

2CEQ 14

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Myron Ebell <mebell@cei.org>  
06/03/2002 05:08:05 PM

Record Type: Record

To: Phil Cooney/CEQ/EOP@EOP

cc:

Subject: Phil, thanks for calling and

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Dear Phil,

Thanks for calling and asking for our help. I know you're in crisis mode, but from our end it is a most welcome change from the Administration's SOP, which is to tell conservatives to stop bothering them and to shut up. So it's nice to know we're needed once in a while. I want to help you cool things down, but after consulting with the team, I think that what we can do is limited until there is an official statement from the Administration repudiating the report to the UNFCCC and disavowing large parts of it.

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The references to the National Assessment in the report are most hurtful to us because we dropped our lawsuit last September 6th after receiving a written assurance that the National Assessment did not represent "policy positions or official statements of the U. S. government." The previous communication from the U. S. government to the UNFCCC was a detailed criticism of the IPCC's Third Assessment Report that reflected that agreement and also implied a disavowal of the National Assessment. So the new transmittal to the UNCCC looks to us much like it looks to the New York Times.

So I'm willing and ready to help, but it won't be possible to do much without some sort of backtracking from the Administration. Unless that occurs, then you have handed an awful lot of ammunition to Jim Jeffords, and the only way we will be able to fight him and all his allies in the Congress is to get much more strident and noisy. Even if the Administration does move quickly to get back on the right side of the issue, it may be too late to save our side in the Senate from being squashed. If it were only this one little disaster we could all lock arms and weather the assault, but this Administration has managed, whether through incompetence or intention, to create one disaster after another and then to expect its allies to clean up the mess. I don't know whether we have the resources to clean up this one.

Best,  
Myron.



Chris Horner <chorner@cei.org>  
06/12/2002 05:24:56 PM

Record Type: Record

To: Phil Cooney/CEQ/EOP@EOP

cc:

Subject: Well, I've heard it enough times to let you know...

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it is my position that you leaving CEQ would solve absolutely nothing. So, rather than saying you must go, it's been my position that -- execution aside, with which naturally I have differences -- you were following orders. Now, those orders are the problem. But it's hard for me to make myself fit the picture I'm painted by those many mutual friends we share, that I believe and espouse that you are the problem. Regards, and keep a close eye on that USGCRP "Research Plan" with all of those technologically implausible scary, city-by-city predictions, cch

Christopher C. Horner  
Senior Fellow, Competitive Enterprise Institute  
Counsel, Cooler Heads Coalition  
1001 Connecticut Avenue, NW  
Suite 1250  
Washington, DC 20036  
202.331.1010 phone  
202.331.0640 fax  
202.262.4458 cell



Myron Ebell <mebell@cei.org>

09/24/2002 08:14:47 AM

Record Type: Record

To: Phil Cooney/CEQ/EOP@EOP, Kameran L. Bailey/CEQ/EOP@EOP

cc:

Subject: Phil and Kameran, Could you help me with the Lindzen invite?

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Phil and Kameran, Could you help me spread the word on this? I would like to have a lot of administration people hear what Dick has to say, which is that climate scientists agree on most of the big issues, but that self-interested parties in the scientific, administrative, and political arenas mis-state and mis-use that agreement to further their agenda. If you could send this invite around, I would appreciate it. Dick could also meet privately with any of you later Monday afternoon if you wish. Thanks, Myron

[Please note that reservations are required. You may sign up to attend by e-mail to [mmclaughlin@cei.org](mailto:mmclaughlin@cei.org) or by phoning Megan McLaughlin at (202) 331-1010, ext. 227. Please list your name, affiliation, e-mail address, and phone number.]

<<Cooler heads briefing by Lindzen, 9-02.doc>>

The Cooler Heads Coalition

Invites you to  
a Congressional and Media Briefing

On the Meaning of Global Warming Claims

with

Dr. Richard S. Lindzen

Monday, September 30  
Noon-1:30 PM  
345, Cannon House Office Building  
Lunch Provided

Reservations are required.  
Please RSVP by calling (202) 331-1010, x227.  
Or by e-mail: [mmclaughlin@cei.org](mailto:mmclaughlin@cei.org) <<mailto:mmclaughlin@cei.org>>.  
For more information, please call Myron Ebell at (202) 331-1010, x216.

Biography of Richard S. Lindzen

Richard S. Lindzen has been the Alfred P. Sloan Professor of Meteorology at the Massachusetts Institute of Technology since 1983. He is the author of over 200 books and papers in the scientific literature. He was a lead author on chapter 7 (on physical processes) of the Intergovernmental Panel on Climate Change's Third Assessment Report (2001). One of the world's foremost atmospheric scientists, Dr. Lindzen was elected in 1977 to both the National Academy of Sciences and the American Academy of Arts and Sciences. He has received the Macelwane Medal of the American Geophysical Union and the

Meisinger and Charney Awards as well as the Haurwitz Lectureship of the American Meteorological Society. He previously worked at the National Center for Atmospheric Research and taught at the University of Chicago and at Harvard University, where he held the Burden Chair in dynamic meteorology. His A.B., S.M., and Ph.D. degrees are from Harvard University.

"On the Meaning of Global Warming Claims"

Despite the claim that global warming is scientifically contentious issue, there really is relatively little disagreement among scientists on a number of basic aspects of the issue. The real problem in public communication is that simple facts about climate are often presented, and/or perceived, as having ominous implications - even when they don't. Although there is certainly room for skepticism, scientists who note the profound disconnect between the scientific meaning of common statements and the public interpretation, are not being skeptical. They are nonetheless designated as skeptics in order to marginalize their views.

Over 40 years ago, C.P. Snow popularized the notion of 'Two Cultures' - essentially science and non-science - whose ability to communicate with each other was minimal. Snow, as a scientist, novelist and government advisor, argued the importance of bridging the two cultures. He naively failed to realize that it would be easier to exploit the problem than to solve it. Led by environmental advocacy groups and politicians, scientists have become pretty adept at such exploitation. The issue of global climate change provides a good, but by no means unique, example. -Richard S. Lindzen



- Cooler heads briefing by Lindzen, 9-02.doc



Chris Horner <chorner@cei.org>  
05/22/2003 03:08:38 PM

Record Type: Record

To: Phil Cooney/CEQ/EOP@EOP, cooney\_p@ceq.eop.gov

cc:

Subject: CEI's Requests for Reconsideration of Climate Report Denials under Data Quality Act -- OSTP, EPA

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Please see the attached. I apologize for the volume (appx 33 pgs.), but these two documents are required to illustrate the ruses that OSTP and EPA have undertaken to shield the National Assessment on Climate Change and Climate Action Report, respectively, from the Data Quality Act's requirements.

Our reasoning, in short though exhaustively documented in our Requests and Appeals, is that NACC relies on climate projections based upon computer models that have been demonstrated to perform more poorly than a table of random numbers. This is not in dispute, as when presented with this assertion the National Oceanic and Atmospheric Administration (NOAA) confirmed it through its own tests. CAR relies upon NACC for its Chapter 6.

Both documents, therefore, fail the FDQA test of ???utility???, for reasons CEI amply documented. Arguably, as OSTP???s NACC production team was aware of this reality prior to producing the report, their intentional selection of two outlying models with such unacceptable performance satisfies the lack of ???objectivity??? threshold. Both Appeals are pending at the respective agencies.

OSTP denied CEI???s Request on the grounds that NACC is not ???information??? subject to FACA because OSTP did not in fact produce NACC, but it is the product of a FACA committee. While for the instant purposes the truthfulness of that claim is not an issue, please note that a substantial record of OSTP and subservient offices acknowledge that this is not accurate for, numerous reasons, again well documented by CEI in its Request and Appeal. For now please merely note that the statute authorizing NACC asserts that two agencies subservient to OSTP for purposes of the NACC ???shall prepare and submit to the President and the Congress an assessment which?????? 15 U.S.C. 2936. That is, by statute, OSTP produces any report purporting to be the National Assessment. If permitted to stand, OSTP???s argument establishes that FDQA permits a covered agency to merely convene a FACA committee to produce work in order to exempt its product from otherwise applicable data quality requirements.

EPA denied CEI???s Request on the grounds that CAR is not ???disseminated??? by EPA and thereby subject to FACA because EPA did not in fact produce CAR, but it is the product of the State Department : EPA claims that it merely does State a favor by publishing CAR because EPA has superior web capabilities. While for these purposes the truthfulness of that claim is not an issue, please note that a substantial record exists demonstrating that this is not accurate, for numerous reasons amply documented in CEI???s Request and Appeal. For now please note that EPA is the sole governmental office publishing or otherwise disseminating CAR, on its website not under a ???Library??? link but ???Publications,??? and EPA manifested its production of CAR in two Federal Register notices (see, e.g., Federal Register, Vol. 66 No. 221, Thursday November 15, 2001) presumably because of EPA???s advanced FR publishing capacity. Regardless, if permitted to stand, EPA???s argument establishes that FDQA permits a covered agency to merely request another agency publish, post or otherwise disseminate its product in order to exempt otherwise applicable data quality requirements.

Certainly you see the commonality of these attempts, both clearly not supported by facts but both also representing agencies seeking to claim ???it???s the other guy???s fault???so the document should be

exempt??? in order to avoid accountability under an otherwise applicable law. It is difficult to accept that Congress, and OMB, contemplated the permissibility of such simple ruses to escape FACA???'s coverage.



- FDQA OSTP Information Correction Appeal.doc



- FDQA EPA Appeal.doc



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