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UNITED STATES SENATE
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To: James R. Mahoney

From: Senator James M. Inhofe

Fax: 202 482 6318

Date: 12/19/2005

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Notes:

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United States Senate
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS
WASHINGTON, DC 20510-6175

December 19, 2005

James R. Mahoney, Ph.D.
Asst. Secretary of Commerce for Oceans and Atmosphere
& Deputy Administrator for the National Oceanic and Atmospheric Administration
14th St. & Constitution Ave., NW - Room 5804
Washington, D.C. 20230

Dear Administrator Mahoney:

As you are aware from our previous correspondence, as part of my oversight responsibilities as Chairman of the Senate Committee on Environment and Public Works I am examining the goals, priorities, research activities, management structure, legal authority, authorization for, and internal controls within the Climate Change Science Program (CCSP). Your continued assistance in this review is requested and appreciated. Accordingly, I respectfully request that you provide me with the following information.

1. Please provide the details, including public disclosure, of the process to be followed by CCSP for:
 - a) The selection of peer reviewers, including those with past and present government funding.
 - b) The process for public access to comments filed by peer reviewers and the resolution of issues raised in the comments.
 - c) The qualification of journals in terms of compliance with the Data Quality Act (DQA) peer review guidelines to determine the appropriateness of their use for CCSP.
 - d) The process for assuring public access to original data (including an archive), programs for processing data, models, and model documentation.
 - e) The guidelines regarding information dissemination, including posting on Web sites, including but not limited to the question of whether documents purporting to be issued pursuant to the U.S. Global Change Research Act (USGCRA) of 1990 are subject to Commerce, OSTP, and/or other IQA guidelines.
 - f) Please provide any communications (e-mails, telephone logs, written correspondence, faxes) including contracts, to contractors, participants, and consultants related to the above requirements.

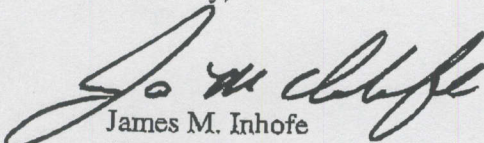
2. On June 27, 2005, you announced that the CCSP and the National Research Council (NRC) entered into an agreement to establish a NRC committee to provide independent advice. Your press release states that "[U]nder the agreement, NRC will provide overall program advice to CCSP, carry out a comparative study of relevant previous global change assessments conducted around the world, and provide broad expertise in areas central to CCSP's core responsibilities." Please provide me with a written copy of this agreement between the CCSP and the NRC.
3. In your response to my October 17, 2005 question regarding a list of the names of those sitting on the NRC's selection committee who are responsible for choosing the members to serve on this new "advisory" committee, you referred me to the NRC for an answer. Yet, you state that CCSP has budgeted \$345,000 for this committee for its operation in FY 2006, funding for which CCSP is specifically accountable. Given this, CCSP is also the ultimate accountable body; therefore, please provide me the requested information as a responsibility concomitant with the right.
4. The U.S. Global Change Research Program (USGCRP), which was mandated by Congress in the Global Change Research Act of 1990 (S.169, P/L. 101-606) appears to have been subsumed under the Climate Change Science Program (CCSP). Please provide me with copies of any and all documents, charters, memoranda, electronic mail, faxes, correspondence, or other records relating to the creation of, or otherwise referencing CCSP and CCSP's purpose, powers, functions, and responsibilities. Also, please provide any and all documents, charters, memoranda, electronic mail, faxes, correspondence, or other records that purport to share and/or transfer authority and/or powers from the US Global Change Research Program to the CCSP.
5. The CCSP is comprised of thirteen departments and agencies of the U.S. Government with the Assistant Secretary of Commerce for Oceans and Atmosphere serving as its director. Please provide me with any and all administrative orders, rules, regulations and/or guidance documents that govern CCSP's management functions including, but not limited to research procedures, personnel, record retention, FOIA requests, and general "housekeeping" matters.
6. In response to my previous request for the names of CCSP staff, including contract employees or staff, you provided me with the names of fifteen employees. I noticed, however, that the names of staff for the CCSP office listed in the Abstract Book provided at the U.S. Climate Change Science Program workshop held November 14-16, 2005, included the following three names that were not provided to me: 1) Sandy MacCracken, 2) Jennifer Sprague, and 3) Carla Wallace. Please explain this discrepancy. Further, if any of these three people works for, provides services to, or serves in any capacity at all for CCSP,

please provide me with the information I previously requested on all CCSP employees.

7. The U.S. Global Change Research Act of 1990, 15 U.S.C. 2921 *et seq.* requires, among other things, that an "assessment" addressing specific, prescribed areas be prepared and submitted to the President and Congress no later than every 4 years. The first scientific assessment was purported to have been completed in November 2000 although the National Assessment Synthesis Team, an advisory committee chartered under the Federal Advisory Committee Act to help the USGCRP to fulfill its mandate under the Act, acknowledged it had not been, stating in the Overview, "this first Assessment could not (sic) attempt to be comprehensive" as the statute requires. Under the Act, the next assessment was required 4 years later by November 2004. CCSP did not submit a scientific assessment by November 2004, as required under the law. Instead, in July 2003, the Administration transmitted its Climate Change Strategic Plan to Congress that calls for issuing 21 shorter reports between 2005 and 2007.
- a) Given that section 106 of the Act mandates "an assessment" addressing specific, prescribed areas no less often than every 4 years and that Congress has neither amended nor repealed the Act or this section, how do these reports satisfy and also not conflict with the statutory mandate?
 - b) What is the rationale and authority for substituting the report required under the Act with a series of shorter reports?
 - c) Please provide me with a copy of the original schedule of the due dates for these reports. If you expect to miss these due dates, please provide me a copy of the revised schedule.

Thank you for your prompt consideration of this request. I look forward to receiving your response by Friday, January 6, 2006. Should you have any questions regarding this request, please contact Charli Coon on my Committee staff at (202) 224-3119.

Sincerely,



James M. Inhofe
Chairman