

Congress of the United States House of Representatives

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

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November 18, 2015

The Honorable Penny Pritzker
Secretary
U.S. Department of Commerce
1401 Constitution Avenue NW
Washington, D.C. 20230

Dear Secretary Pritzker:

I wrote to you on November 13, 2015, regarding the National Oceanic and Atmospheric Administration's (NOAA) refusal to provide the Committee with any internal communications regarding its process and procedures for conclusions found in the Karl study, including any information about the role of political appointees in the scientific process.¹ More recently, information provided to the Committee by whistleblowers appears to show that the Karl study was rushed to publication despite the concerns and objections of a number of NOAA scientists, ignoring established and standard NOAA scientific processes and potentially violating NOAA's scientific integrity policies.

According to information provided to the Committee, Dr. Karl rushed to publish the study before all appropriate reviews of the underlying science and new methodologies used in the foundational climate datasets were conducted. NOAA employees raised concerns about the timing and integrity of the process but were ignored. Despite Dr. Karl's apparent awareness of these concerns, the study was moved to publication without the underlying data having been subjected to the appropriate reviews. More troubling, it appears that NOAA employees raised concerns about the timing and readiness of the study's release through e-mails, including several communications just before its publication in April, May, and June of 2015. These allegations raise serious questions about the Karl study and NOAA's public statements about its conclusions. It also raises concerns about NOAA's refusal to provide the Committee with any e-mails related to the Karl study, including e-mails that the Committee has reason to believe exist from NOAA employees questioning the readiness of the study for its June publication.

Because the Karl study was apparently prematurely rushed to publication, the timing of its release raises concerns that it was expedited to fit the Administration's aggressive climate agenda. The study was released just two months before the Administration finalized its Clean

¹ See Letter from Hon. Lamar Smith, Chairman, H. Comm. on Science, Space, & Tech., to Hon. Penny Pritzker, Secretary, Dept. of Commerce (Nov. 13, 2015).

Power Plan—the most expansive carbon regulation in history costing upwards of \$292 billion.² According to the White House, the Clean Power Plan will “Continue American leadership on climate change.”³ Furthermore, the study was released five months before the United Nations Climate Change Conference in Paris, France that President Obama is personally attending to “meet with world leaders about a global agreement” regarding climate change.⁴

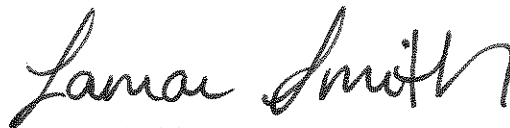
Allegations regarding the rush to publish the Karl study raise serious concerns about the study’s scientific integrity. In order for the Committee’s investigation to proceed, please provide all responsive materials to the Committee’s subpoena. If you do not produce the requested material by Friday, November 20, 2015, I will be forced to consider the use of compulsory process. Additionally, the information brought to the Committee’s attention by whistleblowers is central to the transcribed interviews previously requested with NOAA officials—a step taken due to NOAA’s noncompliance with the Committee’s subpoena. As such, I have determined that these interviews should be postponed until additional documents and communications are received and can be fully considered.

The Committee on Science, Space, and Technology is the principal oversight committee of the National Oceanic and Atmospheric Administration as set forth in House Rule X.

When producing documents to the Committee, please deliver production sets to the Majority Staff in Room 2321 of the Rayburn House Office Building and the Minority Staff in Room 394 of the Ford House Office Building. The Committee prefers, if possible, to receive all documents in electronic format.

If you have any questions about this request, please contact Committee staff at 202-225-6371. Thank you for your attention to this matter.

Sincerely,



Lamar Smith
Chairman

cc: The Honorable Eddie Bernice Johnson, Ranking Minority Member

² See Rob Nikolewski, *Study Claims EPA’s Clean Power Plan May Hike Electricity Prices in 47 States*, FOX NEWS, Nov. 11, 2015, available at <http://www.foxnews.com/politics/2015/11/11/study-claims-epas-clean-power-act-may-hike-electricity-prices-in-47-states/>.

³ The White House, Press Release, *Fact Sheet: President Obama to Announce Historic Carbon Pollution Standards for Power Plants*, Aug. 3, 2015, available at <https://www.whitehouse.gov/the-press-office/2015/08/03/fact-sheet-president-obama-announce-historic-carbon-pollution-standards>.

⁴ See *Obama Gets a Facebook Page, Talks About the Environment*, NBC NEWS, Nov. 9, 2015, available at <http://www.nbcnews.com/tech/tech-news/obama-gets-facebook-page-talks-about-environment-n460046>