HENRY A. WAXMAN, CALIFORNIA
CHAIRMAN

TOM DAVIS, VIRGINIA
RANKING MINORITY MEMBER

ONE HUNDRED TENTH CONGRESS

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
Minority (202) 225–5074

January 22, 2007

Mr. James L. Connaughton
Chairman
Council on Environmental Quality
722 Jackson Place, NW
Washington, DC 20503

Dear Mr. Chairman:

Last Congress, we initiated an investigation into allegations that officials on the White House Council of Environmental Quality edited scientific reports and took other actions to minimize the significance of global warming. We are writing to let you know that the Oversight Committee will continue this investigation this Congress and to request your continued assistance.

Last October and November, Committee staff reviewed some CEQ documents at the White House. Several of these documents appear to contain information that is relevant to a hearing the Committee will be holding on January 30. We therefore ask that you provide the Committee with unredacted copies of the documents listed in Appendix A by the close of business on Thursday, January 25.

We have also determined that the process of reviewing responsive documents at the CEQ offices, which the Committee tried last year, will not be workable this Congress. Consequently, we request that you provide a full set of responsive documents to the Committee by February 9, 2007. As you will recall, the Committee's document request, as modified as a result of discussions with your staff, encompasses all communications and other documents that (1) were sent to or generated by, reference, or are in the electronic or paper files of any of the following individuals: James L. Connaughton, Phillip Cooney, Bryan Hannegan, Marty Hall, Kenneth L. Peel, Bill Holbrook, or Michele St. Martin; and that (2) relate to:

(a) Mr. Cooney's activities related to climate change;
(b) CEQ's review of and suggested edits to materials produced by other federal agencies regarding climate change; and

(c) Efforts by CEQ to manage or influence statements made by government scientists or experts to representatives of media regarding climate change.

In addition, we respectfully renew the Committee's August 2006 request for an organizational chart of CEQ and request that it also be provided by February 9. This organizational chart should identify current CEQ staff as well as all of their predecessors since February 2001. Please include the timeframe of employment for each current and former staff member.

The Committee on Oversight and Government Reform is the principal oversight committee in the House of Representatives and has broad oversight jurisdiction as set forth in House Rule X, clauses 1(m), 2, 3(i), and 4(c). An attachment to this letter provides additional information to assist you in responding to the Committee's request.

If you have any questions regarding this request, please contact Greg Dotson of the Committee staff at (202) 225-4407.

Sincerely,

Henry A. Waxman
Chairman

Tom Davis
Ranking Minority Member

Enclosure

Appendix A

ARMS 16 ATT 1, EPA Draft Report on the Environment
ARMS 23 ATT 1, EPA Draft Report on the Environment
ARMS 34, EPA Draft Report on the Environment
ARMS 39 ATT 5, EPA Draft Report on the Environment
ARMS 39 ATT 18, EPA Draft Report on the Environment
ARMS 69 ATT 2, EPA Draft Report on the Environment
ARMS 192, Climate Action Report
ARMS 243, Climate Action Report
ARMS 245, Climate Action Report
ARMS 254, Climate Action Report
ARMS 255, Climate Action Report
ARMS 274, Climate Action Report
ARMS 279, Climate Action Report
ARMS 286, Climate Action Report
ARMS 347, Climate Action Report
ARMS 357, Climate Action Report
ARMS 368, Climate Action Report
CEQ 2, Asia-Pacific Partnership
CEQ 3, Asia-Pacific Partnership
CEQ 4, Asia-Pacific Partnership
CEQ 8, Asia-Pacific Partnership
CEQ 15, U.S. Climate Change Science Program
CEQ 19, Asia-Pacific Partnership
CEQ 24, Asia-Pacific Partnership
CEQ 27, Asia-Pacific Partnership
CEQ 35, Asia-Pacific Partnership
CEQ 88, Asia-Pacific Partnership
CEQ 166, Asia-Pacific Partnership
CEQ 197, Asia-Pacific Partnership
HC 7, Climate Action Report
HC 61, Climate Action Report
WH 5, EPA Draft Report on the Environment
WH 4, EPA Draft Report on the Environment
WH 6, EPA Draft Report on the Environment
WH 8, EPA Draft Report on the Environment
WH 15, EPA Draft Report on the Environment
WH 18, EPA Draft Report on the Environment
WH 19, EPA Draft Report on the Environment
WH 22, EPA Draft Report on the Environment

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Responding to Oversight Committee Document Requests

In responding to the document request from the Committee on Oversight and Government Reform, please apply the instructions and definitions set forth below.

Instructions

1. In complying with the request, you should produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. You should also produce documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party. Records, documents, data, or information called for by this request should not be destroyed, modified, removed, transferred, or otherwise made inaccessible to the Committee.

2. In the event that any entity, organization, or individual denoted in this request has been, or is currently, known by any other name than that herein denoted, the request should be read also to include them under that alternative identification.

3. Each document produced should be produced in a form that renders the document capable of being copied.

4. When you produce documents, you should identify to which paragraph in the Committee's request the documents respond.

5. Documents produced in response to this request should be produced together with copies of file labels, dividers or identifying markers with which they were associated when this request was issued. To the extent that documents were not stored with file labels, dividers, or identifying markers, they should be organized into separate folders by subject matter prior to production.

6. Each folder and box should be numbered, and a description of the contents of each folder and box, including the request number to which the documents are responsive, should be provided in an accompanying index.

7. It is not a proper basis to refuse to produce a document that any other person or entity also possesses a non-identical or identical copy of the same document.

8. If any of the requested information is stored in machine-readable or electronic form (such as on a computer server, hard drive, CD, DVD, memory stick, or computer backup tape), you should consult with Committee staff to determine the appropriate format in which to produce the information.

9. If compliance with the request cannot be made in full, compliance should be made to the extent possible and should include an explanation of why full compliance is not possible.

10. In the event that a responsive document is withheld on any basis, you should provide the following information concerning the document: (a) the reason the document is not being produced; (b) the type of document; (c) the general subject matter; (d) the date, author, and addressee; and (e) the relationship of the author and addressee to each other.

11. If any document responsive to this request was, but no longer is, in your possession, custody, or control, you should identify the document (stating its date, author, subject and recipients) and explain the circumstances by which the document ceased to be in your possession, custody, or control.

12. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, you should produce all documents which would be responsive as if the date or other descriptive detail were correct.

13. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date should be produced immediately upon location or discovery subsequent thereto.

14. All documents should be bates-stamped sequentially and produced sequentially.

15. Two sets of documents should be delivered, one set to the majority staff and one set to the minority staff. When documents are produced to the Committee, one production set should be delivered to the majority staff in Room 2157 of the Rayburn House Office Building and one to the minority staff in Room B350A in the Rayburn House Office Building.

Definitions

1. The term "document" means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records notes, letters, notices,

confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, interoffice and intra-office communications, electronic mail (e-mail), contracts, cables, notations of any type of conversation, telephone calls, meetings or other communications, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, voice mails, microfiche, microfilm, videotape, recordings and motion pictures), and electronic and mechanical records or representations of any kind (including, without limitation, tapes, cassettes, disks, computer server files, computer hard drive files, CDs, DVDs, memory sticks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.

2. The term "communication" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether face-to-face, in a meeting, by telephone, mail, telexes, discussions, releases, personal delivery, or otherwise.

3. The terms "and" and "or" shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request? any information which might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neuter genders.

4. The terms "person" or "persons" means natural persons, firms, partnerships, associations, corporations, subsidiaries, divisions, departments, joint ventures, proprietorships, syndicates, or other legal, business or government entities, and all subsidiaries, affiliates, divisions, departments, branches, and other units thereof.

5. The terms "referring or relating," with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with or is in any manner whatsoever pertinent to that subject.