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August 11, 2003

The Honorable John Ashcroft
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Re: Lawsuit by CEI

Dear Attorney General Ashcroft:

The Competitive Enterprise Institute (CEI) filed a lawsuit this week against the White House Office of Science and Technology Policy seeking to invalidate a report on global warming that was published in 2000, as well as any other document incorporating that report. The report, the peer-reviewed National Assessment of the Potential Consequences of Climate Variability and Change ("National Assessment"), documents the grave dangers posed by global warming. For the reasons set forth below, we have concern about the relationship between CEI and White House officials working at the Council on Environmental Quality (CEQ). We are writing today to ask you to look into whether CEQ solicited CEI's filing of the new lawsuit.

At the end of May of last year, the United States sent to the United Nations a formal report on global warming pursuant to its obligations under the 1992 Rio Treaty (a/k/a UNFCCC). *See* Climate Action Report of 2002. That report references the National Assessment and documents similar likely impacts. The release of the Climate Action Report created a significant public controversy because of the disparity between the report's official conclusions about the great risks posed by global warming and efforts by President Bush to minimize the problem. In the midst of this controversy, Phil Cooney, the Chief of Staff at CEQ contacted Myron Ebell, Director of Global Warming and International Environmental Policy at CEI, to request CEI's assistance in dealing with this "crisis." *See* June 3, 2003 e-mail from Myron Ebell to Phil Cooney documenting CEQ's request (copy enclosed). Mr. Ebell's response to this request reveals great intimacy between CEI and CEQ in their strategizing about ways to minimize the problem of global warming. It also suggests that CEQ may have been directly involved in efforts to undermine the United States' official reports, as well as the authority of the EPA Administrator.

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We are concerned that the new litigation is an improper product of that close relationship, and we therefore ask that you investigate this.

Feel free to call us with any questions or concern.

Very truly yours,

Richard Blumenthal
Connecticut Attorney General

G. Steven Rowe
Maine Attorney General

cc: Connecticut Congressional Delegation
Maine Congressional Delegation