... And we have made steady progress toward this goal. Between 2000 and 2003, President Bush's first three years in office, the United States managed to reduce its total greenhouse gas emissions by nearly 1 percent, while growing our economy by $1.23 trillion .... This emission trend is the fifth best among developed countries during these three years.

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[1] *See, e.g., World Leaders to Discuss Strategies for Climate Control*, Washington Post (Nov. 27, 2005) ("The Bush administration has spent $20 billion on climate change programs since taking office, Dobriansky added, and cut greenhouse gas emissions by 0.8 percent between 2000 and 2003. 'The United States is taking leadership here,' she said ....").

This argument was echoed by the highest ranking White House environmental official, James Connaughton, Chair of the Council on Environmental Quality, on December 8, 2005, in response to a *Washington Post* editorial criticizing the Administration's assertions on greenhouse gas emissions in Montreal.[2] Mr. Connaughton stated:

> The United States was fifth-best among its allies in reducing greenhouse gas emissions — 0.8 percent between 2000 and 2003, from 6,953 million metric tons in 2000 to 6,900 million metric tons in 2003. The administration's focus on reducing these emissions with sensible, cost-effective steps is yielding results.[3]

Actual U.S. Greenhouse Gas Emissions

In fact, however, according to EIA, U.S. greenhouse gas emissions have risen steadily each year since 1991, apart from a one-year drop between 2000 and 2001.[4] The clear trend is increasing, not decreasing, emissions. Since 1990, the average increase in U.S. emissions of greenhouse gases has been 1.1 percent per year.[5] In the most recent years for which EIA has presented data, from 2003 to 2004, the annual increase was even higher — 2 percent.[6] Under the Bush Administration, from 2001 through 2004, greenhouse gas emissions increased by 3.5 percent overall.[7]

EIA released a final report with the 2004 figures on December 19, 2005, less than two weeks after the Montreal meeting. But most of the underlying information and the overall story was not new. Six months earlier, in June 2005, EIA released its *2004 Flash Estimate* of U.S. carbon dioxide emissions from energy sources, which, as EIA noted, are the "predominant

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[2] James L. Connaughton, Chairman, CEQ, *Engaged in Addressing Climate Change*, Washington Post (Dec. 8, 2005) (opinion editorial).

[3] *See also, US Greenhouse Gas Output Falls*, Financial Times (Nov. 23, 2005) ("James Connaughton, chairman of the White House's Council on Environmental Quality, said yesterday the decrease of 0.8 per cent in gases such as carbon dioxide, methane and nitrous oxide had been unexpected .... Mr. Connaughton hailed the 'stabilisation' of greenhouse gas output as a victory for the US policy of avoiding mandatory targets and concentrating on new technologies, such as methane capture and 'clean coal.'").

[4] U.S. EIA, *Emissions of Greenhouse Gases in the United States 2004*, at x (Dec. 2005); U.S. EIA, *Emissions of Greenhouse Gases in the United States 1996* (Oct. 1997) (online at: http://www.eia.doe.gov/oiaf/1605/gg97rpt/execsum.html).

[5] U.S. EIA, *Emissions of Greenhouse Gases in the United States 2004*, at ix (Dec. 2005).

[6] *Id.*

[7] *See id.*

source of U.S. greenhouse gas emissions," totaling 83% of U.S. emissions in 2003.[8] That report found that energy-related carbon emissions had increased dramatically in 2004, by 1.7% over 2003 levels.[9] It also presented numbers demonstrating that this level of energy-related carbon emissions was higher than in 2000, and was, in fact, the highest ever.[10] It was clear from this report that overall U.S. greenhouse gas emissions had increased substantially in 2004. Additionally, this information was consistent with EIA's previous annual emissions report, issued in December 2004, which also showed that U.S. emissions had been rising each year since 2001.[11]

Dr. Watson was aware of EIA's flash report on 2004 emissions and explicitly relied on its findings *prior* to the meetings in Montreal. On October 5, 2005, in testimony submitted to the U.S. Senate, Dr. Harlan Watson stated: "[A] June 2005 EIA flash estimate of energy-related carbon emissions — which account for over four fifths of total greenhouse gas emissions — suggests an improvement in carbon dioxide emissions intensity of 2.6 percent in 2004."[12] The same page of the report containing the figure cited by Dr. Watson also highlighted the 1.7% increase in energy-related emissions in 2004.[13]

At a minimum, you and Dr. Watson should have been aware that the 2004 emissions numbers would not support a claim that U.S. emissions have dropped since 2000. Ordinary diligence would suggest checking the validity of two-year-old data prior to making public statements characterizing U.S. greenhouse gas emissions to an assembly of representatives of almost 200 nations.

It is appearing more likely that you and Dr. Watson had the relevant emissions information but chose to suppress it, which is even more troubling. This Administration has a long record of manipulating the scientific process and distorting or suppressing scientific findings. There have been several high-profile examples of the Administration's distortion or suppression of science specifically related to climate change. This pattern casts doubt on all of the Administration's pronouncements related to climate change and continues to damage the

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[8] U.S. EIA, *U.S. Carbon Dioxide Emissions from Energy Sources 2004 Flash Estimate*, 2, 17 (June 2005).

[9] *Id.* at 2.

[10] *See id.* at 13.

[11] U.S. EIA, *Emissions of Greenhouse Gases in the United States 2003*, x (Dec. 2004).

[12] Dr. Harlan Watson, *Kyoto Protocol: Assessing the Status of Efforts to Reduce Greenhouse Gases*, Testimony before the Committee on Environment and Public Works, U.S. Senate (Oct. 5, 2005).

[13] U.S. EIA, *U.S. Carbon Dioxide Emissions from Energy Sources 2004 Flash Estimate* at 2 (June 2005).

United States' credibility with key allies and the international community, as well as with the American people.

The questions below attempt to shed some light on this matter. Please provide your response by February 13, 2006. Thank you in advance for your cooperation.

Sincerely,

Henry A. Waxman
Ranking Minority Member
House Committee on
Government Reform

John Kerry
U.S. Senator

1. What information did you, Dr. Watson, and your staff have available to you regarding the quantities of and trends in U.S. greenhouse gas emissions from 2000-2004, at the time of the conference in Montreal? Please provide copies of all such information. (To the extent that this or other information requested is available on-line, it is sufficient to provide the link to the information on-line.) Please include all written communications within the State Department, or between State Department staff and appointees, and EPA, EIA, and CEQ staff and appointees, since January 1, 2005, that address factual information regarding the quantities of and trends in U.S. greenhouse gas emissions.

2. Were you, Dr. Watson, or your staff aware at the time of the conference in Montreal that U.S. greenhouse gas emissions had increased each year since 2001? Do you consider that information relevant to presenting a fair picture of recent progress on U.S. greenhouse gas emissions to the international community? If not, why not?

3. Were you, Dr. Watson, or your staff aware at the time of the conference in Montreal that U.S. emissions for 2004 were expected to be the highest ever, or at least that they were expected to be substantially higher than emissions in 2003?

4. What analyses do you have to support the claim that President Bush's climate change policies have slowed the growth in U.S. greenhouse gas emissions since 2000? Please provide any such analyses.

   a. What is the quantity of avoided emissions relative to projected business-as-usual emissions that have already occurred and that are directly attributable to new climate change policies and programs adopted by President Bush or expansions of existing climate change policies and programs implemented by President Bush (as opposed to the continuation of policies and programs instituted by the Clinton Administration or prior administrations). Please identify the quantity of emissions avoided by each such new or expanded portion of a policy or program and provide the analytical basis for the assertion.

   b. To what degree do you attribute the drop in emissions in 2001 to economic and weather-related factors, as opposed to Bush Administration climate change policies? What new policies or programs had the Bush Administration instituted in time to affect emissions in 2001? Please identify the specific policies, if any, and their quantified impacts.

5. Please provide any information you have at this time related to the quantities and trends in U.S. greenhouse gas emissions in 2005.