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BETTINA POIRIER, STAFF DIRECTOR
RUTH VAN MARK, MINORITY STAFF DIRECTOR

United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WASHINGTON, DC 20510-6175

October 7, 2009

The Honorable Lisa Jackson
Administrator
United States Environmental Protection Agency
1200 Pennsylvania Ave, NW
Washington, DC 20460

Dear Administrator Jackson:

As with many others, we are concerned about the role of Presidential “czars” and their influence over regulatory policy-making at federal agencies. We do not question a President’s right to appoint his own advisors, or that such advisors can influence policy at federal agencies. It is our view, however, that such heavy reliance on policy czars, and the fact that such czars appear to have decision-making authority commensurate with Senate-confirmed, Cabinet level officials, raises questions about the Administration’s commitment to transparency and openness.

For this reason, we are requesting specific information about White House Coordinator of Energy and Climate Policy Carol Browner, and how her office has exercised authority over the Environmental Protection Agency (“EPA”). Through press reports, we have learned that, as someone not subject to Senate confirmation, Mrs. Browner is developing and directing significant actions and policies advanced by federal agencies. For example, we learned earlier this year that Mrs. Browner “quietly orchestrated private discussions from the White House with auto industry officials” on an Administration proposal to regulate greenhouse gases from mobile sources.

We are concerned that such orchestration is occurring on other issues. In this particular instance, we are focusing on Mrs. Browner’s direction over EPA. In order to provide the public with a clearer picture of Mrs. Browner’s role, and how it impacts decision-making on EPA, we believe it would be helpful if you provided us with the following information:

- With respect to all meetings, discussions and conversations between EPA and Carol Browner or those working in her office, all correspondence and records relating to the regulatory actions and policy discussions regarding (1) the EPA’s *Proposed Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act* (proposed rule), including the Technical Support Document, and (2) *EPA’s Proposed Rulemaking to Establish Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards*, including the Technical Support Document, announced September 15, 2009.

- All “correspondence and records” with Carol Browner (including those transmissions on her behalf) or those working in her office, includes but is not limited to the following: letters and other written communications, electronic communications, phone records, meeting notes, documents prepared to summarize meetings and agendas, meeting dates, including attendees of listed meetings, and transcripts and notes from stakeholder briefings that EPA participated in and/or conducted in which Carol Browner or those working in her office were present.

Due to the time-sensitive nature of this request, please provide a response no later than Monday, October 26th. If you have questions about the request, please contact Tom Hassenboehler at 202-224-6176 or Brian Clifford at 202-224-6441.

Respectfully,



Senator James M. Inhofe
Ranking Member
Senate Committee on Environment
Public Works



Senator David Vitter
Ranking Member
Subcommittee on Clean Air and
Nuclear Safety



Senator John Barrasso
Ranking Member
Subcommittee on Oversight

BARBARA BOXER, CALIFORNIA, CHAIRMAN

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RUTH VAN MARK, MINORITY STAFF DIRECTOR

United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WASHINGTON, DC 20510-6175

October 7, 2009

The Honorable Nancy Sutley
Chair
The Council on Environmental Quality
722 Jackson Place, NW
Washington, DC 20503

Dear Ms. Sutley:

As with many others, we are concerned about the role of Presidential “czars” and their influence over regulatory policy-making at federal agencies. We do not question a President’s right to appoint his own advisors, or that such advisors can influence policy at federal agencies. It is our view, however, that such heavy reliance on policy czars, and the fact that such czars appear to have decision-making authority commensurate with Senate-confirmed, Cabinet level officials, raises questions about the Administration’s commitment to transparency and openness.

For this reason, we are requesting specific information about White House Coordinator of Energy and Climate Policy Carol Browner, and how her office has exercised authority over the Council on Environmental Quality (“CEQ”). Through press reports, we have learned that, as someone not subject to Senate confirmation, Mrs. Browner is developing and directing significant actions and policies advanced by federal agencies. For example, we learned earlier this year that Mrs. Browner “quietly orchestrated private discussions from the White House with auto industry officials” on an Administration proposal to regulate greenhouse gases from mobile sources.

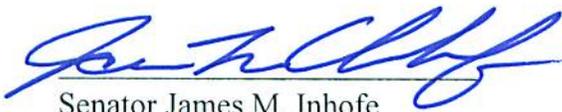
We are concerned that such orchestration is occurring on other issues. In this particular instance, we are focusing on Mrs. Browner’s direction over CEQ. In order to provide the public with a clearer picture of Mrs. Browner’s role, and how it impacts decision-making on CEQ, we believe it would be helpful if you provided us with the following information:

- With respect to all meetings, discussions and conversations between CEQ and Carol Browner or those working in her office, all correspondence and records relating to the regulatory actions and policy discussions regarding (1) the EPA’s *Proposed Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act* (proposed rule), including the Technical Support Document, and (2) EPA’s *Proposed Rulemaking to Establish Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards*, including the Technical Support Document, announced September 15, 2009.

- All “correspondence and records” with Carol Browner (including those transmissions on her behalf) or those working in her office, includes but is not limited to the following: letters and other written communications, electronic communications, phone records, meeting notes, documents prepared to summarize meetings and agendas, meeting dates, including attendees of listed meetings, and transcripts and notes from stakeholder briefings that CEQ participated in and/or conducted in which Carol Browner or those working in her office were present.

Due to the time-sensitive nature of this request, please provide a response no later than Monday, October 26th. If you have questions about the request, please contact Tom Hassenboehler at 202-224-6176 or Brian Clifford at 202-224-6441.

Respectfully,



Senator James M. Inhofe
Ranking Member
Senate Committee on Environment
Public Works



Senator David Vitter
Ranking Member
Subcommittee on Clean Air and
Nuclear Safety



Senator John Barrasso
Ranking Member
Subcommittee on Oversight

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RUTH VAN MARK, MINORITY STAFF DIRECTOR

United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WASHINGTON, DC 20510-6175

October 7, 2009

The Honorable Ray LaHood
Secretary
U.S. Department of Transportation
1200 New Jersey Ave, SE
Washington, DC 20590

Dear Secretary LaHood:

As with many others, we are concerned about the role of Presidential "czars" and their influence over regulatory policy-making at federal agencies. We do not question a President's right to appoint his own advisors, or that such advisors can influence policy at federal agencies. It is our view, however, that such heavy reliance on policy czars, and the fact that such czars appear to have decision-making authority commensurate with Senate-confirmed, Cabinet level officials, raises questions about the Administration's commitment to transparency and openness.

For this reason, we are requesting specific information about White House Coordinator of Energy and Climate Policy Carol Browner, and how her office has exercised authority over the U.S. Department of Transportation ("DOT"). Through press reports, we have learned that, as someone not subject to Senate confirmation, Mrs. Browner is developing and directing significant actions and policies advanced by federal agencies. For example, we learned earlier this year that Mrs. Browner "quietly orchestrated private discussions from the White House with auto industry officials" on an Administration proposal to regulate greenhouse gases from mobile sources.

We are concerned that such orchestration is occurring on other issues. In this particular instance, we are focusing on Mrs. Browner's direction over DOT. In order to provide the public with a clearer picture of Mrs. Browner's role, and how it impacts decision-making on DOT, we believe it would be helpful if you provided us with the following information:

- With respect to all meetings, discussions and conversations between DOT and Carol Browner or those working in her office, all correspondence and records relating to the regulatory actions and policy discussions regarding (1) the EPA's *Proposed Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act* (proposed rule), including the Technical Support Document, and (2) *EPA's Proposed Rulemaking to Establish Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards*, including the Technical Support Document, announced September 15, 2009.

- All “correspondence and records” with Carol Browner (including those transmissions on her behalf) or those working in her office, includes but is not limited to the following: letters and other written communications, electronic communications, phone records, meeting notes, documents prepared to summarize meetings and agendas, meeting dates, including attendees of listed meetings, and transcripts and notes from stakeholder briefings that DOT participated in and/or conducted in which Carol Browner or those working in her office were present.

Due to the time-sensitive nature of this request, please provide a response no later than Monday, October 26th. If you have questions about the request, please contact Tom Hassenboehler at 202-224-6176 or Brian Clifford at 202-224-6441.

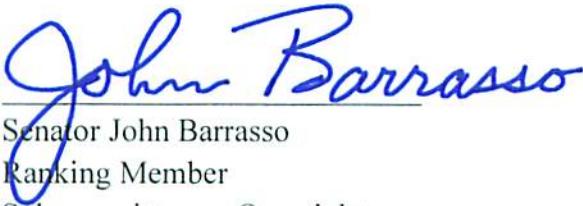
Respectfully,



Senator James M. Inhofe
Ranking Member
Senate Committee on Environment
Public Works



Senator David Vitter
Ranking Member
Subcommittee on Clean Air and
Nuclear Safety



Senator John Barrasso
Ranking Member
Subcommittee on Oversight

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RUTH VAN MARK, MINORITY STAFF DIRECTOR

United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WASHINGTON, DC 20510-6175

October 7, 2009

The Honorable Steven Chu
Secretary
United States Department of Energy
1000 Independence Ave, SW
Washington, DC 20585

Dear Secretary Chu:

As with many others, we are concerned about the role of Presidential "czars" and their influence over regulatory policy-making at federal agencies. We do not question a President's right to appoint his own advisors, or that such advisors can influence policy at federal agencies. It is our view, however, that such heavy reliance on policy czars, and the fact that such czars appear to have decision-making authority commensurate with Senate-confirmed, Cabinet level officials, raises questions about the Administration's commitment to transparency and openness.

For this reason, we are requesting specific information about White House Coordinator of Energy and Climate Policy Carol Browner, and how her office has exercised authority over the United States Department of Energy ("DOE"). Through press reports, we have learned that, as someone not subject to Senate confirmation, Mrs. Browner is developing and directing significant actions and policies advanced by federal agencies. For example, we learned earlier this year that Mrs. Browner "quietly orchestrated private discussions from the White House with auto industry officials" on an Administration proposal to regulate greenhouse gases from mobile sources.

We are concerned that such orchestration is occurring on other issues. In this particular instance, we are focusing on Mrs. Browner's direction over DOE. In order to provide the public with a clearer picture of Mrs. Browner's role, and how it impacts decision-making on DOE, we believe it would be helpful if you provided us with the following information:

- With respect to all meetings, discussions and conversations between DOE and Carol Browner or those working in her office, all correspondence and records relating to the regulatory actions and policy discussions regarding (1) the EPA's *Proposed Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act* (proposed rule), including the Technical Support Document, and (2) *EPA's Proposed Rulemaking to Establish Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards*, including the Technical Support Document, announced September 15, 2009.

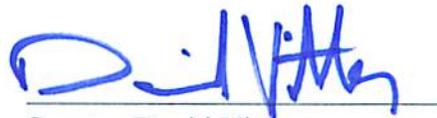
- All “correspondence and records” with Carol Browner (including those transmissions on her behalf) or those working in her office, includes but is not limited to the following: letters and other written communications, electronic communications, phone records, meeting notes, documents prepared to summarize meetings and agendas, meeting dates, including attendees of listed meetings, and transcripts and notes from stakeholder briefings that DOE participated in and/or conducted in which Carol Browner or those working in her office were present.

Due to the time-sensitive nature of this request, please provide a response no later than Monday, October 26th. If you have questions about the request, please contact Tom Hassenboehler at 202-224-6176 or Brian Clifford at 202-224-6441.

Respectfully,



Senator James M. Inhofe
Ranking Member
Senate Committee on Environment
Public Works



Senator David Vitter
Ranking Member
Subcommittee on Clean Air and
Nuclear Safety



Senator John Barrasso
Ranking Member
Subcommittee on Oversight

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RUTH VAN MARK, MINORITY STAFF DIRECTOR

United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WASHINGTON, DC 20510-6175

October 7, 2009

The Honorable Cass Sunstein
Administrator
Office of Information and Regulatory Affairs
1650 Pennsylvania Ave, NW
Washington, DC 20503

Dear Administrator Sunstein:

As with many others, we are concerned about the role of Presidential “czars” and their influence over regulatory policy-making at federal agencies. We do not question a President’s right to appoint his own advisors, or that such advisors can influence policy at federal agencies. It is our view, however, that such heavy reliance on policy czars, and the fact that such czars appear to have decision-making authority commensurate with Senate-confirmed, Cabinet level officials, raises questions about the Administration’s commitment to transparency and openness.

For this reason, we are requesting specific information about White House Coordinator of Energy and Climate Policy Carol Browner, and how her office has exercised authority over the Office of Information and Regulatory Affairs (“OIRA”). Through press reports, we have learned that, as someone not subject to Senate confirmation, Mrs. Browner is developing and directing significant actions and policies advanced by federal agencies. For example, we learned earlier this year that Mrs. Browner “quietly orchestrated private discussions from the White House with auto industry officials” on an Administration proposal to regulate greenhouse gases from mobile sources.

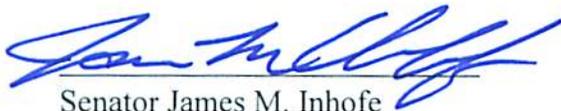
We are concerned that such orchestration is occurring on other issues. In this particular instance, we are focusing on Mrs. Browner’s direction over OIRA. In order to provide the public with a clearer picture of Mrs. Browner’s role, and how it impacts decision-making on OIRA, we believe it would be helpful if you provided us with the following information:

- With respect to all meetings, discussions and conversations between OIRA and Carol Browner or those working in her office, all correspondence and records relating to the regulatory actions and policy discussions regarding (1) the EPA’s *Proposed Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act* (proposed rule), including the Technical Support Document, and (2) EPA’s *Proposed Rulemaking to Establish Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards*, including the Technical Support Document, announced September 15, 2009.

- All “correspondence and records” with Carol Browner (including those transmissions on her behalf) or those working in her office, includes but is not limited to the following: letters and other written communications, electronic communications, phone records, meeting notes, documents prepared to summarize meetings and agendas, meeting dates, including attendees of listed meetings, and transcripts and notes from stakeholder briefings that OIRA participated in and/or conducted in which Carol Browner or those working in her office were present.

Due to the time-sensitive nature of this request, please provide a response no later than Monday, October 26th. If you have questions about the request, please contact Tom Hassenboehler at 202-224-6176 or Brian Clifford at 202-224-6441.

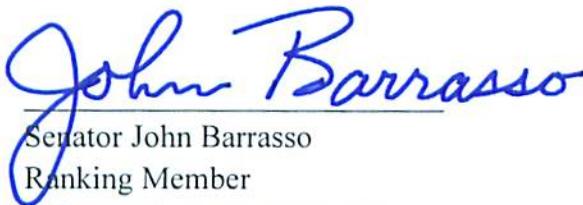
Respectfully,



Senator James M. Inhofe
Ranking Member
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