Hearing of the
Committee on Oversight and Government Reform
United States House of Representatives

Statement of Philip A. Cooney

Rayburn House Office Building
March 19, 2007

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Mr. Chairman, Ranking Member Davis and Members of the Committee:

Thank you for inviting me to appear before you today. I welcome the opportunity to respond to your questions concerning the conduct of my duties in my prior job as Chief of Staff of the White House Council on Environmental Quality ("CEQ"). I recognize the important work of this committee to ensure that our government is operating efficiently and properly in performing its valuable work on behalf the American people. I want to assure you of my cooperation toward your achieving that end.

I have read many of the same media reports you have concerning my work at the Council. I hope to shed light today on the established interagency processes surrounding the development of various Executive Branch reports on important budgetary and research challenges facing our society -- including those concerning global climate change. I will try to respond fully to your questions surrounding my participation in those processes and my recollection of the factors that motivated my actions.

Today, more than anything else, I hope to convey to the committee that I held myself to a high standard of integrity in the performance of my duties in the Administration, consistent with my conscience and personal values of honor and public service. In each day that I served over four years, I worked very hard to advance the Administration's stated goals and policies. I believed that those policies were grounded strongly in rationality and rooted in a commitment to serving the best interests of the American people.

The Committee has reviewed tens of thousands of pages of documents in its investigation, many of which have been publicly released pursuant to the Freedom of Information Act petitions that were filed both during and after my service. From that review, it is clear that the volume of material that I handled in my job was enormous. I do not think it would be an exaggeration to say that I received 200 e-mails on many days and that I may have sent 75. On many evenings, I brought home draft testimony and other documents to review. But as you and members of your staffs know well, that is the nature of government service; it comes with long hours and many responsibilities, even as it presents the honor to serve one's fellow citizens and country.

I tried to do the best job that I could during my four years of service in the Administration. To the extent that I am able, I hope to provide you with more complete information to aid your understanding of specific communications or projects.

I would like to highlight four points:

1. My reviews of federal budgetary and research planning documents on climate change were guided by the President's stated strategy and research priorities, as set forth in his June 11, 2001 speech on the subject and Chapter 3 of the Policy Book that accompanied it. (Enclosed; also at http://www.whitehouse.gov/news/releases/2001/06/climatechange.pdf.) I joined the White House staff two weeks later. The President's policy itself was guided by a National Academy of Sciences ("NAS") report that his cabinet-level committee on climate change had specifically requested at that time, which was completed and presented in early June 2001, entitled "Climate Change Science: An Analysis of Some Key Questions." That report concluded, among other things, in the Summary at page 5 -- and I would like to emphasize this point:

"Making progress in reducing the large uncertainties in projections of future climate will require addressing a number of fundamental scientific questions relating to the buildup of greenhouse gases in the atmosphere and the behavior of the climate system."

The NAS Report itemized those uncertainties and questions which later guided the Administration's prioritization of federally-sponsored research to improve our scientific understanding and better inform policymakers. Let me make clear as this committee addresses my reviews of climate change policy documents that a number of my specific interagency review comments were verbatim quotes from the NAS study above -- a fact some critics do not recognize.

2. The documents that I reviewed as part of a well-established interagency review process were not a platform for the presentation of original scientific research. Mr. Piltz, who appeared before your committee in January, described his role as that of an "editor" of summaries received from agencies as they related to various budget and planning reports, and clarified that he himself is not a scientist. The White House Office of Management and Budget ("OMB") then subjected Mr. Piltz' drafts to formal, interagency review and comment by many others, including the multiple federal agencies themselves, and relevant White House offices, including mine. OMB's review was then subjected to a final review and approval by Dr. Mahoney, who served as the Assistant Secretary of Commerce for Oceans and Atmosphere, and the Director of the Climate Change Science Program.

Dr. Mahoney testified before Congress about this process in July 2005 and confirmed that he had the final word on the final content of these documents. Attached are Dr. Mahoney's written responses to Senate questions describing that process and stating **"...the edits by CEQ did not misstate any scientific fact."** Moreover, many comments, including mine, were not incorporated in final reports, as Mr. Piltz stated in January and in an interview he gave in June 2005.

As to the specific documents referred to by Mr. Piltz, the National Academy of Sciences welcomed the Administration's Ten-year Strategic Climate Change Research Plan:

> The Strategic Plan for the U.S. Climate Change Science Program articulates a guiding vision, is appropriately ambitious, and is broad in scope. It encompasses activities related to areas of longstanding importance, together with new or enhanced cross-disciplinary efforts. It appropriately plans for close integration with the complementary Climate Change Technology Program. The CCSP has responded constructively to the National Academies review and other community input in revising the strategic plan. In fact, the approaches taken by the CCSP to receive and respond to comments from a large and broad group of scientists and stakeholders, including a two-stage independent review of the plan set a high standard for government research programs. As a result, the revised strategic plan is much improved over its November 2002 draft, and now includes the elements of a strategic management framework that could permit it to effectively guide research on climate and associated global changes over the next decade. Advancing science on all fronts identified by the program will be of vital importance to the nation.

The Administration's annual budget reports on federally-sponsored climate research were similarly not controversial -- they were routinely transmitted to and accepted by Congress. The Council's role in these reviews, and that of other White House offices, was routine and well-established. The annual budget report, *Our Changing Planet,* was reviewed by my predecessors in the Clinton Administration, as the inside covers of the reports in the late-1990s show. That is because these were federal research policy and budget reports of the Executive Branch that were prepared pursuant to section 107 of the Global Change Research Act of 1990, and not scientific research per se. In fact, section 107 calls for these reports to include "a summary of the achievements of the [United States Global Change Research] Program during the period covered by the report and of priorities for future global change research" and "expenditures required by each agency or department for carrying out its portion of the Program...." The transmittal letters to Congress for both the Strategic Plan and the annual budget reports were thus signed by the Secretaries of Energy and Commerce, and the Director of the White House Office of Science and Technology Policy, reflecting their inherent policy nature.

Importantly, section 102(b)(13) of the Global Change Research Act specifically names the Council on Environmental Quality to the "Committee on Earth and Environmental Sciences", charged with "increasing the overall effectiveness and productivity of Federal global change research efforts." It further calls for representation by "high ranking officials of their agency or department...."

To summarize, I had the authority and responsibility to review the documents in question, under an established interagency review process, and did so using my best judgment, based on the Administration's stated research priorities, as informed by the National Academy of Sciences. Of course, I understand that my

judgment and the Administration's stated goals are properly open to review. I want to make equally clear, however, that I participated in the established review processes with integrity, seeking merely to align Executive Branch reports with Administration policies.

As an aside, I would say that I am disappointed and puzzled that in our many meetings, Mr. Piltz never indicated to me -- or anyone else at the Council -- any concerns or reservations about my role or positions.

3. My work at the White House Council on Environmental Quality was solely to promote the public policies of President Bush and his Administration. In addition, the breadth of my managerial responsibilities as the agency's chief of staff, and many other aspects of my job, simply did not involve any connection to the interests of my former employer, the American Petroleum Institute. A prime example would be my discovery and resolution of credit card fraud in my first months at the Council.

My background in industry, however, did prepare me to press 12 major industries and the membership of the Business Roundtable to pledge publicly to reduce greenhouse gas emissions through 2012 under the President's Climate VISION initiative, which was launched in February 2003. This was a substantially more constructive level of engagement between major American industries and the federal government than the standoff that preceded it, resulting largely from the Kyoto Protocol.

I also led the interagency development of the President's July 2004 "Methane to Markets Partnership," under which the United States and 13 other countries, including China, Russia, Mexico, Brazil and India, have committed to joint efforts to reduce methane emissions in underground coal, petroleum and landfill waste operations. This represented an important first agreement -- between the United States and major developing and developed countries -- to cooperate to reduce this greenhouse gas, while also improving energy security and worker safety. The stated goal of the Partnership is to reduce 50 million tons of carbon-equivalent emissions annually by 2015 -- equal to eliminating emissions from 50 500-megawatt coal-fired power plants OR 33 million cars.

4. Within the month after my departure in June 2005, all three branches of our government considered climate change science -- and acknowledged remaining uncertainties in our understanding. There has been -- on an ongoing basis -- active consideration both of scientific certainties and uncertainties in decisionmaking on climate change at the highest levels of the federal government, including and particularly around the time that I left my former position. On June 22, 2005, the full Senate considered and defeated legislation for a mandatory, national cap and trade system for greenhouse gases.

A review of the Senate's deliberations shows that the state of scientific knowledge was actively debated. On July 15, 2005, the U. S. Court of Appeals for the D.C. Circuit upheld EPA's decision *not* to regulate carbon dioxide under the Clean Air Act, relying in part on the same uncertainties noted in National Academy of Sciences report that the Administration had requested in June 2001. And finally, the leaders at the G-8 Summit in Gleneagles, Scotland on July 8, 2005 issued a communique in which they agreed, in part: "While uncertainties remain in our understanding of climate science, we know enough to act now to put ourselves on a path to slow and, as the science justifies, stop and then reverse the growth of greenhouse gases."

My point is that the comments and recommendations that I offered in reviewing Executive Branch policy documents on climate change were consistent with the views and exploration of scientific knowledge that many others in all three branches of our government were undertaking. My most important point is that I offered my comments in good faith reliance on what I understood to be the most authoritative and current views of the state of scientific knowledge.

Thank you again for the opportunity to appear before the committee. I look forward to your questions and to helping the committee complete its important work.

(3/16/07)