

Evidence suggests that CCSP/NOAA congressional products are not the only reports that raise concerns. The 2002 *Climate Action Report* (CAR), which incorporated some of the USGCRP's work, suffered a similar fate as the USNA. Pursuant to the reporting requirements for signatories of the U.N. Framework Convention on Climate Change (UNFCCC), the strongly-worded report was prepared by the EPA, received approval by all the relevant agencies, and submitted to the UNFCCC Secretariat by the State Department. Although it emphasized adaptation to, and not mitigation of, climate change, Andrew Revkin of *The New York Times* wrote that it stood in "sharp contrast to prior statements on climate change by the administration."²⁵⁰ On June 3, 2002, in an email obtained by FOIA, CEI's Ebell offered to help CEQ's Cooney manage the "crisis" and help "cool things down."²⁵¹ Indeed, after the CAR was shipped to the UN with no accompanying press release or announcement, President Bush downplayed the report as having been "put out by the bureaucracy" and it was rarely ever mentioned again.²⁵² All this despite an op-ed by CEQ chair James Connaughton rebuffing Revkin's assertion that there has been a change in rhetoric.²⁵³

²⁵⁰ Andrew Revkin, "U.S. Sees Problems in Climate Change," *The New York Times* (June 3, 2002). Noting that the "primary impact on the NWS PAOs and scientists is the suggestion in the report that Global Warming is going to have an impact on the U.S. weather, including more heat waves and coastal storms," NWS public affairs chief Carrey Curtis forwarded the article in an email asking staff to "refer all media inquiries about the report or global warming in general to NOAA HQ" Email From: Frank Lepore; To: Jana Goldman; Date: June 6, 2002; Subject: Japanese TV inquiry regarding global warming *GAP August 9, 2006, part 3 NOAA FOIA response pg. 97-101*.

²⁵¹ Once again suggesting a collaborative relationship, the email goes on to urge Cooney to disavow the Climate Action and National Assessment reports, adding "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." Several similar emails on file with the author illuminate Cooney's, as well as Connaughton's, relationship with CEI. See, e.g., http://www.whitehouse.gov/ceq/foia/index3/ceq_4.pdf (last visited on March 23, 2007). However, CEI was not unique in this regard. In another FOIA document dated June 12, William O'Keefe, President of the George C. Marshall Institute – an ExxonMobil-supported think tank that works to debunk mainstream climate science – faxed Cooney a copy of a letter written to White House Chief of Staff Andrew Card that reads: "I am writing about the recently released national assessment, which seems completely inconsistent with the President's policy and expressed views on the subject" and goes on to suggest that the administration have a senior person on the White House staff to coordinate communications on climate change and make sure everyone was "on the same page, with the same message." http://www.whitehouse.gov/ceq/foia/index1/gp_who_4.pdf (last visited on March 23, 2007). It was shortly thereafter that Cooney took on a more active role in CCSP governance and editing of reports. Rick Piltz, Declaration in Support of Memorandum of Amici Curiae John Kerry and Jay Inslee (February 8, 2007). See also CEI's "Final Joint Letter to President Bush on Climate Action Report 2002" (June 7, 2002) available at http://www.whitehouse.gov/ceq/foia/index3/arms_202.pdf (last visited on March 23, 2007).

²⁵² Rick Piltz, memorandum on "On Issues of Concern About the Governance and Direction of the Climate Change Science Program" (June 1, 2005); "Slow Approach to Climate Change" *Associated Press* (July 11, 2002). In fact, the final May 28, 2002, document submitted to the UNFCCC was modified to repeat "two text boxes describing the uncertainty in climate change regional projections and impacts." Talking Points on the U.S. *Climate Action Report* (September 3, 2002) available at http://www.whitehouse.gov/ceq/foia/index1/gp_arms_406_att_1.pdf (last visited on March 23, 2007).

²⁵³ James Connaughton, "Letter to the Editor," *The New York Times* (June 10, 2002), See also Final Press Guidance (June 6, 2002) cleared by the State Department, CEQ, EPA, NOAA, USDA, and DOE available at http://www.whitehouse.gov/ceq/foia/index1/gp_arms_189_att_1.pdf (last visited on March 23, 2007). Prior to joining the White House, Connaughton worked in the environmental practice group of Sidley Austin Brown & Wood, which represents a variety of industry groups in environmental criminal defense, regulatory practice, and environmental torts and litigations.