

MY science agrees with this summation of Michael Mann. YOUR pseudoscience and sub-prime science regards him as a climate hero, and worships his proven scientific missteps. <http://www.steynonline.com/7099/what-a-piece-of-work-on-mann>

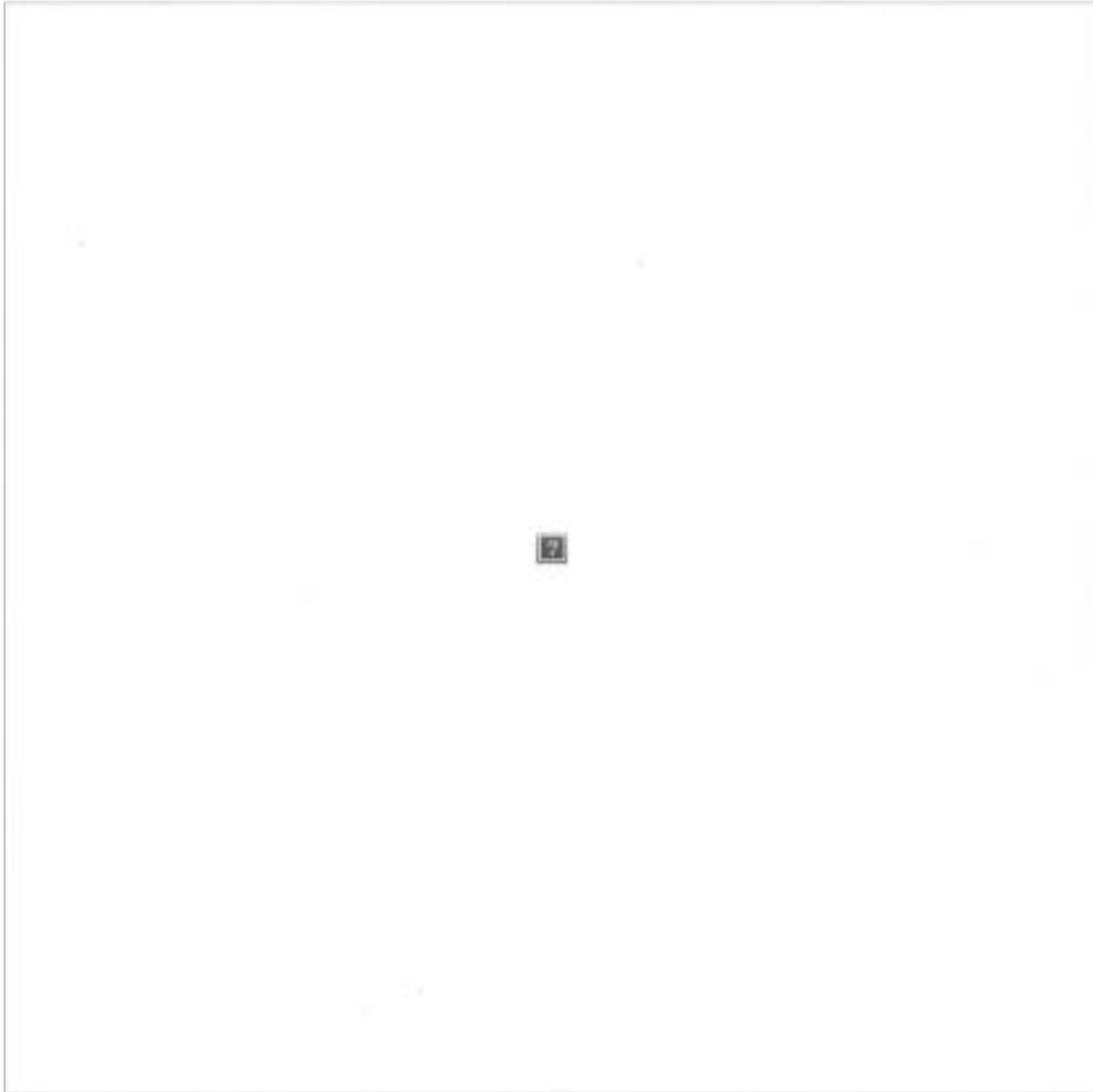
6. Finally, let me quote Pointman, (<http://thepointman.wordpress.com/2015/06/26/there-can-be-no-doubt-now/>) whose words below are entirely redolent and descriptive of both you and your pernicious, dishonest and hateful letter.

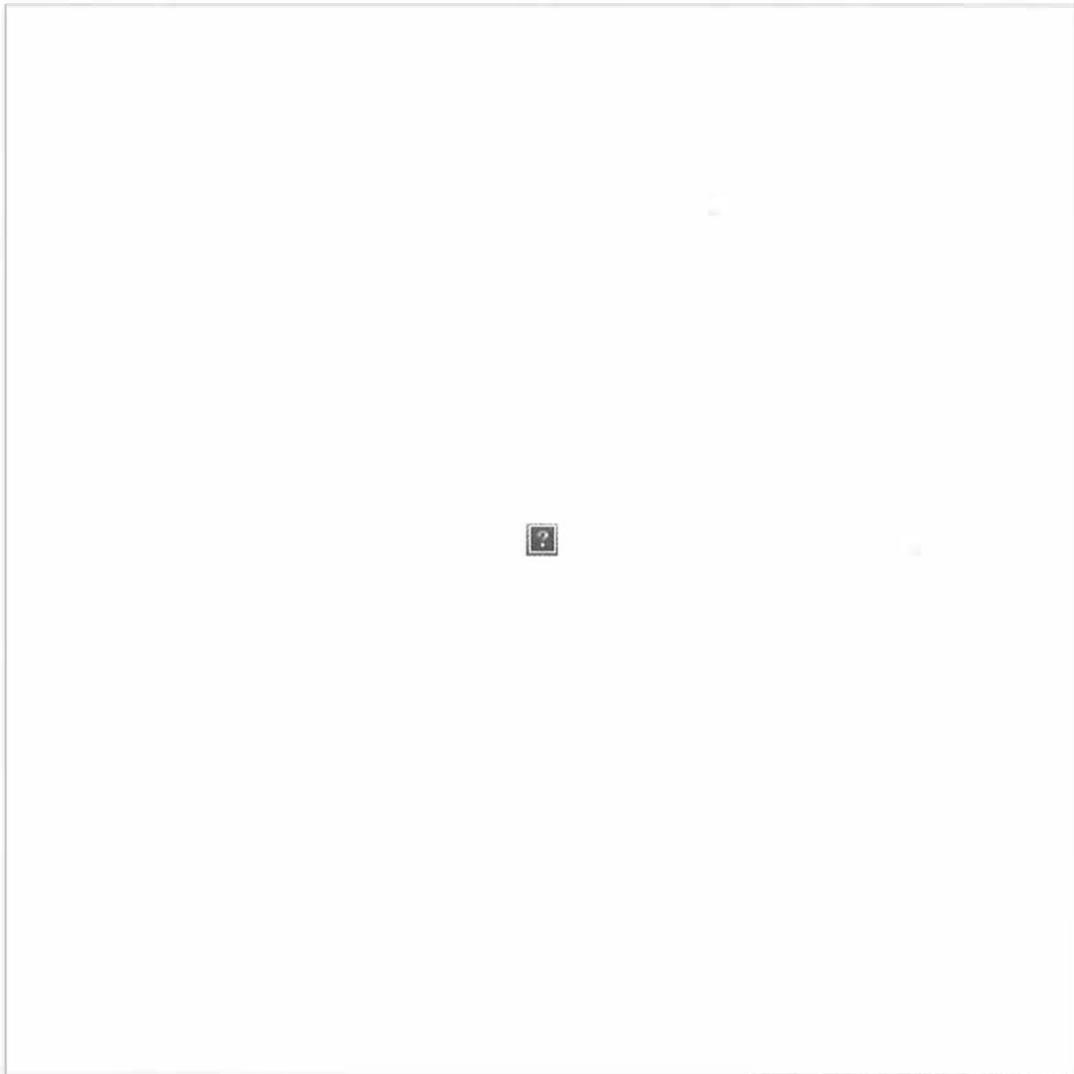
Quote 1: "Science is your whore, and you will ride her as you see fit."

Quote 2: "Get your head straight about these people; they're nothing better than just cheap street-corner hoods in thousand dollar suits pretending to be respectable."

Yours faithfully
Dr Geoff Derrick
Consultant Geologist

From: [Climate Nexus](#)
To: [Edward W Maibach](#)
Subject: EU Finalizes Climate Position, Congressman Boycotts Pope, and more
Date: Monday, September 21, 2015 8:04:30 AM





National Day of Action: Join the People's Climate Movement today at 11 am ET for a tele-press conference with key leaders from around the country working on a "[National Day of Action](#)" on October 14. Join the call by dialing 877-876-9177 with the conference ID "Clean."

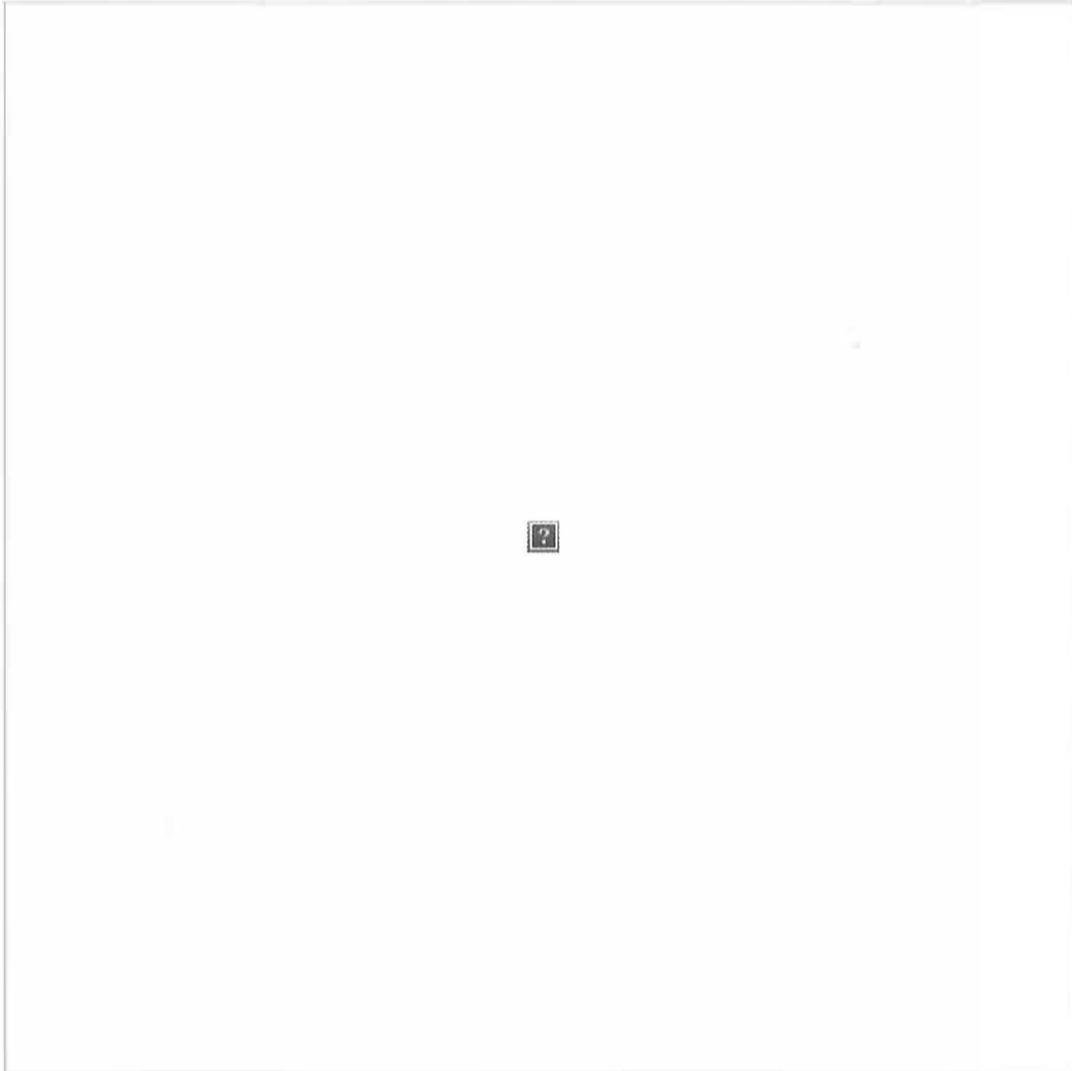
Climate Week NYC: Today marks the beginning of the seventh Climate Week NYC, which brings together global leaders in business, government, and society who are leading the climate movement. Climate week is September 21-28. Find the full schedule of events and learn more details [here](#).



EU Unites for Binding Global Climate Deal: The European Union has finalized its climate and energy plan ahead of the Paris conference in December. Under the plan, the bloc has pledged to peak carbon emissions by 2020 and to reduce total emissions 50% by 2050 from 1990 levels. The EU's plan also includes recommendations for the international community, including a call for carbon neutrality by 2100. The global agreement should also be legally binding and allow nations to revise their positions every five years, according to the EU plan. ([Carbon Pulse](#), [The Guardian](#), [Bloomberg](#), [RTCC](#), [Politico Pro \\$](#), [Reuters](#), [Wall Street Journal \\$](#))

Congressman Willing to Skip Pope to Not Hear About Climate Change: Rep. Paul Gosar of Arizona will be boycotting Pope Francis's address to Congress because he thinks the pope sounds like a "leftist politician." Gosar expects, as most do, that Pope Francis will speak about the moral imperative to address human-driven climate change. Gosar is a career climate change denier and wants Francis to stick to "standard Christian theology." Other opponents of President Obama's climate plans will be in attendance for the Pope's speech and even conservative think-tank the Heartland Institute thinks Gosar will be alone in his boycott. ([Financial Times \\$](#), [National Journal](#), [The Hill](#), [AP](#), [Politico Pro \\$](#), [Think Progress](#), [Mother Jones](#))

Stars Don Green Ribbons for Climate Awareness: Many celebrities sported green ribbons at last night's Emmy awards in support of #demandclimateaction, the Natural Resources Defense Council's campaign of support for President Obama's climate plan. This show of support is the latest in a slew of celebrity efforts to promote awareness around climate change and environmental issues. ([New York Times](#) \$, [New York Daily News](#), [Mic News](#), [Financial Express](#), [Elle](#), [Seattle PI](#), [Entertainment Weekly](#), [Newsweek](#), [Business Standard](#))



US News

- Week-old Valley Fire at 74,500 acres and 50 percent containment: Cal Fire ([AP](#))
- Exxon responds to InsideClimate News ([On the Media](#))
- Climate change skeptics attack Pope Francis in Philadelphia ([Philadelphia Enquirer](#))
- As fires grow, a new landscape appears in the West ([New York Times](#) \$)
- Global summit highlights crucial role of forests in climate change, economic development efforts ([Summit County Citizens Voice](#))
- US Catholics expected to turn out in force for Pope Francis ([Reuters](#))
- NC lawmakers pass budget that largely kills renewable energy tax credit ([SNL Financial](#))
- Global warming's health impacts hit northern Arizona ([Arizona Daily Sun](#))

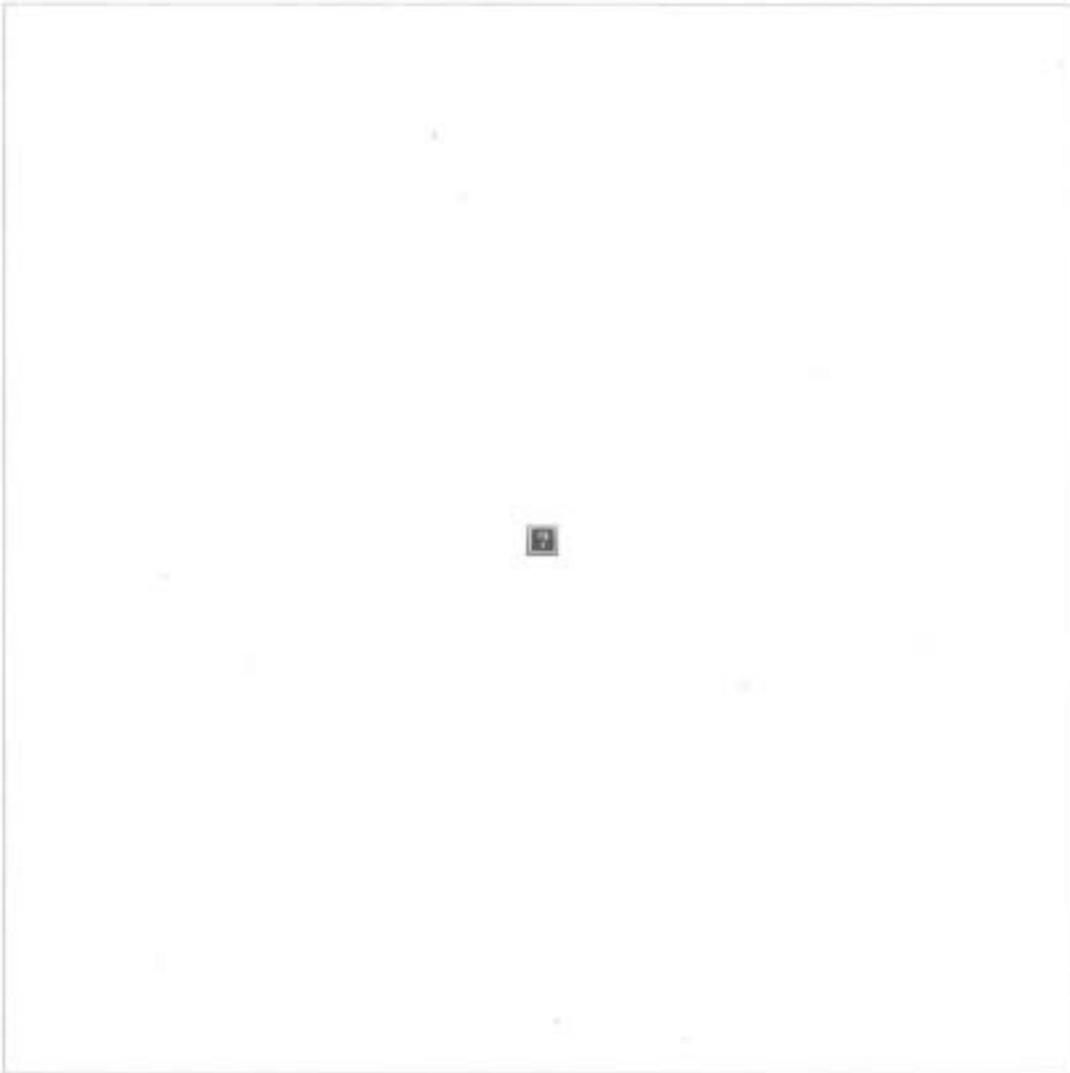
- Seven years later, Obama still mum on Keystone ([McClatchy](#))
- Climate researchers plan glider mission to edge of space ([Climate Central](#))
- US crude tumbles 5%, Wall Street selloff offsets rig data ([Reuters](#))
- Clinton would support end to oil export ban only with concessions ([Reuters](#), [The Hill](#), [Politico Pro](#) \$)
- Shell won't produce oil from Arctic until 2030 ([The Hill](#))
- Climate change gets last-minute nod in new Miami-Dade budget ([Miami Herald](#))
- Wind turbines transforming southern horizon ([Osage County Herald-Chronicle](#))
- Environmentalists expanding legal campaign to stop coal mining over climate change ([AP](#))
- Gibson, GOP peers call for climate change action ([Times Herald-Record](#))
- Mayors sign proclamation and pledge to reduce climate risks ([IB Times](#) \$)
- Lawmakers to hear Pope, but will they listen? ([Wall Street Journal](#) \$)
- Republican predicts he won't be alone with pope boycott ([The Hill](#))
- New California wildfire: 1 dead in Monterey County as blazes continue ([IB Times](#) \$)
- Sponges akin to redwoods of the sea crowding out corals on Florida reefs ([Los Angeles Times](#) \$)
- An Oklahoma of oil at risk as debt shackles US shale drillers ([Bloomberg](#))
- UNL tries to help farmers plan for climate change ([AP](#))
- Oakland longshore workers oppose shipping coal at new terminal ([Contra Costa Times](#))
- Midwest wind energy to get projected lift from climate change, study says ([Phys.org](#))
- NRG to split off renewable businesses, pay down debt ([Wall Street Journal](#) \$)

World News

- No poverty, hunger in 15 years? UN sets sweeping new goals ([AP](#))
- Green funds beat 'black' funds over 2 years ([Financial Times](#) \$)
- 85% of British power can be via renewables by 2030, says Greenpeace ([The Guardian](#))
- Minister to consider Kiribati family's plea ([Radio New Zealand](#))
- Coal industry losing the PR battle on climate change: BHP exec ([The Guardian](#), [Australian Broadcasting Company](#), [Phys.org](#), [Wall Street Journal](#) \$)
- What can we expect from India's climate change plan? ([RTCC](#), [Economic Times](#))
- Fossil fuel subsidies down; 'ample scope' for more cuts - OECD ([Reuters](#))
- Wind could meet a quarter of EU's energy needs by 2030 ([E&E News](#) \$)
- Will the UK phase out coal in a decade? ([The Guardian](#))
- From Oregon to Johannesburg, micro-hydro offers solution to drought hit cities ([The Guardian](#))
- Indonesia arrests seven company executives for illegal forest fires ([Straits Times](#), [VICE News](#))
- Carbon pricing schemes double since 2012 in climate fight - World Bank ([Reuters](#), [Bloomberg](#), [Financial Times](#) \$, [RTCC](#), [Business Green](#))
- African Development Bank seeks to spur \$55 billion for energy ([Bloomberg](#))
- Pakistan ordered to enforce climate law by Lahore court ([RTCC](#))
- This US lab just agreed to help China use even more renewable energy ([Think Progress](#))
- Syria climate study warned Assad of drought dangers in 2010 ([RTCC](#))
- Asthma could be worsened by energy-efficient homes, warns study ([The Guardian](#))
- Plunging oil prices put question mark over \$1.5 trillion of projects ([Financial Times](#) \$)
- Turnbull government signals new approach to climate policy ([The Guardian](#),

Business Spectator)

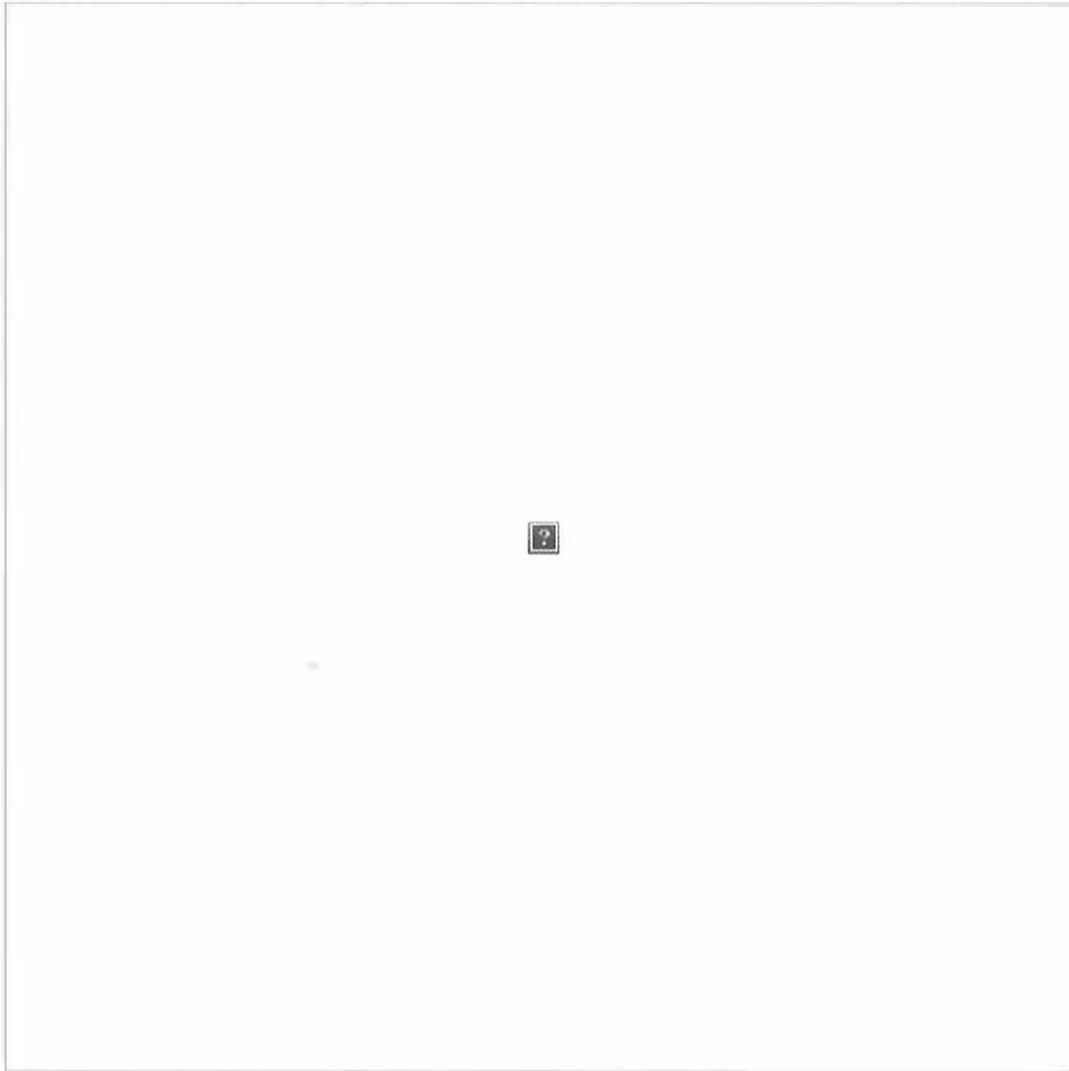
- Blankets can no longer stop glacier melting (The Times \$)
- Pacific Islanders plead for urgent climate action as seas rise (Bloomberg)



- What Exxon knew about climate change (New Yorker, Bill McKibben column)
- A wet winter won't save California (New York Times, Noah S. Diffenbaugh and Christopher B. Field op-ed \$)
- Our warmest summer (and almost definitely our warmest year) on-record, visualized (Washington Post, Philip Bump column \$)
- Pope heads to climate talks as rare word - optimism - surfaces (Bloomberg, Alex Nussbaum column)
- Views of the Church as "in touch" soar; Most see real change under Francis (ABC News, Julie Phelan column)
- Here's how insane this year's fire season has been (VICE News, Darren Ankrom column)
- Climate change becomes a matter of mental health (Portland Press Herald, Mary Pols column)
- The forgotten project that could have saved America from drought (Buzzfeed, Michelle Nijuis column)
- The largest green roof in the world will sit on top of this dying California mall

(Coexist, Adele Peters column)

- Can smart phones help ease global warming? ([Forbes, James Conca column](#))
- Another federal scientist fired in Harper's ongoing war on science ([National Observer, Jeff Stuart op-ed](#))
- Republican candidates embrace science! ([Huffington Post, Matthew Chapman op-ed](#))
- The (fake) meat revolution ([New York Times, Nicholas Kristof column](#) \$)
- The enormous social cost of cheap coal ([Atlantic, Eric Jaffe column](#))
- Clean air leaders: The U.S. and China put the heat on other nations ([Pittsburgh Post-Gazette editorial](#))
- Hillary Clinton puts White House 'on notice,' will announce Keystone opinion 'soon' ([Bloomberg, Jennifer Epstein column](#))
- Jeb Bush's marijuana use pales compared to the threat his own kids face from climate change ([Forbes, Ken Silverstein column](#))
- Arctic drilling is stupid business, says new IEA Chief ([EcoWatch, Sarah Lazare column](#))
- Exxon advertised against climate change for decades after top executives knew burning fossil fuels would warm the planet ([EcoWatch, Cindy Baxter op-ed](#))
- This new study shows how the media makes people climate change cynics - and what they can do differently ([Media Matters, Denise Roberts column](#))
- The house that could save the world ([Politico, Sara Solovitch column](#))
- Candidates shouldn't wait to address climate change ([CBS News, Mark Thoma column](#))
- A simple climate change plan that could actually benefit the owners of coal ([Forbes, Adam Ozimek column](#))
- GOP climate change deniers plan their retreat ([Huffington Post, Alan Farago column](#))
- Arctic leaders to Congress: Oil development in Alaska is a human rights issue ([Think Progress, Natasha Geiling column](#))
- What you need to know about California's destructive wildfire season ([Mashable, Marcus Gilmer & Andrew Freedman column](#))
- Is a 100 per cent renewables-powered world really possible? ([Business Green, James Murray column](#) \$)
- Economic growth is the key to saving the planet ([The Telegraph, Owen Paterson op-ed](#) \$)
- Is the pope changing minds on climate change? Survey says: meh. ([Vox, David Roberts column](#))
- Climate change affects young patients ([Pensacola News Journal, Lynn Ringenberg op-ed](#) \$)
- In an era of climate change, Arizona needs the Clean Power Plan ([Arizona Capital Times, Pedro Lopez op-ed](#))
- Minnesota's prescription for cleaner power: Make sure public-health aspect is considered ([MinnPost, Robert Moffitt op-ed](#))
- Texas' opportunity for cleaner air ([Longview News-Journal, Vik Verma](#))



Volley of Attacks at Racketeering Suggestion

On September 1st, a group of scientists quietly [sent a letter](#) to President Obama, the US Attorney General and the Head of the Office of Science and Technology Policy. In the letter, the scientists asked them to use the powers of the Racketeer Influenced and Corrupt Organizations Act (RICO) to investigate the companies and organizations responsible for propagating climate denial.

RICO was designed to stop organized crime, but it was most famously used against tobacco companies due to their efforts to deceive the public about the dangers of smoking. Given the well-documented parallels between tobacco tactics and those of fossil fuel companies (e.g. [Merchants of Doubt](#)), the scientists' request seems reasonable. After all—as we [learned recently](#)—companies like Exxon knew full well that their product influenced the global climate before pouring millions into efforts to tell the public otherwise.

While the media is only now reporting on the letter (triggered by a [brief Politico](#) mention), a high-profile lawyer and professor, Philippe Sands, has made a [similar call](#), asking the International Court of Justice to "settle the scientific dispute" on climate change.

Unsurprisingly, deniers are not happy about these calls for investigation. They're scrambling for a defense, but finding none, they've instead gone on the offensive.

The most entertaining read comes from [Lubos Motl](#), who makes a number of interesting claims with his trademark hyperbole and lack of self-awareness. He accuses all but one of the letter signatories of being "hired in order to increase" the number of signers; he suggests one of the signers of sleeping with Fidel Castro; and he says the scientists' claim is akin to Nazi claims about Jews being criminal, and that Naomi Oreskes "is a dishonest and hateful Marxist shrew."

After this, Motl suggests that it is the letter signers who are "clearly misunderstanding how disagreements may be solved among scientists in civilized societies."

That's right, after invoking Nazis and accusing those in the scientific community of bribery, sleeping with Castro and being a lying shrew, it's the scientists who are uncivil for thinking organizations should not be allowed to lie to the public. About the only thing that can be said to Motl's credit is that [he didn't call anyone a prostitute](#).



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Climate Nexus · 171 Madison Ave. · Suite 901 · New York, NY 10016 · USA

From: Majkut, Joseph (Whitehouse)
To: Cane Mark; Barry Klinger
Cc: Edward W Maibach; Kevin Trenberth; J Shukla; John P. Holdren@ostp.eop.gov; Patricia M. McLaughlin@ostp.eop.gov; Paul A Dirmeyer; Paul S Schopf; David M. Straus; Edward Sarachik; Mike Wallace; Robock Alan; Kalnay Eugenia; Kirtman Ben; Dr. Bill Lau; Professor T.N. Krishnamurti; Dr. Vasubandhu Misra; Dr. Robert Dickinson; Biasutti Michela; Goddard Lisa; Dr. Alan Betts
Subject: RE: Letter to President, AG, and OSTP Director
Date: Monday, September 21, 2015 11:50:29 AM

I agree that this is a useful clarification. Thanks for sending.

From: Cane Mark [mailto:mcane@ideo.columbia.edu]
Sent: Sunday, September 20, 2015 12:37 PM
To: Barry Klinger
Cc: Edward W Maibach; Kevin Trenberth; J Shukla; John_P._Holdren@ostp.eop.gov; Patricia_M._McLaughlin@ostp.eop.gov; Paul A Dirmeyer; Paul S Schopf; David M. Straus; Edward Sarachik; Mike Wallace; Robock Alan; Kalnay Eugenia; Kirtman Ben; Dr. Bill Lau; Professor T.N. Krishnamurti; Dr. Vasubandhu Misra; Dr. Robert Dickinson; Biasutti Michela; Goddard Lisa; Dr. Alan Betts; Sheldon Whitehouse; Majkut, Joseph (Whitehouse); Quint, Lara (Judiciary-Dem)
Subject: Re: Letter to President, AG, and OSTP Director

Thanks Barry. This is very well done.
I do have misgivings about invoking RICO, which may too easily lead to civil liberty abuses. At the same time, all this outrage from climate doubters would seem legitimate if they had expressed similar outrage when Mike Mann and others were being harassed.
best, mark

On Sep 19, 2015, at 1:07 PM, Barry Klinger <klinger@cola.iges.org> wrote:

Dear RICO Letter signers,

Never happy about other people defining and mischaracterizing my position, I put together a little postscript to the RICO letter. Feedback on what I wrote is welcome.

<http://mason.gmu.edu/~bklinger/rico.html>

-B A K

On 9/17/2015 5:19 PM, Edward W Maibach wrote:

From Marc Morano at Climate Depot:

<http://www.climatedepot.com/2015/09/17/twenty-climate-scientists-including-top-un-scientist-call-for-rico-investigation-of-climate-skeptics-in-a-letter-to-obama-argue-skeptics-guilty-of-disinformation-like-tobacco-companies/>

Debate no more!

Jailed for scientific
dissent?! Twenty
climate scientists,
including Top UN
scientist, call for
RICO investigation
of climate skeptics
in letter to Obama |
Climate Depot

Top UN scientist Dr. Kevin
Trenberth and 19 other scientists
have become so tired of debating
global warming that they are now
apparently seeking to jail those
who disagree with them. One of
the sc...

[Read more...](#)

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: Kevin Trenberth <trenbert@ucar.edu>
Sent: Thursday, September 17, 2015 11:45 AM
To: Cane Mark; J Shukla
Cc: John_P_Holdren@ostp.eop.gov;
Patricia_M_McLaughlin@ostp.eop.gov; Edward W Maibach; Paul A
Dirmeyer; Professor Barry Klinger; Paul S Schopf; David M. Straus;
Edward Sarachik; Mike Wallace; Robock Alan; Kalnay Eugenia; Kirtman
Ben; Dr. Bill Lau; Professor T.N. Krishnamurti; Dr. Vasubandhu Misra; Dr.
Robert Dickinson; Biasutti Michela; Goddard Lisa; Dr. Alan Betts; Sheldon
Whitehouse; Joseph Majkut; Lara Quint
Subject: Re: Letter to President, AG, and OSTP Director

From Climate Nexus:

Documenting Dangers, Doing Nothing: Exxon supported scientists conducted pioneering research into fossil fuels' role in climate change back in the 1970s. But when scientists warned management that addressing climate issues through policy change could affect their profitability, Exxon began a decades-long campaign to discredit the research. The second in a multi-part series from InsideClimate News reveals how an early culture of elite scientific exploration was abandoned by a corporate agenda that sought to hide the truth and cover up the potentially catastrophic implications of business-as-usual. (News: [InsideClimate News](#), [The Hill](#), [Newsweek](#), [PBS](#), [Fortune](#)) Commentary: [New York Times](#), [Andrew Revkin column](#), [Inverse](#), [Jacqueline Ronson column](#), [Grist](#), [Katie Herzog column](#), [Wired](#), [Sarah Zhang column](#))

On 9/17/15 9:38 AM, Cane Mark wrote:

In case you missed this initial article on Exxon:

[-video](#)

On Sep 14, 2015, at 11:18 AM, J Shukla
<shukla@iges.org> wrote:

Dear Dr. Holdren,

It has been a long time since I have had email correspondence with you. I do hope this email will reach your office.

Please find enclosed a letter to the President, the Attorney General, and you, reiterating the position of an overwhelming majority of climate scientists about the potentially serious adverse effects of human-induced climate change. The letter also supports Senator Whitehouse's proposal that the Department of Justice begin a RICO investigation of the fossil-fuel industry, who according to Senator Whitehouse, have knowingly deceived the American people about the risks of climate change. The letter has been endorsed by a number of distinguished scientists whose names and affiliations are provided at the end of the letter.

We will be grateful if you can please bring this letter to the attention of the President. Thank you.

Regards,
J. Shukla

University Professor, George Mason
University
President, Institute of Global Environment
& Society
Research Hall, Room 105
George Mason University, MSN: 2B3
4400 University Drive
Fairfax, VA 22030 USA

Tel: 703-993-5700
E-mail: shukla@iges.org
http://www.iges.org/

<Letter to Pres, AG, Holdren_Final.docx>

On Sep 9, 2015, at 4:11 PM, J
Shukla <shukla@iges.org>
wrote:

Dear Friends,

Please find enclosed a copy of
the final letter. Thank you for
your support.

Regards,
Shukla

<Letter to Pres, AG,
Holdren_Final.docx>

G. Unger Vetlesen Professor of Earth and Climate Sciences
Lamont-Doherty Earth Observatory of Columbia University
61 Route 9W
Palisades, NY 10964-8000

mcane@ldeo.columbia.edu Secretary: Virginia DiBlasi
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845 365 8736 (fax) virginia@ldeo.columbia.edu
<http://www.ldeo.columbia.edu/research/ocean-climate-physics>

Department of Earth and Environmental Science <http://eesc.columbia.edu/>
Department of Applied Physics and Applied Math
Founder, Master of Arts Program in Climate and Society:
<http://www.columbia.edu/cu/climatesociety/>

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Department of Earth and Environmental Science <http://eesc.columbia.edu/>
Department of Applied Physics and Applied Math
Founder, Master of Arts Program in Climate and Society:
<http://www.columbia.edu/cu/climatesociety/>

From: Kevin Trenberth
To: Eugenia Kalnay
Cc: Edward Sarachik; J Shukla; Edward W Malbach; Paul A Dirmeyer; Professor Barry Klinger; Andrew Light; Paul S Schoof; David M. Straus; Mike Wallace; Alan Robock; William K.M. Lau; Professor T.N. Krishnamurti; Dr. Vasubandhu Misra; Dr. Robert Dickinson; Dr. Michela Biasutti; Dr. Mark Cane; Dr. Lisa Goddard; Dr. Alan Betts
Subject: Re: Letter to President and Attorney General
Date: Monday, September 21, 2015 12:13:36 PM

Dear all

FYI

Shukla and his wife are now under major attack, spearheaded by Roger Pielke Jr

<http://www.climatedepot.com/2015/09/20/update-leader-of-effort-to-prosecute-skeptics-under-rico-paid-himself-his-wife-1-5-million-from-govt-climate-grants-for-part-time-work/>

Update: Scientist leading effort to prosecute climate skeptics under RICO 'paid himself & his wife \$1.5 million from govt climate grants for part-time work'

Leader of 20 scientist effort to prosecute climate skeptics under RICO revealed as 'Climate Profiteer'! 'From 2012-2014, the Leader of RICO 20 climate scientists paid himself and his wife \$1.5 million from government climate grants for part-time work.

George Mason University Professor Jagadish Shukla (jshukla@gmu.edu) a Lead Author with the UN IPCC, reportedly lavishly profits off the global warming industry while accusing climate skeptics of deceiving the public. Shukla is leader of 20 scientists who are demanding RICO (Racketeer Influenced and Corrupt Organizations Act) charges be used against skeptics for disagreeing with their view on climate change.

Shukla reportedly moved his government grants through a 'non-profit'. The group "pays Shukla and wife Anne \$500,000 per year for part-time work," Prof. Roger Pielke Jr. revealed.

"The \$350,000-\$400,000 per year paid leader of the RICO20 from his 'non-profit' was presumably on top of his \$250,000 per year academic salary," Pielke wrote. "That totals to \$750,000 per year to the leader of the RICO20 from public money for climate work and going after skeptics. Good work if you can get it," Pielke Jr. added.

By: [Marc Morano](#) - [Climate Depot](#) September 20, 2015 11:42 PM with [4 comments](#)

Climate Depot Special Report

The letter by global warming scientists calling on President Obama to look into prosecuting climate skeptics has prompted international outcry. See: [Debate no more! Jailed for scientific dissent?! Twenty climate scientists, including Top UN scientist, call for RICO investigation of climate skeptics in letter to Obama](#)

The uproar over the effort to enact racketeering charges against those who disagree with the view of dangerous man-made global warming has just added a new twist.

[Dr. Roger Pielke Jr.](#), professor of environmental studies at the [Center for Science and Technology Policy Research](#) at the University of Colorado at Boulder, has revealed the leader of the RICO 20 is a prime example of a climate profiteer.

George Mason University Professor of Climate Dynamics [Jagadish Shukla](#), is identified by Pielke Jr. as the man who spearheaded the letter demanding RICO investigation by the Obama Administration. Shukla was also a [Lead Author with the UN IPCC](#) in 2007.



jshukla@gmu.edu or shukla@cola.iges.org

Shukla, the “leader of RICO20 climate scientists runs his government grants through a ‘non-profit’,” [Pielke Jr. wrote on September 20 on Tweeter.](#)

Prof. Shukla is listed as the “President” of “[Institute of Global Environment & Society, Inc.](#)” in the 2014 990 forms.

The group “pays him and wife \$500,000 per year for part-time work,” Pielke Jr. revealed. He also provided a [link to Guide Star with](#) the supporting information.

Pielke Jr. [continued](#): “From 2012-2014, the Leader of RICO 20 climate scientists [paid himself and his wife \\$1.5 million](#) from government climate grants for part-time work. Shukla’s wife [Anne Shukla](#) is listed as the groups “business manager” in the IRS forms.

Anne Shukla’s email: anne@cola.iges.org

“The \$350,000-\$400,000 per year paid leader of the RICO20 from his ‘non-profit’ was presumably [on top of his \\$250,000 per year academic salary](#),” Pielke [wrote](#). “That totals to \$750,000 per year to the leader of the RICO20 from public money for climate work and going after skeptics. Good work if you can get it,” Pielke Jr. [added](#).

Pielke Jr. concluded his research [by writing](#): “Investigative reporters, [you are welcome.](#)”

Kevin

On 9/20/15 3:46 PM, Eugenia Kalnay wrote:

Dear all:

I should chime in!

On Friday I got an email addressed to the UMCP president and to Jim Carton, my boss (and cc's to Bill Lau and me). You can read Carton's wonderful response he sent on Saturday!

I was planning to respond with a link to Barry's points and to his great "Guide to skeptics", but I'll talk with Jim Carton first.

As Don Quijote said to Sancho Panza, "The dogs are barking at us, Sancho. It signals that we are galloping"

I agree the best thing is to ignore them...

Eugenia

On Fri, Sep 18, 2015 at 9:17 PM, James A. Carton <carton@umd.edu> wrote:

Dear Dr. Evans:

Thank you for sharing your deeply felt opinions and concerns. I think you are questioning the science of climate change, the analogy to the tobacco industry, and the appropriateness of our faculty in signing a letter suggesting a particular legal remedy. I'll respond to these issues from my prospective as Chair of the Department of Atmospheric and Oceanic Science.

First the science: the overwhelming weight of research, including key work done here at University of Maryland, leaves no uncertainty that the rise of atmospheric greenhouse gasses and aerosols, both the result of human activities, are causing the earth's climate to change. The atmospheric concentration of carbon dioxide is the highest that it has been for the last million years. This rise is primarily responsible for the increasing acidification of the oceans, the rise of surface temperature, and the melting of continental ice, among other effects. Unfortunately, like the tobacco industry in the mid-20th century, it seems to me that some of the industries that benefit from the release of greenhouse gasses have tried to suppress this research. The letter is an effort to find a response within our legal code.

Secondly, regarding the involvement of our faculty in signing this letter: Distinguished University Professor Eugenia Kalnay and Dr. Lau have the right to express their views without interference from me. Indeed, as they are world leaders in the science of climate variability we should take their views very seriously. All three of us have

known Richard Lindzen for decades. Writing just for myself I am unimpressed with his understanding of climate research, although I am very fond of him as a person.

Regards, Jim

James Carton

Professor and Chair, Dept. Atmos. Ocean Sci.

University of Maryland

College Park, MD 20742

301-405-5365, www.atmos.umd.edu/~carton

From: milo@goodmilo.com [mailto:milo@goodmilo.com]
Sent: Friday, September 18, 2015 6:28 PM
To: Wallace D. Loh; James A. Carton
Cc: Home; Eugenia E. Kalnay; William K.M. Lau
Subject: Defending science and concern with professors

University of Maryland
1101 Main Administration Building
College Park, MD 20742-6105

Sept 18, 2015

Dear President Loh and Professor Carton:

As a parent of a UMD student in the College of CMNS, I am writing to express my concern with a letter signed by two professors in the Department of Atmospheric and Oceanic Sciences. On Sept 1, 2015 Professors Eugenia Kalnay and William Lau sent a letter to President Obama, Attorney General Lynch, and Director Holdren regarding climate change. In their

letter they requested the President and others to consider federal RICO (Racketeer Influenced and Corrupt Organizations Act) investigations into corporations, organizations, and other scientists that disagree with the signers view on the seriousness of climate change.

(<http://www.iges.org/letter/LetterPresidentAG.pdf>)

In 1633 Galileo Galilei was jailed for the second time due to his insistence that the Earth was not the center of the universe, and that instead the Earth revolved around the Sun. Is that the time period of scientific acceptance that these University of Maryland professors wish to take our students back to? Do they truly believe that anyone who disagrees with their current scientific knowledge should be subjected to federal charges and possible imprisonment? Do they apply these narrow-minded requirements that all-comers must accept their views in the academic courses they teach?

Personally, I believe we are seeing a warming of the Earth, but my personal beliefs are irrelevant in a discussion of science. As a scientist, I will forever remain open to hearing alternate points of view and hypotheses. The Global Warming Policy Foundation has an impressive list of distinguished professors and scientists as academic advisors, including MIT's Professor Richard Lindzen and Yale's Professor Mendelsohn, many of whom would be subject to imprisonment based on UMD's Professors Kalnay's and Lau's call for action.

I ask the two of you to consider if this approach to science in which researchers demand others accept their findings or risk defamation and imprisonment is the approach to science that UMD wishes to back. I am not calling for any action against Professors Kalnay and Lau. I have no desire to damage anyone's career over a difference in opinion. However, I would ask that a conversation take place with these professors, and at the very least, ensure the rights of their students to disagree with their points of view, and the rights of their students to be open to the writings of groups such as the Global Warming Policy Foundation without retribution. Furthermore, you may want to discuss the cost of having the University of Maryland's name associated with such extreme and visible calls for action.

Sincerely,

Jenifer Brinker Evans

24 Smith St

Groton, MA 01450

cc: Eugenia Kalnay, William Lau

--
<http://www.sciencedirect.com/science/article/pii/S0921800914000615>
(HANDY model)
<http://www.aosc.umd.edu/~ekalnay/Population-WCRP-Kalnay3.pdf>
(15min talk at WCRP on the Human System and Climate Change)

--
Eugenia Kalnay
Distinguished University Professor
Dept of Atmospheric and Oceanic Science
University of Maryland
3431 CSS, College Park, MD 20742-2425
W: [301-405-5370](tel:301-405-5370)/[5391](tel:301-5391) Fax:[301-314-9482](tel:301-314-9482)

On Sun, Sep 20, 2015 at 4:39 PM, Kevin Trenberth <trenberth@ucar.edu> wrote:

This is standard form. Yes the best thing for all is to ignore these people. The admin. may not ignore it. NCAR has had several of these over the years including this time also. The response from the NCAR Director is that the scientists have complete freedom of expression and it is inappropriate for the administration to interfere or something to that effect. The admin people may feel obliged to respond and you can advise them what to say. Have them contact Jim Hurrell if they want advice (previously Tim Killeen).

The answer to deniers might be "if the shoe fits wear it".

Kevin

On 9/20/15 12:41 PM, Edward Sarachik wrote:

> Dear All: I've already received a copy of a letter to the President of
> my University:
>
> To:

>
> Ana Mari Cauce
>
> Interim President
>
> University of Washington
>
> Dear Ms Cauce;
>
> Are you aware that two of your professors; Edward Sarachik and Michael
> Wallace, have signed a letter addressed to the President and Attorney
> General of the United States, urging them to use criminal prosecution
> in order to oppress and silence scientists with whom these professors
> disagree?
>
>
> The letter is attached. You can see that your employees are in fact
> signatories.
>
>
> Is this accepted practice at your institution? Do you encourage or
> condone such methods in the field of scientific debate?
>
> As a taxpayer, I would appreciate an answer - I suspect that federal
> funds go to these professors for their research - funds that are
> apparently being misused in order to further a political agenda and to
> engage in "lawfare" against any who disagree with their views.
>
> This is a weapon aimed at the heart of our open society, and is a blow
> to freedom of inquiry and debate in science. Destroying the foundation
> of free scientific speech is a very high price to pay in order to
> service a dubious, hysterical end-of-the-world theory that is based
> almost entirely on computer models, and which is apparently falsified
> by measurement over the past several decades.
>
> I would add also; this attempt to use government coercion to silence
> dissent implies strongly that these professors know they do not have a
> winning argument.
>
> I would appreciate your attention to this matter.
>
> I also received an e-mail decrying my persecution of climate deniers.
> When I pointed out that it was not about individuals but about
> organizations who know about climate change but are organizing efforts
> to cast doubt on it I got the following response;
>
>
> Dr. Sarachik:
>
> I already read your letter. RICO investigations can lead to

Kevin E Trenberth
Distinguished Senior Scientist
Climate Analysis Section
National Center for Atmospheric Research
PO Box 3000
Boulder, CO 80307, USA

ph 303 497 1318
fax 303 497 1333
email trenbert@ucar.edu

From: [Alex Bozmoski](#)
To: [Edward W Maibach](#)
Cc: [Bob Inglis](#)
Subject: Re: op-ed + a needlessly self-inflicted headache
Date: Monday, September 21, 2015 1:42:52 PM

Ed,

Firstly, your op-ed is awesome! Can't wait to see that in print. Let us know please 5% of Americans of Hispanic decent are don't think we need climate action. Amazing!

Secondly, yea, the RICO stuff touches a sore spot with conservatives. Andrew Moylan the executive director of R Street stood-up at Whitehouse's AEI event and said something like 'how do you ever expect us to trust you when you're out there threatening RICO...' And he's for a carbon tax. But I doubt you'll cause us any trouble by being on that letter; our demographic isn't exactly the people who feel persecuted by hypothetical conspiracies.

Killer op-ed; and you're exactly the guy to write it too. Very cool

Alex

On Sat, Sep 19, 2015 at 12:41 PM, Edward W Maibach <emaibach@gmu.edu> wrote:

Greetings gentlemen,

I am drafting the attached op-ed and will attempt to get it placed shortly after the Pope's departure. Any suggested improvements will be much appreciated.

Also, I somewhat foolishly signed on to the attached letter that -- thanks to Marc Morano -- has caused quite a stir among some Americans who are unconvinced that climate change is a problem. I expect the kerfuffle (hostile emails and voice messages arriving for me at Mason) will die down soon, but I did want to you to know that I am currently more of a liability to you than usual. BTW: The accusations against me and the other signers bear little resemblance to the actions we proposed in the letter. Oddly, many of them allege that we are proposing to have dissenting scientists locked up in prison. What we actually proposed was financial penalties against corporations than fund climate denial.

Lastly, any thoughts about my (blindingly brilliant) idea for you to lead a field trip to Greenland this summer? I am fairly sure we can raise the necessary funds rather easily.

All the best,

Ed

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: [Alex Bozmoski](#)
To: [Edward W Maibach](#)
Cc: [Bob Inglis](#)
Subject: Re: op-ed + a needlessly self-inflicted headache
Date: Monday, September 21, 2015 1:53:24 PM

Eli is President of R Street. Eli will someday be shadow president of America and presumably when that happens Andrew will steer the ship without a president for a while.

On Sep 21, 2015 1:46 PM, "Edward W Maibach" <emaibach@gmu.edu> wrote:

Re the op-ed, thanks for the kind words.

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p.s. I thought Eli was ED of R Street.

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All the best,

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From: [JN Media Team](#)
To: [Edward W Maibach](#)
Subject: Re: Invitation for ClimateweekNYC Twitter Chat panel
Date: Monday, September 21, 2015 2:31:53 PM

We have already taken into account the possible chance of hecklers. We have ready made statements for this possible situation. If you feel uncomfortable in participating then its ok.

Please feel free to participate and I would appreciate telling your colleagues the same.

To join the conversation please use #ClimatechatNYC.

Thank you for your consideration,

Esther Newman

On Mon, Sep 21, 2015 at 1:58 PM, Edward W Maibach <emaibach@gmu.edu> wrote:

Hi Esther,

In the past few days I -- and 19 other scientists who sent a letter to the POTUS endorsing a RICO investigation of climate denial activities by fossil-fuel companies -- have come under attack by climate denial organizations. If I participate in your event, there is a strong chance that they will hijack the event for their purposes. Thus, for everyone's sake, it is probably best that I not participate in your event.

All the best,

Ed

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: JN Media Team <jnesheiwatmedia@gmail.com>
Sent: Monday, September 21, 2015 9:10 AM
To: Edward W Maibach
Subject: Re: Invitation for ClimateweekNYC Twitter Chat panel

Great!

We would love to have to you. Please confirm if you are available that day and we will get started with promoting you as a panelist.

Thank you,

Esther Newman

On Sat, Sep 19, 2015 at 9:40 AM, Edward W Maibach <emaibach@gmu.edu> wrote:

I am not available on the 22nd but could possibly participate on the 24th.

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: JN Media Team <jnesheiwatmedia@gmail.com>
Sent: Friday, September 18, 2015 4:25 PM
To: Edward W Maibach
Subject: Invitation for ClimateweekNYC Twitter Chat panel

Hello Edward Maibach,

Julia Nesheiwat would like to invite you to participate in a Twitter chat for Climate Week NYC (<http://www.climateweeknyc.org>). You will join a panel of climate change experts to discuss climate change solutions, energy security and the UN December talks. Your

participation will involve answering the discussion questions and a Q&A session from the twitter audience. The chat will last for an hour from 5:00 pm to 6:00 pm EST on 09/22/2015 and 9/24/2015. Would you be available for the first chat on 9/22/15?

I understand this is last minute scheduling request, but your support on climate change will tremendously help. It would be great for the Climate Change educators and Department of State Representatives, can work together to assist in national climate change efforts.

You can find more information on the #ClimateChatNYC twitter chat here: <http://www.climateweeknyc.org/events/twitter-chat-series-climate-change-solutions-part-2>

Thank you and I hope you can participate in this event!

From: [Bob Inglis](#)
To: [Edward W Maibach](#)
Cc: [Alex Bozmoski](#)
Subject: Re: op-ed + a needlessly self-inflicted headache
Date: Monday, September 21, 2015 5:38:18 PM

Ed,

Sorry for taking so long to reply. I'm with Alex: the op-ed is good when coming from you. We would have made it sound like we were coming alongside the Rs to help them out. You are on the scene schooling them about the cliff that they are about to go over. They won't like being schooled, but their financial backers and the smart money may take your words to heart and reflect the warning back to the candidates. I like the comments embedded in the draft you sent--especially expanding the Hispanic number to 22% as it seems more appropriate to add "do little" to "do nothing."

As to the letter, it's provocative for sure. RICO is a sore subject and in the conservative mind it may be cast in the milieu of enforcing politically correct discourse in the academy, a regulation of speech.

The Greenland idea is blindingly brilliant for sure. It's the kind of thing that I suggested to Prince Charles--the he invite folks like George Will to accompany him to Antarctica, hosting the group at the Kiwi station there. (The Prince said he'd consider it, minding that he not get too far into policy and politics.) The challenge--which perhaps can be overcome--with members of Congress is fitting such a trip into the gift rules.

Onward!

Bob

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All the best,

Ed

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From: [michael.mcdonald](#)
To: [Edward W Maibach](#)
Cc: [Michael Gerrard](#)
Subject: Investigation Finds Exxon Ignored Its Own Early Climate Change Warnings
Date: Tuesday, September 22, 2015 8:34:22 AM

Ed,

Thank you for your good work with this letter to the President and the Attorney General. I have also be communicating with Senator Whitehouse's office. I should know after our Friday session in the UN General Assembly, whether or not I will be in West Africa on October 17.

Do you know Michael Gerrard, who leads the Center for Climate Change Law at Columbia University. Given your interactions with President Obama and the Attorney General, you should probably also combine efforts with Michael on addressing the petrochemical companies violation of the RICO laws.

Let's plan toward connecting in New York in the October 17 timeframe and see if Michael might join us for meal and discussion regarding the status of the preparations for the RICO suits against EXXON and other petrochemical companies.

Mike

Michael D. McDonald, Dr.P.H.

Coordinator
Global Health Response and Resilience Alliance

Chairman
Oviar Global Resilience Systems, Inc.

Executive Director
Health Initiatives Foundation, Inc.

Cell: 202-468-7899
Michael.D.McDonald@mac.com

<http://resiliencesystem.org>

On Sep 22, 2015, at 8:04 AM, Edward W Maibach <emaibach@gmu.edu> wrote:

Miguel,

Aaron is in NYC at present -- looking for a place to stay for a few months while he takes a training course and looks for work. I will likely visit the weekend of Oct 17th in an effort to be helpful to him. Will you be around then?

I am very much in the middle of the Exxon issue at present:

<http://www.iges.org/letter/LetterPresidentAG.pdf>

All the best,

Ed

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: lowell@raisingkaine.com
To: Barry A Klinger; pdirmeyer@gmu.edu; email.fatcow.com; Paul S Schoof; Jagadish Shukla; Edward W Maibach
Date: Tuesday, September 22, 2015 1:00:18 PM

Professors Shukla, Maibach, Dirmeyer, Klinger, Schopf, Straus:

Hi, my name is Lowell Feld and I edit the progressive political blog, Blue Virginia (www.bluevirginia.us). I also have a long background in energy and energy-related environmental issues, from my 17 years at the US Energy Information Administration and my 5 years as a consultant to a Virginia-based clean energy public relations firm (Tigercomm).

I saw your signatures on the letter to President Obama and AG Lynch (<http://www.iges.org/letter/LetterPresidentAG.pdf>) regarding the idea of using RICO to go after "corporations and other organizations that have knowingly deceived the American people about the risks of climate change, as a means to forestall America's response to climate change." I find this to be a fascinating idea, but am not an attorney or an expert on RICO so don't feel confident judging it beyond that in terms of how effective it might be. All I can say is, as someone who cares deeply about stopping dangerous anthropogenic global warming/climate chaos, and who is very angry at Exxon and others who have worked to discredit climate science/scientists, I hope that RICO can be used against the "bad guys."

My question has to do with Virginia's own RICO law (<https://vacode.org/18.2/13/>) and whether that might be applied at the state level, by Attorney General Herring in this case, against coal companies, Dominion Power, or others in Virginia who might have engaged in an organized, coordinated, well-funded effort to discredit climate science. I was considering writing about this, but first wanted to check with people who almost certainly know a lot more than I do about RICO laws.

Thanks, and feel free to call me if you'd prefer chatting (off the record/on background or however you prefer).

Best,

Lowell Feld
Blue Virginia
Arlington, VA
703-465-0075

From: lowell@raisingkaine.com
To: Edward W Maibach
Cc: michael.gerrard@law.columbia.edu; Barry A Klinger; pdirmeve@gmu.edu; email.fatcow.com; Paul S Schopf; Jagadish Shukla
Subject: Re:
Date: Tuesday, September 22, 2015 1:40:24 PM

Ed: Thanks for the lead, I'm copying Professor Gerrard on this email to see if he has any thoughts about using state RICO laws against climate science-denying corporations based in particular states (e.g., Virginia in this case).

Best,

Lowell

> Hi Lowell,
>
> Neither I nor my climate science colleagues at Mason are RICO experts, so
> we won't be of much use to you on this issue.
>
> Michael Gerrard at Columbia Law School is, however, an expert on this
> issue:
>
> http://www.law.columbia.edu/fac/Michael_Gerrard
>
> All the best,
>
> Ed
>
> Edward Maibach, MPH, PhD
> University Professor, Department of Communication
> Director, Center for Climate Change Communication
> George Mason University, MS 6A8
> Fairfax, VA 22030
> www.climatechangecommunication.org
>
>
> From: lowell@raisingkaine.com <lowell@raisingkaine.com>
> Sent: Tuesday, September 22, 2015 12:56 PM
> To: Barry A Klinger; pdirmeve@gmu.edu; email.fatcow.com; Paul S Schopf;
> Jagadish Shukla; Edward W Maibach
> Subject:
>
> Professors Shukla, Maibach, Dirmeyer, Klinger, Schopf, Straus:
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> Hi, my name is Lowell Feld and I edit the progressive political blog,
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> 703-465-0075
>
>

From: [Bob Inglis](#)
To: [Edward W Maibach](#)
Cc: [Alex Bozmoski](#)
Subject: Re: op-ed + a needlessly self-inflicted headache
Date: Wednesday, September 23, 2015 2:02:23 PM

Ed,

I hope to have some time tomorrow to noodle on this with people in the know.

Best,

Bob

On Tue, Sep 22, 2015 at 8:45 PM, Edward W Maibach <emaibach@gmu.edu> wrote:

Bob,

Re Greenland, would the trip be permissible if a charitable foundation paid the expenses? Jeff Nesbit (Climate Nexux) thinks he can convince a new foundation to provide the funding, if you and republicEN are willing to be the trip leader (with University of Colorado). Just say the word, and I will have Jeff make the ask.

All the best,

Ed

Edward Maibach, MPH, PhD
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From: Edward W Maibach
Sent: Tuesday, September 22, 2015 8:08 AM
To: Bob Inglis
Cc: Alex Bozmoski

Subject: Re: op-ed + a needlessly self-inflicted headache

Thanks Bob. Onward and upward indeed!

Edward Maibach, MPH, PhD
University Professor, Department of Communication
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From: Bob Inglis <bob.inglis@republicen.org>
Sent: Monday, September 21, 2015 5:38 PM
To: Edward W Maibach
Cc: Alex Bozmoski
Subject: Re: op-ed + a needlessly self-inflicted headache

Ed,

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Alex

On Sat, Sep 19, 2015 at 12:41 PM, Edward W Maibach <emaibach@gmu.edu> wrote:

Greetings gentlemen,

I am drafting the attached op-ed and will attempt to get it placed shortly after the Pope's departure. Any suggested improvements will be much appreciated.

Also, I somewhat foolishly signed on to the attached letter that -- thanks to Marc Morano -- has caused quite a stir among some Americans who are unconvinced that climate change is a problem. I expect the kerfuffle (hostile emails and voice messages arriving for me at Mason) will die down soon, but I did want to you to know that I am currently more of a liability to you than usual. BTW: The accusations against me and the other signers bear little resemblance to the actions we proposed in the letter. Oddly, many of them allege that we are proposing to have dissenting scientists locked up in prison. What we actually proposed was financial penalties against corporations than fund climate denial.

Lastly, any thoughts about my (blindingly brilliant) idea for you to lead a field trip to Greenland this summer? I am fairly sure we can raise the necessary funds rather easily.

All the best,

Ed

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: Shukla
To: Edward W Maibach
Subject: Fwd: Media question on alleged funneling of climate funding Fox News
Date: Thursday, September 24, 2015 6:42:36 AM

Dear Ed,
Any suggestions on how to respond?

Regards,
Shukla

University Professor, George Mason University
President, Institute of Global Environment & Society
Research Hall, Room 105
George Mason University, MSN: 2B3
4400 University Drive
Fairfax, VA 22030 USA

Tel: 703-993-5700
E-mail: shukla@iges.org
<http://www.iges.org/>

Begin forwarded message:

From: "Lott, Maxim" <Maxim.lott@FOXNEWS.COM>
Date: September 24, 2015 at 5:40:17 AM EDT
To: "shukla@cola.iges.org" <shukla@cola.iges.org>
Subject: Media question on alleged funneling of climate funding

Hi Dr. Shukla,

I am writing an article for [FoxNews.com](http://www.foxnews.com) regarding allegations that you funnelled government research grants to your own salary through a non-profit: <http://www.climatedepot.com/2015/09/20/update-leader-of-effort-to-prosecute-skeptics-under-rico-paid-himself-his-wife-1-5-million-from-govt-climate-grants-for-part-time-work/>

Would you like to address those claims? Critics say they are relevant especially in light of the call for RICO charges against climate “deniers” because, in their view, it shows that government research grants can also bias scientists.

Please let me know today if you would like to respond. Thank you,

Maxim Lott
Producer
Fox News and Fox Business
O: 212-301-5765

C: 610-457-2022

This message and its attachments may contain legally privileged or confidential information. It is intended solely for the named addressee. If you are not the addressee indicated in this message (or responsible for delivery of the message to the addressee), you may not copy or deliver this message or its attachments to anyone. Rather, you should permanently delete this message and its attachments and kindly notify the sender by reply e-mail. Any content of this message and its attachments that does not relate to the official business of Fox News or Fox Business must not be taken to have been sent or endorsed by either of them. No representation is made that this email or its attachments are without defect.

From: [Jeff Nesbit](#)
To: [Edward W Maibach](#)
Subject: Re: respond?
Date: Thursday, September 24, 2015 7:31:11 AM

I wouldn't advise him to do so. Same problem.

Sent from my iPhone

On Sep 24, 2015, at 6:50 AM, Edward W Maibach <emaibach@gmu.edu> wrote:

Jeff,

Should Shukla respond to Fox News? There were no improprieties. Like many research institute employees, some (or at times most) of his salary is paid through government grants.

Ed

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Maxim Lott
Producer
Fox News and Fox Business

Sent from my iGlasses

From: [Jeff Nesbit](#)
To: [Edward W Maibach](#)
Subject: Re: respond?
Date: Thursday, September 24, 2015 8:52:21 AM

Ah, I like that. Get one grounded piece out there that isn't defensive. Drop Chris a note. Let me know if I can help – I can circle back with him.

From: "emaibach@gmu.edu" <emaibach@gmu.edu>
Date: Thursday, September 24, 2015 5:40 AM
To: Jeff Nesbit <jnesbit@climatenexus.org>
Subject: Re: respond?

How about an interview with Chris Mooney?

Sent from my shoe phone

On Sep 24, 2015, at 7:31 AM, Jeff Nesbit <jnesbit@climatenexus.org> wrote:

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Sent from my iPhone

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Maxim Lott
Producer
Fox News and Fox Business

Sent from my iGlasses

From: J Shukla
To: Edward W Maibach
Subject: Re: Media question on alleged funneling of climate funding Fox News
Date: Thursday, September 24, 2015 9:23:16 AM

Sure.

Regards,
Shukla

On Sep 24, 2015, at 9:05 AM, Edward W Maibach <emaibach@gmu.edu> wrote:

I suggest giving an interview to Chris Mooney at Washington post. I can try to arrange it. Ok?

Sent from my shoe phone

On Sep 24, 2015, at 6:42 AM, Shukla <shukla@iges.org> wrote:

Dear Ed,
Any suggestions on how to respond?

Regards,
Shukla

University Professor, George Mason University
President, Institute of Global Environment & Society
Research Hall, Room 105
George Mason University, MSN: 2B3
4400 University Drive
Fairfax, VA 22030 USA

Tel: 703-993-5700
E-mail: shukla@iges.org
<http://www.iges.org/>

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From: [Chris Mooney](#)
To: [Edward W Maibach](#)
Subject: Re: Mason climate scientist Jagadish Shulka
Date: Thursday, September 24, 2015 12:48:08 PM

Hi Ed,
I wasn't aware of this -- i'm in NYC covering the Pope, so pretty tied up
cm

On Thu, Sep 24, 2015 at 11:09 AM, Edward W Maibach <emaibach@gmu.edu> wrote:

Hi Chris

Are you following the attacks on Shukla as a result of our RICO letter? Would you be willing to do a story on it?

Ed

[301-461-8601](tel:301-461-8601)

Sent from my shoe phone

From: [John Happs](#)
To: [Edward W Maibach](#)
Subject: Edward Maibach, George Mason University
Date: Friday, September 25, 2015 12:54:58 AM
Attachments: [email_RICO_endorsers.pdf](#)
[ATT00001.htm](#)

25th September 2015

I have attached a response to the distasteful letter you and other signatories have sent to President Obama endorsing Senator Whitehouse's call for:

"A RICO (Racketeer Influenced and Corrupt Organizations Act) investigation of corporations and other organizations that have knowingly deceived the American people about the risks of climate change, as a means to forestall America's response to climate change."

Sincerely,

Dr John Happs

25th September 2015

ATTENTION:

Jagadish Shukla, George Mason University

www@cola.iges.org

Edward Maibach, George Mason University

emaibach@gmu.edu

Paul Dirmeyer, George Mason University

pdirmeye@gmu.edu

Barry Klinger, George Mason University

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Robert Dickinson, University of Texas

robtcd@jsg.utexas.edu

Michela Biasutti, Earth Institute, Columbia University

biasutti@ldeo.columbia.edu

Mark Cane, Columbia University

mcane@ldeo.columbia.edu

Lisa Goddard, Earth Institute, Columbia University

goddard@iri.columbia.edu

Alan Betts, Atmospheric Research, Pittsford, VT

akbetts@aol.com

I refer to the distasteful and deceptive letter the above signatories have sent to President Obama endorsing Senator Whitehouse's call for:

"A RICO (Racketeer Influenced and Corrupt Organizations Act) investigation of corporations and other organizations that have knowingly deceived the American people about the risks of climate change, as a means to forestall America's response to climate change."

Not only does your action represent irresponsible and unethical advocacy, it appears to be a desperate rear-guard action against the overwhelming body of evidence which has exposed the questionable alarmism of the now thoroughly discredited IPCC.

You state in your letter that:

".. an overwhelming majority of climate scientists are convinced about the potentially serious adverse effects of human-induced climate change on human health, agriculture, and biodiversity."

It is perhaps curious then that you only managed to attach 20 signatures to your letter whilst tens of thousands of scientist have already signed statements and petitions which say there are:

" ..no risks posed by climate change, including increasing extreme weather events, rising sea levels, and increasing ocean acidity ..."

Presumably you are aware that large numbers of scientists have now signed the following petitions and statements:

The Heidelberg Appeal; The Oregon Petition; The Manhattan Declaration; Open Letter to UN Secretary General; The Petition by German Scientists to the Chancellor; The Leipzig Declaration; Statement from Atmospheric Scientists; Letter to the Members of the U.S. House of Representatives and the U.S. Senate; Memorandum submitted by the Institute of Physics; Statement from scientists to President Obama; Two statement from NASA scientists and other employees; Petition to Ban Ki Moon.

Presumably you are aware of the following document:

"More Than 1000 International Scientists Dissent Over Man-Made Global Warming." This can be located at:

<http://www.climatedepot.com/a/9035/SPECIAL-REPORT-More-Than-1000-International-Scientists-Dissent-Over-ManMade-Global-Warming-Claims--Challenge-UN-IPCC--Gore>

Presumably you are aware of the following document:

"1350+ Peer-Reviewed Papers Supporting Skeptic Arguments Against ACC/AGW Alarm." This can be located at:

<http://www.populartechology.net/2009/10/peer-reviewed-papers->

supporting.html

In 2012, 49 NASA scientists and engineers, in response to alarmist statements from NASA's activist scientist Dr James Hansen, sent a petition to the NASA and GISS administration, including the statement:

"We, the undersigned, respectfully request that NASA and the Goddard Institute for Space Studies (GISS) refrain from including unproven remarks in public releases and websites. We believe the claims by NASA and GISS, that man-made carbon dioxide is having a catastrophic impact on global climate change are not substantiated, especially when considering thousands of years of empirical data. With hundreds of well-known climate scientists and tens of thousands of other scientists publicly declaring their disbelief in the catastrophic forecasts, coming particularly from the GISS leadership, it is clear that the science is NOT settled."

They added:

"We are not trying to stifle discourse, but undisciplined commentary, lacking in precision, is wholly inappropriate when NASA's name and reputation is attached."

They are not trying to stifle discourse but the above signatories certainly are.

A Japanese Geoscience Union symposium survey in 2008 "showed 90 per cent of the participants did not believe the IPCC reports."

Dr's Maruyama, Akasofu, Kusano and Maruyama state that large influences on global climate over time may be global cosmic rays and solar activity.

In 2008 a survey of more than 51,000 scientists from the Association of Professional Engineers, Geologists and Geophysicists of Alberta, Canada (APEGGA) found:

"The majority of scientific participants in the survey agreed that the theoretical climate models used to predict a future warming cannot be relied upon and are not validated by the existing climate record. Yet all predictions are based on such theoretical models."

The Russian Academy of Science completely rejects the notion of

catastrophic anthropogenic global warming, predicting that:

“In the coming years the temperature over the entire planet will fall.”

And:

“The average temperature on Earth is now returning to the level of the 1996-1997 years, 0.3°C lower.”

In 2009 the Polish Academy of Sciences produced a report which pointed to the IPCC's position on CAGW as becoming increasingly untenable. The Geologic Science Committee of the PAS reported:

“Experiments in natural science show that one-sided observations, those that take no account of the multiplicity of factors determining certain processes in the geo-system, lead to unwarranted simplifications and wrong conclusions when trying to explain natural phenomena.”

In 2012 the German Academy of Sciences and Engineering rejected the notion of climate catastrophe and stated that coping with climate change would not pose any difficult challenges. In a study commissioned by the German Federal Government, Acatech President Reinhard Hüttl said:

“No climate conditions are going to occur here that already do not exist on the globe elsewhere and that we cannot cope with.”

The French Academy of Sciences has also indicated that there still remains uncertainty regarding the climatic effects of human-induced carbon dioxide emissions. Their 2010 report was critical of the IPCC's claim of scientific certainty regarding climate change and the central role of anthropogenic carbon dioxide.

In 2010 the British Institute of Physics, with a worldwide membership of over 36,000, made a statement to the House of Commons Science and Technology Committee's inquiry into the integrity of the IPCC and scientists at the CRU. With regard to the leaked University of East Anglia CRU emails, they stated:

“The Institute is concerned that, unless the disclosed e-mails are proved to be forgeries or adaptations, worrying implications arise for the integrity of scientific research in this field and for the credibility of the scientific method as practised in this context.”

And:

"The CRU e-mails as published on the internet provide prima facie evidence of determined and co-ordinated refusals to comply with honourable scientific traditions and freedom of information law."

And:

"The e-mails reveal doubts as to the reliability of some of the (climate) reconstructions and raise questions as to the way in which they have been represented."

In fact the emails were genuine and there are worrying implications about the IPCC's integrity.

The American Chemical Society (ACS) considers itself to be the world's largest scientific society. In 2009, skeptical members of the ACS openly revolted against the ACS Editor in Chief, Rudy Baum with many ACS scientists demanding he be removed after he promoted, without due consultation, the position that:

"The science of anthropogenic climate change is becoming increasingly well established."

In 2009, the American Physical Society (APS) Council decided to review its current climate statement when more than 250 of its membership urged a change in the APS climate statement.

Many physicists wrote to the APS governing board, pointing out:

"Measured or reconstructed temperature records indicate that 20th - 21st century changes are neither exceptional nor persistent, and the historical and geological records show many periods warmer than today."

In 2011 Nobel prize winner Dr Ivar Giaever resigned from the APS in disgust over the group's promotion of man-made global warming fears. He objected to their statement that: *"the evidence is incontrovertible."*

Should any legal pressure be contemplated against climate rationalists, you might want to reflect on the following statements from IPCC contributing scientists:

Dr Robert Balling: "The IPCC notes that "No significant acceleration in the rate of sea level rise during the 20th century

has been detected." (This did not appear in the IPCC Summary for Policymakers).

Dr Lucka Bogataj: "Rising levels of airborne carbon dioxide don't cause global temperatures to rise.... temperature changed first and some 700 years later a change in aerial content of carbon dioxide followed."

Dr Daniel Botkin: "The two (IPCC) reports assume and argue that the climate warming forecasts by the global warming models is happening and will continue to happen and grow worse. Currently these predictions are way off the reality."

Dr John Christy: "As time went on, nations would tend to nominate only those authors whose climate change opinions were in line with a national political agenda which sought perceived advantages (i.e. political capital, economic gain, etc.) by promoting the notion of catastrophic human-induced climate change. Scientists with well-known alternative views would not be nominated or selected."

Dr Rosa Compagnucci: "Humans have only contributed a few tenths of a degree to warming on Earth. Solar activity is a key driver of climate."

Dr Richard Courtney: "The empirical evidence strongly indicates that the anthropogenic global warming hypothesis is wrong."

Dr Judith Curry: "I'm not going to just spout off and endorse the IPCC because I don't have confidence in the process."

Dr Robert Davis: "Global temperatures have not been changing as state of the art climate models predicted they would. Not a single mention of satellite temperature observations appears in the (IPCC) *Summary for Policymakers*."

Dr Willem de Lange: "In 1996, the IPCC listed me as one of approximately 3,000 "scientists" who agreed that there was a discernable human influence on climate. I didn't. There is no evidence to support the hypothesis that runaway catastrophic climate change is due to human activities."

Dr Chris de Freitas: "Government decision-makers should have heard by now that the basis for the longstanding claim that carbon dioxide is a major driver of global climate is being questioned; along with it the hitherto assumed need for costly measures to restrict carbon dioxide emissions. If they have not heard, it is because of the din of global warming hysteria that relies on the logical fallacy of 'argument from ignorance' and predictions of computer models."

Dr Peter Dietze: "Using a flawed eddy diffusion model, the IPCC has grossly underestimated the future oceanic carbon dioxide uptake."

Dr Don Easterbrook: "After reading the recently-released [IPCC AR5] report, we can now add, 'there are liars, damn liars, and IPCC.'"

Dr John Everett: "It is time for a reality check. The oceans and coastal zones have been far warmer and colder than is projected in the present scenarios of climate change. I have reviewed the IPCC and more recent scientific literature and believe that there is not a problem with increased acidification, even up to the unlikely levels in the most-used IPCC scenarios."

Dr George Filippo: "I feel rather uncomfortable about using not only unpublished but also unreviewed material as the backbone of our conclusions (or any conclusions) ... I feel that at this point there are very little rules [sic] and almost anything goes."

Dr Oliver Frauenfeld: "Much more progress is necessary regarding our current understanding of climate and our abilities to model it."

Dr Eigil Friis-Christensen: "The IPCC refused to consider the sun's effect on the Earth's climate as a topic worthy of investigation. The IPCC conceived its task only as investigating potential human causes of climate change."

Dr Lee Gerhard: "I never fully accepted or denied the anthropogenic global warming (AGW) concept until the furor started after [NASA's James] Hansen's wild claims in the late 1980's. I went to the [scientific] literature to study the basis of the

claim, starting at first principles. My studies then led me to believe that the claims were false.”

Dr Francois Gervais: “The aim and goal of the AR5 report are to try to confirm scientifically that anthropogenic emissions of CO2 would be the main cause of global warming, or not. I regret to admit that in its present form, the AR5 draft the conclusions of which are based on models which are not substantiated from the point of view of arguments recalled hereon, is not convincing to this physicist expert reviewer.”

Dr Indur Goklany: “Climate change is unlikely to be the world's most important environmental problem of the 21st century. There is no signal in the mortality data to indicate increases in the overall frequencies or severities of extreme weather events, despite large increases in the population at risk.”

Dr Vincent Gray: “The (IPCC) climate change statement is an orchestrated litany of lies.”

Dr Kenneth Green: “We can expect the climate crisis industry to grow increasingly shrill, and increasingly hostile toward anyone who questions their authority.”

Dr Mike Hulme: “Claims such as ‘2,500 of the world’s leading scientists have reached a consensus that human activities are having a significant influence on the climate’ are disingenuous ... The actual number of scientists who backed that claim was “only a few dozen.”

Dr Kiminori Itoh: “There are many factors which cause climate change. Considering only greenhouse gases is nonsense and harmful. When people know what the truth is they will feel deceived by science and scientists.”

Dr Yuri Izrael: “There is no proven link between human activity and global warming. I think the panic over global warming is totally unjustified. There is no serious threat to the climate.”

Dr Steven Japar: “Temperature measurements show that the climate model-predicted mid-troposphere hot zone is non-existent. This is more than sufficient to invalidate global climate models and projections made with them.”

Dr Georg Kaser: "This number (of receding glaciers reported by the IPCC) is not just a little bit wrong, but far out of any order of magnitude ... It is so wrong that it is not even worth discussing."

Dr Aynsley Kellow: "I'm not holding my breath for criticism to be taken on board, which underscores a fault in the whole peer review process for the IPCC: there is no chance of a chapter [of the IPCC report] ever being rejected for publication, no matter how flawed it might be."

Dr Madhav Khandekar: "I have carefully analysed adverse impacts of climate change as projected by the IPCC and have discounted these claims as exaggerated and lacking any supporting evidence."

Dr Hans Labohm: "The alarmist passages in the (IPCC) Summary for Policymakers have been skewed through an elaborate and sophisticated process of spin-doctoring."

Dr Andrew Lacis: "There is no scientific merit to be found in the Executive Summary. The presentation sounds like something put together by Greenpeace activists and their legal department."

Dr Chris Landsea: "I cannot in good faith continue to contribute to a process that I view as both being motivated by pre-conceived agendas and being scientifically unsound."

Dr Judith Lean: "Climate models failed to reflect the sun's cyclical influence on the climate and that has led to a sense that the sun isn't a player ... they have to absolutely prove that it's not a player."

Dr Richard Lindzen: "The IPCC process is driven by politics rather than science. It uses summaries to misrepresent what scientists say and exploits public ignorance."

Dr Harry Lins: "Surface temperature changes over the past century have been episodic and modest and there has been no net global warming for over a decade now. The case for alarm regarding climate change is grossly overstated."

Dr Philip Lloyd: "I am doing a detailed assessment of the IPCC reports and the Summaries for Policy Makers, identifying the way in which the Summaries have distorted the science. I have found examples of a summary saying precisely the opposite of what the scientists said."

Dr Martin Manning: "Some government delegates influencing the IPCC Summary for Policymakers misrepresent or contradict the lead authors."

Dr Stephen McIntyre: "The many references in the popular media to a "consensus of thousands of scientists" are both a great exaggeration and also misleading."

Dr Ross McKittrick: "The world still awaits a proper inquiry into climategate: one that is not stacked with global warming advocates, and one that is prepared to cross-examine evidence, interview critics as well as supporters of the CRU and other IPCC players, and follow the evidence where it clearly leads".

Dr John McLean: "The repeated failure of predictions based on climate models is further evidence that the models are flawed and have no credibility."

Dr Patrick Michaels: "The rates of warming, on multiple time scales have now invalidated the suite of IPCC climate models. No, the science is not settled."

Dr Nils-Axel Morner: "If you go around the globe, you find no sea level rise anywhere."

Dr Johannes Oerlemans: "The IPCC has become too political. Many scientists have not been able to resist the siren call of fame, research funding and meetings in exotic places that awaits them if they are willing to compromise scientific principles and integrity in support of the man-made global-warming doctrine."

Dr Roger Pielke: "All of my comments were ignored without even a rebuttal. At that point, I concluded that the IPCC Reports were actually intended to be advocacy documents designed to produce particular policy actions, but not as a true and honest assessment of the understanding of the climate system."

Dr Jan Pretel: "It's nonsense to drastically reduce emissions ... predicting about the distant future - 100 years can't be predicted due to uncertainties."

Dr Alec Rawls: "What I found interesting in the IPCC report is how blatant the statistical fraud is, omitting the competing explanation from the models completely, while pretending that they are using their models to distinguish between anthropogenic and natural warming. These people are going to hang on to their power grab until the bitter end."

Dr Paul Reiter: "As far as the science being 'settled,' I think that is an obscenity. The fact is the science is being distorted by people who are not scientists."

Dr Murray Salby: "I have an involuntary gag reflex whenever someone says the "science is settled. Anyone who thinks the science is settled on this topic is in fantasia."

Dr Ben Santer: "It's unfortunate that many people read the media hype before they read the chapter we (the IPCC) say quite clearly that few scientists would say the attribution issue was a done deal."

Dr Tom Segalstad: "The IPCC global warming model is not supported by the scientific data."

Dr Frederick Seitz: "Many of the contributing scientists object to what is left in the Summaries For Policymakers after the non-scientists have influenced it but their names remain as contributing scientists."

Dr. Keith Shine: "We produce a draft, and then the policymakers go through it line by line and change the way it's presented They don't change the data, but the way it's presented. It is peculiar that they have the final say in what goes into a scientists' report."

Dr Jagadish Shukla: "It is inconceivable that policymakers will be willing to make billion-and trillion-dollar decisions for adaptation to the projected regional climate change based on models that do not even describe and simulate the processes that are the building blocks of climate variability."

Dr Fred Singer: “Isn't it remarkable that the Policymakers Summary of the IPCC report avoids mentioning the satellite data altogether, or even the existence of satellites--probably because the data show a (slight) cooling over the last 18 years, in direct contradiction to the calculations from climate models?”

Dr Hajo Smit: “There is clear cut solar-climate coupling and a very strong natural variability of climate on all historical time scales. Currently I hardly believe anymore that there is any relevant relationship between human CO2 emissions and climate change.”
(50)

Dr Roy Spencer: “The IPCC is not a scientific organization and was formed to regulate carbon dioxide emissions. Claims of human-cause global warming are only a means to that goal.”

Dr Robert Stavins: “The IPCC should not ask lead authors to volunteer enormous amounts of their time over multi-year periods to carry out work that will inevitably be rejected by governments in the Summary for Policymakers.”

Dr Peter Thorne: “Observations do not show rising temperatures throughout the tropical troposphere unless you accept one single study and approach and discount a wealth of others. This is just downright dangerous. We need to communicate the uncertainty and be honest.”

Dr Richard Tol: “The IPCC attracted more people with political rather than academic motives. In AR4, green activists held key positions in the IPCC and they succeeded in excluding or neutralising opposite voices.”

Dr Tom Tripp: “There is so much of a natural variability in weather it makes it difficult to come to a scientifically valid conclusion that global warming is man made.”

Dr Fritz Vahrenholt: “Doubt came two years ago when I was an expert reviewer of an IPCC report on renewable energy. I discovered numerous errors and asked myself if the other IPCC reports on climate were similarly sloppy. I couldn't take it any more.”

Dr James Wanliss: “ Global warming is the greatest scam in scientific history.”

Dr Heinz Wanner: “ I was a reviewer of the IPCC-TAR report 2001. In my review ... I criticized the fact that the whole Mann hockey stick is being printed in its full length in the IPCC-TAR report.

In 1999 I made the following comments:

1. The spatial, temporal (tree-ring data in the midlatitudes mainly contain “summer information”) and spectral coverage and behaviour of the data is questionable, mainly before 1500-1600 AD.

2. It is in my opinion not appropriate already to make statements for the southern hemisphere and for the period prior to 1500 AD.

My review was classified “unsignificant”

Dr Robert Watson: “The (IPCC) mistakes all appear to have gone in the direction of making it seem like climate change is more serious by overstating the impact. That is worrying. The IPCC needs to look at this trend in the errors and ask why it happened.”

Dr Gerd-Rainer Weber: “Most of the extremist views about climate change have little or no scientific basis.”

Dr David Wojick: “The public is not well served by this constant drumbeat of alarms fed by computer models manipulated by advocates.”

Dr Miklos Zagoni: “I am positively convinced that the anthropogenic global warming theory is wrong.”

Dr. Eduardo Zorita: “Editors, reviewers and authors of alternative studies, analysis, interpretations, even based on the same data we have at our disposal, have been bullied and subtly blackmailed. By writing these lines... a few of my future studies will not see the light of publication.”

Consider your statement that:

"The stability of the Earth's climate over the past ten thousand years contributed to the growth of agriculture and therefore, a thriving human civilization."

And what climate stability would that be precisely? Even the alarmist IPCC has conceded that, over the last 1,000 years, the earth has experienced much warmer and much colder periods than we have today. To argue for climate stability over the last 1,000 years is to ignore a vast body of peer reviewed published literature that says otherwise.

Whether it's global temperature, sea level or ocean pH, the IPCC has either ignored or marginalized evidence that does not support its alarmist mantra. Professor Jason Johnston from the University of Pennsylvania Law School reported in his research paper: *"Global Warming Advocacy Science: a Cross Examination"* that when he looked to see if the IPCC reports actually represented *"an unbiased and objective assessment."* Johnston reported:

"Such verification means comparing what the IPCC has to say about climate science with what one finds in the peer-reviewed climate science literature."

He concluded:

"On virtually every major issue in climate change science, IPCC reports systematically conceal or minimize what appear to be fundamental scientific uncertainties."

Johnston went on to say that when they examined research by *"scientists at the very best universities"* who are of *"unimpeachable credibility"* they found *"facts and findings that are rarely if ever mentioned"* by the IPCC.

Your letter asserted:

"We are now at high risk of seriously destabilizing the Earth's climate and irreparably harming people around the world, especially the world's poorest people."

The UN's environmental activists have made clear their intentions to send industrialised nations back to the developing stage and redistribute the wealth of the west. What they fail to appreciate is the inevitability of damaging social, economic and environmental

consequences of too little development. When countries become wealthier, they can invest in cleaner technologies and lift their people out of poverty.

Nearly 3 million people heat their homes and cook over open fires, fuelled by wood or animal dung and more than 1 billion people lack access to reliable sources of inexpensive electricity for lighting, heating, cooking and refrigeration. Millions die annually from lung disease, intestinal infection and food poisoning, mainly women and children, because they lack access to electricity.

Their health and education are threatened because green activists would deprive them of inexpensive, reliable electricity from fossil fuels.

When countries generate electricity using coal and gas, their populations lead healthier and longer lives. To ignore coal and gas as inexpensive energy sources dramatically reduces the ability of developed economies to compete in the manufacture of goods with more industries and jobs going to coal-driven Asia.

I have always stressed to my university students the importance of scientific integrity and the need to follow the evidence wherever it takes them. Consider the example of Dr Charles Lineweaver from the School of Earth Sciences at the Australian National University. In writing about the cosmic microwave background and our current state of knowledge about the universe he candidly observed:

"The biggest prize of all may be something unexpected. We know that our model of the universe is incomplete ... It seems very probable that our model is wrong in some unexpectedly fundamental way. It may contain some crucial conceptual blunder (as has happened so many times in the past). Some unexpected quirk in the data may point us in a new direction and revolutionise our view of the universe .."

Albert Einstein's theory of general relativity pointed to a universe which should be expanding or contracting yet he was unhappy about this. He doubted his calculations and initially introduced a cosmological "fudge factor" which he later came to regret. Edwin Hubble used observational data to argue that the universe is expanding. Einstein looked further and admitted that he had made an error, modifying his mathematical models to accommodate the

real world observations.

Scientific integrity should always be about hypothesis testing and the sharing of data with serious consideration given to competing ideas. Scientists should be prepared to modify their position as new data comes to hand. This is how intellectually honest scientists proceed and how scientific knowledge is advanced.

Sadly, this intellectually honest approach is in stark contrast to the defensive, intransigent, secretive and even hostile position adopted by the IPCC and its acolytes whenever their catastrophic anthropogenic global warming hypothesis is challenged.

It is now widely known that the increasingly embarrassing IPCC, is a political/ideological organization which has been masquerading as an independent scientific body since its inception in 1988. This fact is well known to many scientists and made plain by the following:

Dr Vincent Gray, climate consultant, long-standing member of the New Zealand Royal Society and expert reviewer for all four IPCC Assessment Reports described the IPCC's climate change statements as:

“An orchestrated litany of lies.”

Former Professor of Climatology at the University of Winnipeg, Dr Tim Ball was equally explicit:

“The argument that global warming is due to humans, known as the anthropogenic global warming theory (AGW) is a deliberate fraud. I can now make that statement without fear of contradiction because of a remarkable hacking of files that provided not just a smoking gun, but an entire battery of machine guns.”

And:

“Carbon dioxide was never a problem and all the machinations and deceptions exposed by these files prove that it is the greatest deception in history, but nobody is laughing. It is a very sad day for science.”

Dr Ian Plimer, Professor of Mining Geology at The University of Adelaide and Emeritus Professor of Earth Sciences at The University of Melbourne agrees:

“Here we have the Australian (former Labor) government underpinning the biggest economic decision this country has ever made and it's all based on fraud.”

Dr Christopher Kobus, Professor of engineering at Oakland University says:

“In essence, the jig is up. The whole thing is a fraud. And even the fraudsters that fudged data are admitting to temperature history that they used to say didn't happen...Perhaps what has doomed the Climategate fraudsters the most was their brazenness in fudging the data.”

Geophysicist Dr Norm Kalmanovitch:

When the cooling started in 2002 climate change and advocacy for following the dictates of the 1997 Kyoto Protocol on Climate Change went from an issue of science to an issue of fraud, so it is no longer up to the scientists to disprove the AGW hypothesis as much as it is up to the lawyers to lead a class action against this fraud which has crippled the economy and caused global starvation as basic food staples are being used as feedstock for biofuels so the perpetrators of this fraud can increase their wealth trading carbon credits.

Physicist Dr Dirck Hartmann:

“Our mainstream media uses every opportunity to hype the hoax of man-made global warming by repeated reporting of data and events that appear to support it and ignoring those that contradict it. Hopefully man made global warming will come to be recognized for the hoax it truly is.”

Dr Hilton Ratcliffe, physicist, mathematician and astronomer was equally clear:

“The whole idea of anthropogenic global warming is completely unfounded. There appears to have been money gained by Michael

Mann, Al Gore and UN IPCC's Rajendra Pachauri as a consequence of this deception, so it's fraud."

Russian glaciologist and geomorphologist, Dr Andrei Kapitsa also considered the Kyoto Protocol as:

"The biggest ever scientific fraud."

Dr Harold Lewis, Emeritus Professor of physics at the University of California, Santa Barbara, resigned from the American Physical Society (APS). He said:

"Climategate was a fraud on a scale I have never seen."

And:

"... the global warming scam, with the (literally) trillions of dollars driving it, that has corrupted so many scientists, and has carried APS before it like a rogue wave. It is the greatest and most successful pseudoscientific fraud I have seen in my long life as a physicist."

Dr Ivar Giaever, the 1973 winner of the Nobel Prize in physics, also resigned from the APS over its position on global warming. He objected to their statement that: *"the evidence is incontrovertible."*

Dr William Gray, Emeritus Professor and Head of the Tropical Meteorology Project, Department of Atmospheric Science, Colorado University states:

"I am of the opinion that (global warming) is one of the greatest hoaxes ever perpetrated on the American people."

Professor Bob Carter, Research Fellow at James Cook University is a palaeontologist, stratigrapher, marine geologist and environmental scientist. Professor Carter describes the notion of anthropogenic global warming (AGW) as promoted by the IPCC as:

"The greatest self-organised scientific and political conspiracy that the world has ever seen."

Astrophysicist Piers Corbyn says:

"It is in the interests of the whole world for the whole UN Climate Change policy to be totally abandoned. The CO2 theory is failed science based on fraudulent data."

Research chemist, Dr William Gilbert wants his feelings known:

"I am ashamed of what climate science has become today. The science community is relying on an inadequate model to blame CO2 and innocent citizens for global warming in order to generate funding and to gain attention. If this is what 'science' has become today, I, as a scientist, am ashamed."

Professor Will Alexander, hydrology and flood analysis expert says:

"I believe that this whole global warming/climate change issue is no more than a monumental scam."

Princeton Physics Professor Robert Austin and other APS members signed a statement which said:

"By now everyone has heard of what has come to be known as ClimateGate, which was and is an international scientific fraud, the worst any of us have seen..."

Professor Don Easterbrook from Western Washington University:

"The corruption within the IPCC revealed by the Climategate scandal, the doctoring of data and the refusal to admit mistakes have so severely tainted the IPCC that it is no longer a credible agency."

IPCC expert reviewer Professor Tom Segalstad (Geologist & Geochemist) UN-PCC Expert Reviewer shows how futile the IPCC's claims really are:

"It is a search for a mythical CO2 sink to explain an immeasurable CO2 lifetime to fit a hypothetical CO2 computer model that purports to show that an impossible amount of fossil fuel burning is heating the atmosphere. It is all a fiction."

Clive Crook is the *Financial Times* Chief Washington Commentator and former believer in anthropogenic global warming and supporter of carbon dioxide reduction measures might have had a change of heart:

"The closed-mindedness of these supposed men of science, their willingness to go to any lengths to defend a preconceived message, is surprising even to me. The stink of intellectual corruption is overpowering."

IPCC expert reviewer Dr Kiminori Itoh is equally scathing:

"Man-made warming is the worst scientific scandal in history."

Swedish climatologist, Dr Hans Jelbring is quite specific:

"Science is too important for our society to be misused in the way it has been done within the Climate Science Community."

Dr Michael Schrage (MIT):

"A small cabal of scientists were engaged in malice, mischief and Machiavellian maneuverings."

The Attorney-General of the Commonwealth of Virginia, Mr. Cuccinelli, issued a press statement on May 28, 2010, repeating an earlier statement that :

"The revelations of Climategate indicate that some climate data may have been deliberately manipulated to arrive at pre-set conclusions. The use of manipulated data to apply for taxpayer-funded research grants in Virginia is potentially fraud. ... This is a fraud investigation."

As Christopher Monckton points out:

"Fraud, in the Commonwealth of Virginia as in most jurisdictions, is a criminal offence. The Attorney-General's investigation is being conducted in terms of the Fraud Against Taxpayers Act 2000."

Dr Fred Singer was clear:

"The people who did the IPCC reports were essentially crooks."

Statistician and IPCC expert reviewer Dr Alec Rawls reflected on how the IPCC ignored the fact that the empirical evidence in favour of the solar explanation (for warming/cooling) is overwhelming. He said:

“What I found interesting in the IPCC report is how blatant the statistical fraud is.”

Dr David Evans on IPCC temperature measurement:

“If it really is warming up as the government climate scientists say, why do they present only the surface thermometer results and not mention the satellite results? And why do they put their thermometers near artificial heating sources? This is so obviously a scam now.”

Former German Chancellor Helmut Schmidt has called for an independent inquiry into the IPCC saying:

“The IPCC have encountered skepticism, especially since some of their researchers have shown themselves to be fraudsters.”

Dr Igor Khmelinskii: *“The motivation for the reviewed research effort and the logic behind it is more often fraudulent than not its conclusions are already known before the research even began - these conclusions being AGW is happening, and we are to blame for it.”*

Jay Lehr, science director of the Heartland Institute:

“It is a scam that dwarfs all others that have come before.”

Meteorologist Dr Klaus-Eckart Puls at the European Institute For Climate and Energy (EIKE):

“Ten years ago I simply parroted what the IPCC told us. One day I started checking the facts and data—first I started with a sense of doubt but then I became outraged when I discovered that much of what the IPCC and the media were telling us was sheer nonsense and was not even supported by any scientific facts and measurements. To this day I still feel shame that as a scientist I made presentations of their science without first checking it.”

Perhaps when the definitive book on "*Catastrophic anthropogenic global warming: the greatest fraud in the history of science*" is written, the letter sent to President Obama, Attorney General Lynch, and OSTP Director Holdren will feature prominently.

Sincerely.

Dr John Happs

From: [Jeff Nesbit](#)
To: [Edward W Maibach](#)
Subject: Re: respond?
Date: Thursday, September 24, 2015 4:31:27 PM

Joby's tied up, too. Try Chelsea Harvey.

From: "emaibach@gmu.edu" <emaibach@gmu.edu>
Date: Thursday, September 24, 2015 1:26 PM
To: Jeff Nesbit <jnesbit@climatenexus.org>
Subject: Re: respond?

Chris is on assignment in NYC (covering the Pope), but will try to find me someone interested in the story. Any ideas of people I should pitch to?

Sent from my iGlasses

On Sep 24, 2015, at 8:52 AM, Jeff Nesbit <jnesbit@climatenexus.org> wrote:

Ah, I like that. Get one grounded piece out there that isn't defensive. Drop Chris a note. Let me know if I can help – I can circle back with him.

From: "emaibach@gmu.edu" <emaibach@gmu.edu>
Date: Thursday, September 24, 2015 5:40 AM
To: Jeff Nesbit <jnesbit@climatenexus.org>
Subject: Re: respond?

How about an interview with Chris Mooney?

Sent from my shoe phone

On Sep 24, 2015, at 7:31 AM, Jeff Nesbit <jnesbit@climatenexus.org> wrote:

I wouldn't advise him to do so. Same problem.

Sent from my iPhone

On Sep 24, 2015, at 6:50 AM, Edward W Maibach <emaibach@gmu.edu> wrote:

Jeff,

Should Shukla respond to Fox News? There were no

improprieties. Like many research institute employees, some (or at times most) of his salary is paid through government grants.

Ed

Hi Dr. Shukla,

I am writing an article for FoxNews.com regarding allegations that you funnelled government research grants to your own salary through a non-profit:

<http://www.climatedepot.com/2015/09/20/update-leader-of-effort-to-prosecute-skeptics-under-rico-paid-himself-his-wife-1-5-million-from-govt-climate-grants-for-part-time-work/>

Would you like to address those claims? Critics say they are relevant especially in light of the call for RICO charges against climate “deniers” because, in their view, it shows that government research grants can also bias scientists.

Please let me know today if you would like to respond. Thank you,

Maxim Lott
Producer
Fox News and Fox Business

Sent from my iGlasses

From: [Edward Sarachik](#)
To: [J Shukla](#); [Edward W Maibach](#); [Paul A Dirmeyer](#); [Professor Barry Klinger](#); [Andrew Light](#); [Paul S Schopf](#); [David M. Straus](#); [Edward Sarachik](#); [Mike Wallace](#); [Alan Robock](#); [Professor Eugenia Kalnay](#); [Dr. Bill Lau](#); [Dr. Kevin Trenberth](#); [Professor T.N. Krishnamurti](#); [Dr. Vasubandhu Misra](#); [Dr. Robert Dickinson](#); [Dr. Michela Biasutti](#); [Dr. Mark Cane](#); [Dr. Lisa Goddard](#); [Dr. Alan Betts](#)
Subject: Public Records Request: PR-2015-00584 (Horner) (fwd)
Date: Friday, September 25, 2015 8:49:00 PM
Attachments: [Horner_9.24.2015.pdf](#)

FYI

Edward S. Sarachik
CIG/UW
3737 Brooklyn Ave.
Box 355674
Seattle, WA 98195-5674
Phone 206-285-5221

----- Forwarded message -----
Date: Fri, 25 Sep 2015 10:04:03 -0700
From: Scott Sipes <dssipes@uw.edu>
To: John M Wallace <wallace@atmos.washington.edu>,
Edward S Sarachik <sarachik@atmos.washington.edu>
Cc: harry@uw.edu, Scott Sipes - ATMS <dssipes@uw.edu>
Subject: Public Records Request: PR-2015-00584 (Horner)

Greetings.

We have received the attached public records request which involves your email accounts. Please respond as soon as possible to this email providing authorization for UWIT to take snapshots of your email accounts for the purpose of the request. This will allow the Office of Public Records and Open Public Meetings to collect the responsive records.

If you have questions, they should be directed to Meg McGough at pubrec@uw.edu.

Thanks.

Scott

Scott Sipes, Administrator

Department of Atmospheric Sciences

Box 351640, 408B ATG Building

University of Washington

Seattle, WA 98195-1640

206.543.6471

From: Public Records [<mailto:pubrec@uw.edu>]
Sent: Thursday, September 24, 2015 4:31 PM
To: Lisa J. Graumlich
Cc: Stephanie A. Harrington; Darlene Feikema
Subject: New Public Records Request: PR-2015-00584 (Horner)

*****Immediate attention required: This is a time-sensitive request for assistance from the Office of Public Records and Open Public Meetings. Please respond by October 8, 2015.*****

Lisa Graumlich
College of the Environment
Box 355679

Dear Lisa:

Attached to this email is a new Public Records request. You are being asked to help the University respond promptly to this request by taking the following steps:

1. Immediately identify all locations, within your area of responsibility, for any record that may be responsive to this request, including any records held by others within your school, college, unit, division or department. Attached is a list of factors that must be considered when identifying records responsive to this request.
2. Immediately preserve potentially responsive records from destruction or alteration.
3. After you collect the responsive records, send electronic or hard copies of them to the Office of Public Records and Open Public Meetings, University of Washington, Box 354997. It is critical that the copies you send are single-sided and unstapled and that you include a copy of this letter with your submission.
4. Please call the staff at the Office of Public Records and Open Public Meetings at 543-9180 with any questions or concerns you may have about this request.

If you are aware of additional faculty, staff, departments, or entities which may have records related to this request, please notify this office as soon as possible.

Thank you for your assistance in helping the University respond to the attached public records request in a timely and efficient manner.

Sincerely,

Meg McGough
Compliance Officer
UNIVERSITY OF WASHINGTON
Office of Public Records and Open Public Meetings
Mail: Roosevelt Commons-Box 354997, Seattle, WA 98195
Street: 4311 11th Ave NE, #360
206.543.9180 fax 206.616.6294

Responding to Requests for Public Records

- Any record prepared, owned, used or retained by the University, and that concerns University business, is considered a public record and must be provided to the Office of Public Records and Open Public Meetings.
- The definition of a "record" is very broad and includes correspondence, hand-written notes, forms, electronic records (such as email and databases), research records, visual records such as pictures, cd(s) or videos, audio records etc.
- You may not destroy or alter a requested record. This includes records that exist at the time a public records request is received by the University even though it may have passed its legal records retention period or is required to be destroyed by a contract.
- The University is legally required to identify all responsive records, even those it might choose to withhold from disclosure under one of the Public Records Act permissible exemptions. Thus, you must collect and send all records to the Office of Public Records and Open Public Meetings, even those you consider confidential or personal, those an outside party considers confidential (such as a vendor or licensee) or personal, or those you consider covered by the attorney-client privilege. The University might not release such records if they fall within one of the exemptions to the Public Records Act, but it must provide the requestor an inventory that identifies all records it chooses to exempt.
- If the request seeks a potentially large volume of records, you should work closely with the Office of Public Records and Open Public Meetings to determine a prompt timeframe for collection of records. The Office of Public Records and Open Public Meetings may explore with the requestor clarifying, narrowing, or prioritizing the request. You should not contact the requestor directly.
- Certain records may be found in more than one UW location. You should not assume that someone else is going to provide records that you also have in your control.
- The consequences of not responding promptly or completely to a request are very serious. The University could be sued and could face costly fines and legal costs for not complying fully with the requirements of the public records law.



Request under the Washington State Public Records Act

September 24, 2015

Public Records and Open Meetings
4311 11th Ave NE Suite 360
Box 354997
Seattle, WA 98105

By Email: pubrec@uw.edu

RE: Request – Certain Emails to or from Profs. Sarachik and Wallace

Dear University Public Records Officer,

On behalf of the Competitive Enterprise Institute (CEI), please consider this request pursuant to Washington State's Public Records Act, RCW Chapter 42.56. We make this request following up a September 1, 2015 letter recently in the news, a letter sent by, among others, two University of Washington faculty members. In it Profs. Edward Sarachik and Michael Wallace write the United States Department of Justice, expressly in their capacities as professors with your public institution dedicated to the vigorous exchange of ideas, to "strongly endorse" criminal investigation of those who disagree with them.

Specifically, Profs. Sarachik and Wallace write in support of investigation of parties identified in some of their favorite books and pamphlets for not sharing the same vision of "America's response to climate change", using the Federal Racketeer Influenced and Corrupt Organizations Act (RICO).

While we credit these faculty's understatement in characterizing this suggestion as an "aggressive and imaginative use of limited tools available to" the federal government in countering political opposition, we are interested in the use of public resources afforded Prof. Sarachik and Wallace to advance this unique twist on vigorous policy debate.

As such, please provide us within 5 business days, pursuant to RCW Chapter 42.56.070(3)(e) copies of all records in the University's system in the form of electronic mail sent From or To Professors Sarachik and Wallace (including also in the cc: or bcc: fields) dated from June 1, 2015 through the date you process this request, inclusive, which use or contain any of the words RICO, racketeer, racketeering, DoJ, prosecute or prosecution.

We understand that open records laws may seem a rather less "aggressive or imaginative use of limited tools available" to the public than those conjured by Profs. Sarachik, Wallace and their cadre. However, as a non-profit public policy institute with research, investigative journalism and publication functions, as well as a transparency initiative seeking public records relating to environmental and energy policy, CEI's approach is one giving preference to increasing — as opposed to suppressing — the information available to the public, particularly regarding the use of public resources.

Please provide responsive documents in complete form, with any appendices or attachments as the case may be.

The Washington Public Records Act is "(A) strongly-worded mandate for broad disclosure of public records." *Rental Hous. Ass'n of Puget Sound v. City of Des Moines*, 165 Wn.2d 525, 535 (Wash. 2009). Exemptions are to be "narrowly construed" under RCW Chapter 42.56.030. None of the exemptions under RCW Chapter 42.56 are likely to apply to the documents requested. However, should the University believe that an exemption applies that allows withholding or redaction of any documents, we ask that you provide a detailed exemption log, listing which documents are withheld or redacted, pursuant to any exemption(s) claimed, and briefly describe the content of the document in general terms. We note a recent Washington State Appellate Court decision which held, "When an agency claims an exemption under the PRA, it must provide identifying information that includes a brief explanation of how the statutory exemption applies to each specific record." *Zink v. City of Mesa*, 162 Wn. App. 688, 723 (Wash. Ct. App. 2011).

Pursuant to RCW Chapter 42.56.120, there is no charge for locating these documents, and we request all documents be released to us in electronic form, either via an email attachment or a CD. Given that, and that the statute clearly states that "charges shall not exceed the amount necessary to reimburse the agency... for its actual costs directly incident to such copying," we expect the costs to be minimal. Nonetheless, we are prepared to reimburse up to \$100 for these records if necessary and justified. Should you anticipate the costs will exceed this limit, please contact us as soon as possible to explain and discuss additional steps.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Horner', with a long horizontal flourish extending to the right.

Christopher C. Horner, Esq.
Chris.Horner@CEL.org

1899 L Street NW, Suite 1200
Washington, DC 20036
202.262.4458 (M)

From: [James L. Kinter III](#)
To: [Edward W Maibach](#)
Cc: [Jagadish Shukla](#)
Subject: Re: The real climate deniers
Date: Friday, September 25, 2015 4:31:04 PM

Dear Ed - Thanks for letting me know about the essay. I like your suggestion for CLIM 101 homework, but I have to say I didn't see any "facts" or "points" to refute. There was a lot of diatribe and some screed, but no actual points. He refers to many common global warming myths in shorthand form (sort of like the way they tell jokes in prison ... "#27 - ha ha ha"), but these have all been heard and debunked before (e.g. <https://www.skepticalscience.com/argument.php>).

Maybe Shukla has an idea for how to use this as a class exercise. Best regards. — Jim

Jim Kinter, Director
Center for Ocean-Land-Atmosphere Studies
Professor, Climate Dynamics
Dept. of Atmospheric, Oceanic & Earth Sciences
284 Research Hall, Mail Stop 6C5
George Mason University
4400 University Drive
Fairfax, VA 22030 USA

tel: (703) 993-5700 ***** fax: (703) 993-5770
email: jkinter@gmu.edu *** <http://www.iges.org>

On 23Sep2015, at 3:40 PM, Edward W Maibach <emaibach@gmu.edu> wrote:

Hi Jim and Shukla,

The former chief of staff of Senator Russell Long (Louisiana - long since deceased) left me multiple voice mails about the RICO letter. Although he has all his facts wrong, because his VM's were polite, and because Senator Long was from my home state of Louisiana, I decided to call him back. We had a pleasant chat.

He wanted to bring his essay on the real climate deniers (us) to our attention:

<http://www.truespeak.org/contents/view/deniersofactualclimatescience>

I bring it to your attention for one reason only....perhaps you should have Clim 100 students read and debunk his points as a group exercise.

All the best,

Ed

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: [Jeff Nesbit](mailto:Jeff.Nesbit@climatenexus.org)
To: [Edward W Maibach](mailto:Edward.W.Maibach@univ.wash.edu)
Subject: Re: your counsel is needed
Date: Saturday, September 26, 2015 11:51:01 AM

Yes, introduce me to the group. I will help. If need be, I'll organize an op ed or foundational media piece that draws the direct connection to the success of the RICO efforts against the tobacco industry to efforts to expose corporate and organizational collusion to deceive the public on climate science. This isn't about Mickey Mouse tattletale deniers who write conspiracy blog posts. This has nothing to do with Curry, Michaels and Pielke. They're just diverting it in that direction because they like the public attention.

From: "emaibach@gmu.edu" <emaibach@gmu.edu>
Date: Saturday, September 26, 2015 8:34 AM
To: Jeff Nesbit <jnesbit@climatenexus.org>
Subject: your counsel is needed

The situation with the RICO letter continues to escalate rapidly.

GA Tech climatologist Peter Webster (husband of Judy Curry) is a long-time friend of Shukla. He sent Shukla several emails asking Shukla to retract the letter. In those emails he states that Curry, Pat Michaels and Roger Pielke are actively collaborating with Marc Morano and well-funded groups to come after us. Curry, Michaels and Pielke apparently feel that our letter made them targets - so they are fighting back.

Univ. of Washington has already received a demand for release of all emails from the accounts of letter signers.

Shukla wants to retract the letter, or at least to propose the possibility in an email to the signatories. I advised him that retraction is unlikely to make the pain go away for the signers, and it is likely to help (and embolden) climate denial organizations at precisely the moment when they are against the ropes.

Are you willing to offer this group your counsel? If so, are you willing to have me insert you into the ongoing email steam among the signatories?

Or, if not you, who? We clearly need the best possible communication and legal counsel.

Shukla has spoke with Lauren from the Climate Science Legal Defense Fund, and he is now asking her if she is willing to be inserted into the email stream to offer her legal counsel.

Edward Maibach, MPH, PhD
University Professor, Department of Communication

Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: [Barry Klinger](#)
To: [Shukla](#)
Cc: [Paul A Dirmeyer](#); [Edward W Maibach](#); [Paul S Schopf](#); [Barry Klinger](#)
Subject: Re: Public Records Request: PR-2015-00584 (Horner) (fwd)
Date: Saturday, September 26, 2015 3:00:06 AM

In a sadly amusing coincidence, the [climatesciencedefensefund](#) link also contained a story about our own GMU colleague Ed Wegman suing a computer scientist named John Mashey because Mashey wrote nasty things about Wegman. Thus, in the unhappy event that someone goes after the RICO signers from GMU, we could have the same year seeing harassment BY a GMU professor (Wegman) and TO a GMU professor (any of us).

According to Mashey, the Wegman suit, which was withdrawn < month after it was filed, without explanation, was for something I had never heard of before: "tortious interference". This kind of civil case involves a 3rd party coming between two parties to a contract, and examples include making false claims to drive customers away from someone's business (all this from Wikipedia). Mashey had been documenting claims that Wegman's plagiarism was even more widespread than the instances investigated by a GMU committee a few years ago (which resulted in Wegman being reprimanded by GMU)

-B A K

On 9/25/2015 9:46 PM, Shukla wrote:

Dear Ed,
Lauren Kurtz of Climate Science Defense Fund Kurtz at [climatesciencedefensefund.org](#) told me that this is the standard practice for this group to harass people. PI make sure that your department consults the Univ consul before doing anything. Univ of Va refused these requests when they asked for this about Mann. You should also contact Lauren at the above email. Her # is 646-801-0853.

I am really sorry I had no idea where will it go.

Regards,
Shukla

University Professor, George Mason University
President, Institute of Global Environment & Society
Research Hall, Room 105
George Mason University, MSN: 2B3
4400 University Drive
Fairfax, VA 22030 USA

Tel: 703-993-5700
E-mail: shukla@iges.org
http://www.iges.org/

On Sep 25, 2015, at 5:44 PM, Edward Sarachik <sarachik@u.washington.edu>
wrote:

FYI

=====

Edward S. Sarachik
CIG/UW
3737 Brooklyn Ave.
Box 355674
Seattle, WA 98195-5674
Phone 206-285-5221

----- Forwarded message -----

Date: Fri, 25 Sep 2015 10:04:03 -0700
From: Scott Sipes <dssipes@uw.edu>
To: John M Wallace <wallace@atmos.washington.edu>, Edward S Sarachik <sarachik@atmos.washington.edu>
Cc: harry@uw.edu, Scott Sipes - ATMS <dssipes@uw.edu>
Subject: Public Records Request: PR-2015-00584 (Horner)
Greetings.

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This will allow the Office of Public Records and Open Public Meetings to collect the responsive records.

If you have questions, they should be directed to Meg McGough at pubrec@uw.edu.

Thanks.
Scott

Scott Sipes, Administrator
Department of Atmospheric Sciences
Box 351640, 408B ATG Building

University of Washington
Seattle, WA 98195-1640
206.543.6471

From: Public Records [<mailto:pubrec@uw.edu>]
Sent: Thursday, September 24, 2015 4:31 PM
To: Lisa J. Graumlich
Cc: Stephanie A. Harrington; Darlene Feikema
Subject: New Public Records Request: PR-2015-00584 (Horner)

*****Immediate attention required: This is a time-sensitive request for assistance from the Office of Public Records and Open Public Meetings. Please respond by October 8, 2015.*****

Lisa Graumlich
College of the Environment
Box 355679

Dear Lisa:

Attached to this email is a new Public Records request. You are being asked to help the University respond promptly to this request by taking the following steps:

1. Immediately identify all locations, within your area of responsibility, for any record that may be responsive to this request, including any records held by others within your school, college, unit, division or department.

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If you are aware of additional faculty, staff, departments, or entities which may have records related to this request, please notify this office as soon

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Sincerely,

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Compliance Officer

UNIVERSITY OF WASHINGTON

Office of Public Records and Open Public Meetings

Mail: Roosevelt Commons-Box 354997, Seattle, WA 98195

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<Horner_9.24.2015.pdf>

Barry Klinger, Associate Professor and Graduate Coordinator

Department of Atmospheric, Oceanic, and Earth Sciences, and
Center for Ocean-Land-Atmosphere Studies (COLA),
George Mason University

4400 University Drive, MS 2B3, Fairfax, VA 22030
116 Research Hall, 703-993-9227, bklinger@gmu.edu
<http://mason.gmu.edu/~bklinger>, <http://cos.gmu.edu/aoes>

From: [Shukla](#)
To: [Kevin Trenberth](#)
Cc: [Edward Sarachik](#); [Edward W Maibach](#); [Paul A Dirmeyer](#); [Professor Barry Klinger](#); [Andrew Light](#); [Paul S Schopf](#); [David M. Straus](#); [Mike Wallace](#); [Alan Robock](#); [Professor Eugenia Kalnay](#); [Dr. Bill Lau](#); [Professor T.N. Krishnamurti](#); [Dr. Vasubandhu Misra](#); [Dr. Robert Dickinson](#); [Dr. Michela Biasutti](#); [Dr. Mark Cane](#); [Dr. Lisa Goddard](#); [Dr. Alan Betts](#)
Subject: Thought of the moment
Date: Saturday, September 26, 2015 3:46:02 PM

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<Horner_9.24.2015.pdf>

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Kevin E Trenberth
ph 303 497 1318
Distinguished Senior Scientist
fax 303 497 1333
Climate Analysis Section email
trenbert@ucar.edu
National Center for Atmospheric Research
PO Box 3000
Boulder, CO 80307, USA

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Distinguished Senior Scientist fax 303 497 1333
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Subject: Re: Thought of the moment
Date: Saturday, September 26, 2015 6:45:21 PM

Partly the answer here lies in what your own skills and knowledge are, wrt Modi. I do not know how comfortable you are talking about societal and ethical aspects of climate and the need to put a price on carbon, and remove subsidies for fossil fuels while kick-starting renewables, etc etc. India should be a good place for solar power to flourish?

With RICO, I am sure you do not want to spend time defending yourself especially against all the vitriol, and best way is to try to ignore it. Any response is a sign that the deniers are having an effect and only encourages them. However there are many in the public who are ill informed.

Remember what Yogi Berra said (or might have said): "Climate change is 90% ethical, and the other half is science."

With apologies to Yogi who made a similar statement but about baseball.

Kevin

On 9/26/15 1:40 PM, Shukla wrote:

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Sorry, I am just reflecting!
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National Center for Atmospheric Research
PO Box 3000
Boulder, CO 80307, USA
ph 303 497 1318
fax 303 497 1333
email trenbert@ucar.edu

From: [Andrew Light](#)
To: [Shukla](#); [Kevin Trenberth](#)
Cc: [Edward Sarachik](#); [Edward W Maibach](#); [Paul A Dirmeyer](#); [Professor Barry Klinger](#); [Paul S Schopf](#); [David M. Straus](#); [Mike Wallace](#); [Alan Robock](#); [Professor Eugenia Kalnay](#); [Dr. Bill Lau](#); [Professor T.N. Krishnamurti](#); [Dr. Vasubandhu Misra](#); [Dr. Robert Dickinson](#); [Dr. Michela Biasutti](#); [Dr. Mark Cane](#); [Dr. Lisa Goddard](#); [Dr. Alan Betts](#)
Subject: Re: Thought of the moment
Date: Saturday, September 26, 2015 4:04:23 PM

Dear Sukla: My own view is that this is not the best use of your time. While we have some domestic concerns that are very important, Modi will be most interested in how he can sell a climate agreement at home. I'd encourage him to lean forward and make a deal in Paris which we can build upon.

Best, Andrew

Andrew Light
University Professor, George Mason University &
Senior Climate Change Adviser
U. S. Department of State

From: Shukla
Sent: Saturday, September 26, 2015 3:46 PM
To: Kevin Trenberth
Cc: [Edward Sarachik](#); [Edward W Maibach](#); [Paul A Dirmeyer](#); [Professor Barry Klinger](#); [Andrew Light](#); [Paul S Schopf](#); [David M. Straus](#); [Mike Wallace](#); [Alan Robock](#); [Professor Eugenia Kalnay](#); [Dr. Bill Lau](#); [Professor T.N. Krishnamurti](#); [Dr. Vasubandhu Misra](#); [Dr. Robert Dickinson](#); [Dr. Michela Biasutti](#); [Dr. Mark Cane](#); [Dr. Lisa Goddard](#); [Dr. Alan Betts](#)
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To: [Shukla](#)
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Subject: Re: Thought of the moment
Date: Saturday, September 26, 2015 7:00:11 PM

Dear Shukla,

I searched the web today and didn't find anything more recent than 3 days ago (most 4-6 days) so maybe it is dying down which is a good thing.

If you already put some thought into a response, at least about the letter if not about the personal attacks, I think its worth putting it on the web so people happening upon the original articles see your side if they click through to the IGES letter. No need to do more than that... until maybe the next round of attacks, depending on what they are.

-B A K

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control.

- The
consequences of
not responding
promptly or
completely to a
request are
very serious. The
University could
be sued and could
face costly fines
and legal
costs for not
complying fully
with the
requirements of
the public records
law.

<Horner_9.24.2015.pdf>

--
Kevin E Trenberth
ph 303 497 1318
Distinguished Senior Scientist
fax 303 497 1333
Climate Analysis Section
email trenbert@ucar.edu
National Center for Atmospheric
Research
PO Box 3000
Boulder, CO 80307, USA

--
Kevin E Trenberth
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Distinguished Senior Scientist
1333
Climate Analysis Section
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National Center for Atmospheric Research
PO Box 3000
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ph 303 497
fax 303 497
email

Barry Klinger, Associate Professor and Graduate Coordinator

Department of Atmospheric, Oceanic, and Earth Sciences, and

Center for Ocean-Land-Atmosphere Studies (COLA),
George Mason University

4400 University Drive, MS 2B3, Fairfax, VA 22030
116 Research Hall, 703-993-9227, bklinger@gmu.edu
<http://mason.gmu.edu/~bklinger>, <http://cos.gmu.edu/aoes>

From: Albetts@aol.com
To: shukla@iges.org; trenbert@ucar.edu
Cc: sarachik@u.washington.edu; Edward W Maibach; Paul A Dirmeyer; klinger@cola.iges.org; Andrew Light; Paul S Schopf; David M. Straus; wallacem@uw.edu; robock@envsci.rutgers.edu; ekalnay@atmos.umd.edu; wkmlau@umd.edu; tkrishnamurti@fsu.edu; vmisra@fsu.edu; robtet@jsg.utexas.edu; mbiasutti@gmail.com; mcane@deo.columbia.edu; goddard@iri.columbia.edu
Subject: Re: Thought of the moment
Date: Sunday, September 27, 2015 8:18:09 AM

Dear Shukla

You have kicked off the RICO request - it is now up to the AG etc. The hostility is coming from fear. Don't get drawn into defending against a web of deparate lies.

Better that you try to help India to make the energy transition bypassing fossil fuels to a decentralized renewable energy system. I am forwarding the RMI Spark..

Alan

Dr. Alan K Betts
Atmospheric Research
58 Hendee Lane
Pittsford, VT 05763
(802) 483-2087
<http://alanbetts.com>

In a message dated 9/26/2015 3:40:42 P.M. Eastern Daylight Time, shukla@iges.org writes:

Friends,
I am waiting to meet Mr Modi in a San Jose hotel. He recently appointed me to his Climate Council. I am asking myself, is my time best spent pursuing the RICO controversy or there are other ways I (and all of us) can make a difference?
Sorry, I am just reflecting!
Shukla

On Sep 25, 2015, at 5:44 PM, Edward Sarachik <sarachik@u.washington.edu> wrote:

FYI

=====

Edward S. Sarachik
CIG/UW
3737 Brooklyn Ave.
Box 355674
Seattle, WA 98195-5674
Phone 206-285-5221

----- Forwarded

message -----

Date: Fri, 25 Sep 2015

10:04:03 -0700

From: Scott Sipes

<dssipes@uw.edu>

To: John M Wallace

<wallace@atmos.washington.edu>.

Edward S Sarachik
<sarachik@atmos.washington.edu>

Cc: harry@uw.edu, Scott
Sipes - ATMS
<dssipes@uw.edu>
Subject: Public Records
Request: PR-2015-00584
(Horner)
Greetings.

We have received the
attached public records
request which involves
your email
accounts. Please respond
as soon as possible to this
email providing
authorization
for UWIT to take snapshots
of your email accounts for
the purpose of the
request.

This will allow the Office of
Public Records and Open
Public Meetings to collect
the
responsive records.

If you have questions, they
should be directed to Meg
McGough at
pubrec@uw.edu.

Thanks.
Scott

Scott Sipes, Administrator
Department of
Atmospheric Sciences
Box 351640, 408B ATG
Building
University of Washington
Seattle, WA 98195-1640
206.543.6471

From: Public Records
[<mailto:pubrec@uw.edu>]
Sent: Thursday,
September 24, 2015 4:31
PM
To: Lisa J. Graumlich
Cc: Stephanie A.
Harrington; Darlene
Feikema
Subject: New Public
Records Request: PR-
2015-00584 (Horner)

****Immediate attention
required: This is a time-
sensitive request for
assistance
from the Office of Public
Records and Open Public
Meetings. Please respond
by
October 8, 2015.****

Lisa Graumlich
College of the Environment
Box 355679

Dear Lisa:

Attached to this email is a
new Public Records
request. You are being
asked to help
the University respond
promptly to this request by
taking the following steps:

1. Immediately
identify all locations, within
your area of
responsibility, for any
record that may be
responsive to this request,
including any
records held by others
within your school,
college, unit, division or
department.

Attached is a list of factors
that must be considered
when identifying records
responsive to this request.

2. Immediately
preserve potentially
responsive records from
destruction
or alteration.

3. After you collect
the responsive records,
send electronic or hard
copies of them to the
Office of Public Records
and Open Public
Meetings, University
of Washington, Box
354997. It is critical that
the copies you send are
single-sided
and unstapled and that you
include a copy of this letter
with your submission.

4. Please call the

staff at the Office of Public Records and Open Public Meetings at 543-9180 with any questions or concerns you may have about this request.

If you are aware of additional faculty, staff, departments, or entities which may have records related to this request, please notify this office as soon as possible.

Thank you for your assistance in helping the University respond to the attached public records request in a timely and efficient manner.

Sincerely,

Meg McGough
Compliance Officer
UNIVERSITY OF
WASHINGTON
Office of Public Records
and Open Public Meetings
Mail: Roosevelt Commons-
Box 354997, Seattle, WA
98195
Street: 4311 11th Ave NE,
#360
206.543.9180 fax
206.616.6294
pubrec@uw.edu
<http://depts.washington.edu/pubrec/>

Responding to Requests for Public Records

- Any record prepared, owned, used or retained by the University, and that concerns University business, is considered a public record and must be provided to the Office of Public Records and Open Public Meetings.
- The definition of a "record" is very broad and includes correspondence,

hand-written notes, forms,
electronic records (such
as email and databases),
research

records, visual records
such as pictures, cd(s) or
videos, audio records etc.

- You may not destroy
or alter a requested
record. This includes
records that
exist at the time a public
records request is
received by the University
even though
it may have passed its
legal records retention
period or is required to be
destroyed
by a contract.

- The University is
legally required to identify
all responsive records,
even

those it might choose to
withhold from disclosure
under one of the Public
Records Act
permissible exemptions.

Thus, you must collect
and send all records to the
Office of
Public Records and Open
Public Meetings, even
those you consider
confidential or
personal, those an outside
party considers
confidential (such as a
vendor or
licensee) or personal, or
those you consider
covered by the attorney-
client

privilege. The University
might not release such
records if they fall within
one of
the exemptions to the
Public Records Act, but it
must provide the
requestor an
inventory that identifies all
records it chooses to
exempt.

- If the request seeks a
potentially large volume of

records, you should work closely with the Office of Public Records and Open Public Meetings to determine a prompt timeframe for collection of records. The Office of Public Records and Open Public Meetings may explore with the requestor clarifying, narrowing, or prioritizing the request. You should not contact the requestor directly.

- Certain records may be found in more than one UW location. You should not assume that someone else is going to provide records that you also have in your control.

- The consequences of not responding promptly or completely to a request are very serious. The University could be sued and could face costly fines and legal costs for not complying fully with the requirements of the public records law.

<Horner_9.24.2015.pdf>

--
Kevin E Trenberth ph 303
497 1318
Distinguished Senior Scientist fax 303
497 1333
Climate Analysis Section email
trenbert@ucar.edu
National Center for Atmospheric Research
PO Box 3000
Boulder, CO 80307, USA

--
Kevin E Trenberth ph 303 497 1318
Distinguished Senior Scientist fax 303 497 1333
Climate Analysis Section email trenbert@ucar.edu
National Center for Atmospheric Research
PO Box 3000
Boulder, CO 80307, USA

From: [Chris Mooney](#)
To: [Edward W Maibach](#)
Subject: Re: Mason climate scientist Jagadish Shukla
Date: Sunday, September 27, 2015 1:34:10 PM

Hi Ed,

I looked into the details here. I'm just not sure what I would be able to do. Happy to discuss
cm

On Thu, Sep 24, 2015 at 4:24 PM, Edward W Maibach <emaibach@gmu.edu> wrote:
Chris,

Click on the Climate Depot link to see the "story" that Fox now wishes to report on. Shukla will not be speaking with Fox, but he would like to speak to a credible reporter to explain how professors get paid (by writing grant proposals that survive peer review, the funds of which are then used to pay our salaries). Shukla is honest and honorable, and a dedicated servant to humanity. It is an outrage that he is being smeared so as to divert attention from the truth of the matter, i.e., the climate deceptions of fossil fuel companies.

Ed

p.s. To see our RICO letter, just google Shukla RICO IGES (IGES was the non-profit that Shukla founded and is now being folded into Mason) and it will pop up.

Subject: Media question on alleged funneling of climate funding

Hi Dr. Shukla,

I am writing an article for [FoxNews.com](http://www.foxnews.com) regarding allegations that you funnelled government research grants to your own salary through a non-profit: <http://www.climatedepot.com/2015/09/20/update-leader-of-effort-to-prosecute-skeptics-under-rico-paid-himself-his-wife-1-5-million-from-govt-climate-grants-for-part-time-work/>

Would you like to address those claims? Critics say they are relevant especially in light of the call for RICO charges against climate "deniers" because, in their view, it shows that government research grants can also bias scientists.

Please let me know today if you would like to respond.
Thank you,

Maxim Lott
Producer
Fox News and Fox Business

Sent from my iGlasses

On Sep 24, 2015, at 12:48 PM, Chris Mooney <moonecc@gmail.com> wrote:

Hi Ed,
I wasn't aware of this -- i'm in NYC covering the Pope, so pretty tied up
cm

On Thu, Sep 24, 2015 at 11:09 AM, Edward W Maibach
<emaibach@gmu.edu> wrote:

Hi Chris
Are you following the attacks on Shukla as a result of our RICO letter?
Would you be willing to do a story on it?
Ed
[301-461-8601](tel:301-461-8601)

Sent from my shoe phone

From: Barry Klinger
To: Shukla
Cc: Edward W Maibach; Paul A Dirmeyer; Andrew Light; Paul S Schopf; David M. Straus; Mike Wallace; Professor Eugenia Kalnay; Dr. Bill Lau; Professor T.N. Krishnamurti; Dr. Vasubandhu Misra; Dr. Robert Dickinson; Dr. Michela Biasutti; Dr. Mark Cane; sarachik.es@gmail.com; cobockalan@gmail.com; hr_clim@yahoo.com; Barry Klinger
Subject: Re: Thought of the moment
Date: Monday, September 28, 2015 12:49:00 PM

Dear All,

I got a response from Steve McIntyre to my web page on the RICO controversy.

<http://climateaudit.org/2015/09/25/disinformation-from-barry-klinger-and-the-rico-20/>

The gist of his email was that I was incorrect to say that

"However, I don't recall climate contrarians coming to the defense of Michael Mann when he was subject to ideologically-based legal harrassment from then-Virginia Attorney General Ken Cuccinelli as well as from Republicans in Congress. Apparently there are some who believe it is the return of the Inquisition to investigate a giant corporation but a good deed to investigate an individual scientist. " <http://mason.gmu.edu/~bklinger/rico.html>

If I am wrong, I will correct what I wrote. Can anyone point to any evidence about contrarians coming (or not) to Mann's defense. What I wrote was based more on what the political sphere was saying rather than scientists.

-B A K

On 9/26/2015 3:40 PM, Shukla wrote:

Friends,
I am waiting to meet Mr Modi in a San Jose hotel. He recently appointed me to his Climate Council. I am asking myself, is my time best spent pursuing the RICO controversy or there are other ways I (and all of us) can make a difference?
Sorry, I am just reflecting!
Shukla-----

From: [Jeff Nesbit](#)
To: [Edward W Maibach](#)
Subject: ICN is coming out with part 6 (RICO/legal liability) soon
Date: Tuesday, September 29, 2015 10:26:21 AM

Get ready. They're jumping it before parts 4 and 5.

<http://www.theguardian.com/environment/climate-consensus-97-per-cent/2015/sep/29/is-the-fossil-fuel-industry-like-the-tobacco-industry-guilty-of-racketeering>

From: Jeff Nesbit
To: Edward W. Malachuk
Subject: FW: ClimateBloggers What Exxon knew and when about CO2 and climate change
Date: Tuesday, September 29, 2015 11:02:42 AM

From: Aaron Huertas <AHuertas@ucsusa.org>
Reply-To: "climatebloggers@googlegroups.com" <climatebloggers@googlegroups.com>
Date: Tuesday, September 29, 2015 8:00 AM
To: "climatebloggers@googlegroups.com" <climatebloggers@googlegroups.com>
Subject: RE: ClimateBloggers What Exxon knew and when about CO2 and climate change

Any time we're writing about this we should be citing DOJ lawyer Sharon Eubanks on this very topic. She's got a lot more standing than scientists do on this since she led the tobacco case: <http://www.climateinvestigations.org/former-dept-of-justice-exxon-climate-change>. I know I've mentioned this more, but I can't emphasize it enough. Much better substantive framing to have this coming from someone w/ legal expertise who can speak directly to the tobacco connection.

-Aaron

From: climatebloggers@googlegroups.com [mailto:climatebloggers@googlegroups.com] **On Behalf Of** Greg Laden
Sent: Tuesday, September 29, 2015 10:50 AM
To: climatebloggers@googlegroups.com
Subject: Re: ClimateBloggers What Exxon knew and when about CO2 and climate change

Thanks.

I put a link to your post in my post about Exxon. So we'll have people going around in a highly informative circle. (<http://scienceblogs.com/gregladen/2015/09/22/what-exxon-knew-then-is-what-we-know-now/>)

Dana Nuccitelli wrote:
Thanks Greg I'll use that :-)

On Tue, Sep 29, 2015 at 7:36 AM, Greg Laden <laden.greg@gmail.com> wrote:
Not to promote my own link or anything, but I reproduced the letter here without comment and it garnered jst under 300 comments:

<http://scienceblogs.com/gregladen/2015/09/19/letter-to-president-obama-investigate-deniers-under-rico/>

Dana Nuccitelli wrote:
Well that's annoying. I replaced the link with one to a site that reproduced the text of the

letter, because that's the best I could find.

On Tue, Sep 29, 2015 at 7:28 AM, Things Break <things.break@gmail.com> wrote:
Your link to the RiCO petition doesn't work, because they took it down from that site. I believe it is still available on the George Mason site.

On Tuesday, September 29, 2015, Dana Nuccitelli <dana.nuccitelli@gmail.com> wrote:
Here's my post on the InsideClimate Exxon revelations, tied in with the climate scientists' call for a RICO investigation into the fossil fuel industry.

<http://www.theguardian.com/environment/climate-consensus-97-per-cent/2015/sep/29/is-the-fossil-fuel-industry-like-the-tobacco-industry-guilty-of-racketeering>

<https://twitter.com/dana1981/status/648864781152071681>

On Wed, Sep 16, 2015 at 9:19 AM, Peter Sinclair <greenman@tm.net> wrote:

I've included my interview with Mike MacCracken, who was leading the DOE task force on carbon in the late 70s. His talk at Sandia in 1982 included just about all the points about carbon that we are dealing with today.

<http://climatecrocks.com/2015/09/16/they-knew-frontline-investigation-reveals-exxon-studied-climate-change-in-the-70s/>

--

The contents of this email and all climate bloggers google group information is strictly confidential. Do not reproduce any portion of any information found within this or any other climate bloggers google group communication without explicit permission from all parties involved.

To nominate new members for this group or ask about administrative issues please email pnewell@climatenexus.org with the text "cli-blog-admin" in your email subject.

--- You received this message because you are subscribed to the Google Groups "ClimateBloggers" group.

To unsubscribe from this group and stop receiving emails from it, send an email to climatebloggers+unsubscribe@googlegroups.com.

To post to this group, send email to climatebloggers@googlegroups.com.

Visit this group at <http://groups.google.com/group/climatebloggers>.

--

-Dana

--

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--

-Dana

--

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Visit this group at <http://groups.google.com/group/climatebloggers>.

--

Greg Laden, PhD.

Follow me on Twitter: <https://twitter.com/gregladen>
National Geographic Scienceblogs: <http://scienceblogs.com/gregladen/>
Check out my novel: <http://gregladen.com/blog/sungudogo/>
I'm on Facebook: <http://www.facebook.com/laden.greg>

--
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Visit this group at <http://groups.google.com/group/climatebloggers>.

--
-Dana

--
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To post to this group, send email to climatebloggers@googlegroups.com.

Visit this group at <http://groups.google.com/group/climatebloggers>.

--
Greg Laden, PhD.

Follow me on Twitter: <https://twitter.com/gregladen>

National Geographic Scienceblogs: <http://scienceblogs.com/gregladen/>

Check out my novel: <http://gregladen.com/blog/sungudogo/>

I'm on Facebook: <http://www.facebook.com/laden.greg>

--
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involved.

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To post to this group, send email to climatebloggers@googlegroups.com.

Visit this group at <http://groups.google.com/group/climatebloggers>.

--

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To post to this group, send email to climatebloggers@googlegroups.com.

Visit this group at <http://groups.google.com/group/climatebloggers>.

From: [Jeff Nesbit](#)
To: [Edward W Maibach](#)
Subject: Fwd: J Shukla
Date: Tuesday, September 29, 2015 12:44:47 PM

Sent from my iPhone

Begin forwarded message:

From: Philip Newell <pnewell@climatenexus.org>
Date: September 29, 2015 at 9:32:48 AM PDT
To: Michael Mann <mmann00@comcast.net>, Aaron Huertas
<ahuertas@ucsusa.org>
Cc: Shukla <shukla@iges.org>
Subject: Re: J Shukla

Thanks Mike, Hi (again) J,

Though Climate Audit isn't a site to be worried about, it's definitely looking like this issue isn't going to go away, even if you remove the letter, which I hear has been done and I would say is a big mistake. I'd recommend you keep it up and point to it as a call for **investigating** (not prosecuting) organizations and **companies** (not specific scientists) in an oped or simply a statement on the IGES website that clarifies that distinction. And then makes some mention of/explanation for the salary you've drawn from IGES, so that it doesn't seem like you're running from those accusations.

At this point there needs to be a link people can point to showing that the denier's "Perp walk" language and the focus on individual scientists is simply not accurate, that your compensation is fair and justified, and that refocuses attention on the real issue: corporate sponsorship of denial.

And on that front, you're in luck because tonight/tomorrow InsideClimate News is publishing the latest in its series about Exxon's research on climate. This one will focus on the legal liability and duty to disclose risk to shareholders, which should be a perfect news hook for you to use if any of you are interested in penning an oped (which I'd be happy to help you with.)

Because the deniers have been going nuts with this story but mainstream media largely ignoring and focusing on the Pope, the google-search situation is not good. A piece one of the letter signers pens would help with that, and hopefully spur more mainstream coverage to drown out the nonsense. With the heat you're getting it is probably pretty tempting to try and avoid any further media on this, but I think that'd be the wrong approach that cedes the issue to deniers and turns

an argument with the potential to be very powerful for the public into one that deniers will use as a rallying cry.

Again, happy to help out on an oped or statement that clarifies things.

Cheers
Phil

Philip Newell
Creative Media Manager | [Climate Nexus](#)
171 Madison Ave, Suite 901 | New York, NY 10016
646.559.5868

[Hot News](#) | [Facebook](#) | [Twitter](#)
[Road Through Paris](#) | [@RoadThruParis](#)

From: Michael Mann <mmann00@comcast.net>
Date: Tuesday, September 29, 2015 11:48 AM
To: Aaron Huertas <ahuertas@ucsusa.org>, Philip Newell
<pnewell@climatenexus.org>
Cc: Shukla <shukla@iges.org>
Subject: J Shukla

Hi Aaron, Phil,

Let me introduce, via this email, (Jagadish) Shukla, one of our most respected climate scientists
(more info on Shukla here: <http://www.iges.org/people/shukla.html>).

As you may know, Shukla was recently involved in the effort to call fossil fuel interests accountable for their decades-long campaign of denial and disinformation via RICO.

As a result of this, Shukla is all-too predictable being attacked by the usual suspects (see threat below), and he could use some professional help.

I'm hoping one or both of you might have some suggestions and/or resources that you can bring to bear here,
mike

On Sep 29, 2015, at 11:21 AM, Shukla <shukla@iges.org> wrote:

Thank you Michael. Yes pl put me touch with Aaron and Phil.

Regards,
Shukla

University Professor, George Mason University
President, Institute of Global Environment & Society
Research Hall, Room 105
George Mason University, MSN: 2B3
[4400 University Drive](#)
[Fairfax, VA 22030 USA](#)

Tel: [703-993-5700](tel:703-993-5700)
E-mail: shukla@iges.org
<http://www.iges.org/>

On Sep 29, 2015, at 7:48 AM, Michael Mann
<mmann00@comcast.net> wrote:

Hi Shukla,
Yes, this was sadly predictable. 'climate audit' is a fringe site w/ low readership and I wouldn't pay too much attention to them.
But you do need to be in a position to defend yourself from the larger attacks.
With your permission, I'd like to put you in touch w/ a couple folks, including Aaron Huertas of the Union of Concerned Scientists,
and Phil Newell of Climate Nexus, who can probably provide some help here.
Let me know if you're ok w/ that.
thanks,
mike

On Sep 29, 2015, at 1:06 AM, Shukla

<shukla@iges.org> wrote:

Dear Michael,

As you can see from climateaudit.org I saw from an email from Stacey Verardo, I and my research group are under major attack. We know you have faced that before.

Your advice/suggestions will be deeply appreciated.

Regards,
Shukla

University Professor, George Mason
University
President, Institute of Global Environment
& Society
Research Hall, Room 105
George Mason University, MSN: 2B3
[4400 University Drive](http://www.gmu.edu)
[Fairfax, VA 22030 USA](http://www.gmu.edu)

Tel: [703-993-5700](tel:703-993-5700)

E-mail: shukla@iges.org

<http://www.iges.org/>

Begin forwarded message:

From: Stacey
Verardo
<sverardo@gmu.edu>
Date: September
28, 2015 at 3:47:44
PM PDT
To: Edwin K
Schneider

<eschnei1@gmu.edu
du>, Jagadish
Shukla
<jshukla@gmu.edu
>,
"Klinger@cola.iges.org"
<Klinger@cola.iges.org
>, "James L.
Kinter Iii"
<jkinter@gmu.edu
>

**Subject: Climate
audit blog**

Hi all,
Have you seen
today's posting on
climateaudit.org?
Stacey
Sent from Stacey's
iPhone

From: Elizabeth J Woodley
To: Jagadish Shukla; Paul A Dirmeyer; Edward W Maibach; Barry A Klinger; Paul S Schopf; David M. Straus
Cc: Edwin K Schneider
Subject: FOIA Request for E-mails
Date: Tuesday, September 29, 2015 2:27:44 PM

Good afternoon Professors Shukla, Dirmeyer, Maibach, Klinger, Schopf, and Straus,

My name is Elizabeth Woodley. I am George Mason University's Freedom of Information Act Compliance Officer. I wanted to let you know that I have received a FOIA request for e-mail communications which you may have sent or received from your Mason e-mail address in your capacity as Mason employees from June 1, 2015 to the present which include the keywords "RICO, racketeer, racketeering, DoJ, prosecute, or prosecution".

The FOIA statute covers records which were created "in the course of public business", in your capacity as Mason employees. Good questions to ask yourself to help determine whether a record was created in the transaction of public business are: "Was I paid by George Mason to create this document?" and "Does the document relate to the duties listed in my job description?"

Outside of some narrowly-defined exemptions, all public records are subject to FOIA. Exemptions include: private information, personnel records, student information, and proprietary information.

If you believe you may possess responsive documents, please let me know and send me an estimate of the cost to produce the documents. Please estimate the amount of time you (or another Mason employee as your designee) would spend responding to this request (searching for documents and reviewing them for possible exemptions). Please also tell me your (or your designee's) hourly rate, so that I may charge the requester for your time. Hourly rate is calculated by dividing base salary (without benefits) by 2080 for 12-month employees or 1560 for 9-month employees.

Please do not begin responding to the request until you hear from me. If the cost estimate is high enough I will require the requester to pay a deposit before we begin the response.

Please let me know if you have any questions about this request. I am available by e-mail or phone-my direct line is 703-993-5115. For more information, Mason's FOIA Policy is available here: http://universitypolicy.gmu.edu/policies/responding-to-virginia-freedom-of-information-act-foia-requests-for-records/?_ga=1.13439028.201496376.1363277436

Thank you,

Elizabeth

Elizabeth Woodley, J.D.
FOIA Compliance Officer
George Mason University
Compliance, Diversity, and Ethics

Phone: (703) 993-5115

From: [Jeff Nesbit](#)
To: [Edward W Maibach](#)
Subject: FW: 4th story?
Date: Tuesday, September 29, 2015 3:00:39 PM
Attachments: [Litigation Story - FINAL EMBARGOED.pdf](#)

From: David Sassoon <sassoon.david@gmail.com>
Date: Tuesday, September 29, 2015 11:31 AM
To: Emma Stieglitz <Estieglitz@climatenexus.org>
Cc: Jeff Nesbit <jnesbit@climatenexus.org>, Dianne Saenz <dsaenz@climatenexus.org>, Michael Shank <mshank@climatenexus.org>, Robert Tanner <rtanner@climatenexus.org>, Philip Newell <pnewell@climatenexus.org>, Aimee Sison <asison@climatenexus.org>
Subject: Re: 4th story?

Here's the story, embargoed until 12:10 am tonight 9/30/15

EMBARGOED UNTIL 12:10 am 9/30/15

ExxonMobil Faces Heightened Risk of Climate Litigation, Its Critics Say

Advocates explore holding the company accountable after new evidence shows it understood long ago that global warming threatened its business and the planet.

By Robert L. Simison, InsideClimate News

ExxonMobil may face renewed legal challenges from plaintiffs claiming that it should have acted to address the risks of climate change long ago, based on new evidence that its own researchers warned management about the emerging threat decades ago.

In an online petition drive, in public statements and behind the scenes, environmental advocates and their political allies are pressing federal and state authorities to launch investigations, subpoenas or prosecutions to pin down what Exxon knew and when. The oil giant's critics say Exxon might be held liable either for failing to disclose the risks to shareholders and financial regulators, or for manufacturing doubt to deceive people about the science of climate change.

"I think the case is already there to be made," said Sen. Sheldon Whitehouse, a Democrat from Rhode Island. He has raised the possibility of a Justice Department investigation under federal racketeering law. A former prosecutor, he is one of the Senate's leading voices for action to address the climate crisis.

The interest in pursuing legal action against Exxon has been sharpened by new disclosures from an eight-month InsideClimate News investigation documenting extensive concern within the company about the risks of global warming dating back nearly 40 years, according to environmental advocates, litigators and legal experts.

The evidence, much of it drawn from internal Exxon documents, shows Exxon understood that climate change posed catastrophic risks to people if nothing was done to control pollution from fossil fuels. It was also aware of material risks to the company if the use of fossil fuels had to be limited.

The new documentation of Exxon's internal study of climate science would influence the tactics in future litigation, said several people active in the long-running strategizing among the company's most determined antagonists.

Pressure could come from the U.S. Justice Department, state attorneys general, private plaintiffs in the U.S. or abroad, or shareholders, legal authorities said. While no legal pathway is assured, and Exxon would surely mount a powerful defense, at the very least the litigation might reveal new details of Exxon's actions, or force it to be more forthcoming in its public statements.

Whitehouse, for one, has outlined the case for a Justice Department probe of whether Exxon violated the federal Racketeer Influenced and Corrupt Organizations Act, known as RICO. The advocacy group Climate Hawks has mounted an online petition drive to urge Attorney General Loretta Lynch to open such an investigation. Prosecution under that law, which was used against the tobacco industry in the 1990s, would require evidence of a conspiracy.

Another frequently mentioned option is for Attorney General Eric Schneiderman of New York to invoke the state's powerful stock-fraud statute, the Martin Act, as the state has done in recent years to force other fossil fuel companies to disclose more about the financial risks they face from climate change.

A third possible approach is seeking compensation for people harmed by global warming, tort lawyers say. But that might not be the likeliest course, given the unsuccessful track record of this kind of lawsuit.

Whatever the approach, an important objective of Exxon's critics would be to turn up even more information similar to that already disclosed in ICN's unfolding investigation of Exxon's decades-long engagement with climate science.

ICN reported that researchers told Exxon's management between the late 1970s and the mid 1980s that the most likely cause of climate change was the burning of fossil fuels. They pursued climate science partly on the grounds that Exxon's management must be kept informed of the "bad news, if any." Their own models confirmed a "clear scientific consensus" of the severity of climate change, and they warned that by the time the rise in temperatures became unmistakable it might be irreversible, and some people could face "catastrophic" harm. They understood that solving the problem might involve laws or treaties to cut the use of fossil fuels – the company's main product.

Only in about 2007, after 20 or 30 years of warnings like these, did Exxon's annual reports begin to reflect the risks, and even then only obliquely. In the meantime, the company mounted a public campaign to undermine the scientific consensus.

"These revelations confirm that Exxon was well aware of the catastrophe it was inflicting on the world with climate change and that it knew what it was doing with reasonable scientific certainty," said attorney Matt Pawa. He is head of the Pawa Law Group in Boston and Washington.

There is "no way, no way," Pawa said, for Exxon to escape eventual legal accountability. "Not when it's in plain sight and they recognized it decades ago."

Pawa is one of many lawyers who, along with advocacy groups, have struggled to hold Exxon and other fossil fuel companies legally accountable for climate change. Pawa and others sued Exxon and 23 other companies in 2008 on behalf of the Inupiat village of Kivalina, Alaska, alleging that the companies' activities were causing the sea level to rise and inundate the village. The case died in a tangle of appeals.

That was one of a series of failures as the climate change docket bubbled in recent years. Holding corporations legally accountable for climate change is a tough challenge because of regulatory and jurisdictional issues, statutes of limitation, the difficulty of assigning specific damages to any one company, and fossil fuel companies' arguments that they acted prudently based on their assessments of risk at the time.

For cases under New York's anti-stock fraud Martin Act, there are "dozens of defense strategies," according to Jeffrey A. Smith of Crowell & Moring, a New York-based law firm.

As for use of RICO, the federal racketeering statute has been so widely invoked in a variety of cases, ranging from labor to insurance to the environment, that its use has been limited by a considerable body of case law.

"To see a RICO count get past a motion to dismiss is now the exception rather than the rule," Smith said.

Any litigation would eat up time and money, said Richard Ayres, a Washington, D.C., environmental lawyer who co-founded the Natural Resources Defense Council. Ayres and his firm have looked into a private RICO complaint or suing on behalf of shareholders, but so far have concluded they couldn't make a strong enough case and didn't have enough resources.

When asked for comment Sept. 29 on Exxon's legal risk, spokesman Richard Keil referred to the company's Sept. 9 statement that "from the time that climate change first emerged as a topic for scientific study and analysis in the late 1970s, ExxonMobil has committed itself to scientific, fact-based analysis of this important issue."

Calls for RICO Probe

A federal prosecution under the 1970 RICO statute would probably have the biggest impact, Ayres and other lawyers said. The Department of Justice has the deepest pockets and the broadest powers for discovery.

Whitehouse, who is a former U.S. attorney and a former state attorney general, outlined the argument for deploying federal racketeering laws against Exxon and other oil companies in a speech last May on the Senate floor.

The government's RICO investigation of the tobacco industry in the 1990s "opened up discovery into the files of the tobacco companies and showed finally and unequivocally that for decades the tobacco industry knew about smoking's harm," Whitehouse said before the Senate. Oil companies similarly make "products that put health and safety at risk, and they don't tell the truth about their products," he said.

"In the tobacco case, people were harmed by false beliefs propagated by the companies and were tricked into dangerous behavior," he said in an interview. "In the case of climate change,

there is the general harm, the damage that carbon is wreaking, and the cost to the government of flooding, wildfires and other disasters.”

Tobacco probes by the Justice Department and attorneys general of more than 40 states produced a trove of “millions and millions” of documents, said Jeffrey Smith, a partner in the law firm Wolf Haldenstein Adler Freeman & Herz in New York. He sued Phillip Morris’s four most senior officers in 1994 on behalf of a group of shareholders, based on evidence in the documents. The suit alleged that by not informing investors that cigarettes were addictive, the company misled them. Phillip Morris ultimately settled the class action lawsuit for more than \$100 million.

In a Sept. 1 letter to Attorney General Lynch and President Barack Obama, a group of 20 climate scientists also called for a RICO probe “of corporations and other organizations that have knowingly deceived the American people about the risks of climate change, as a means to forestall America’s response to climate change.”

The political action group Climate Hawks Vote started an online petition urging supporters, “Tell the DOJ: Prosecute Exxon’s deliberate climate denial.”

The Department of Justice didn’t respond to a request for comment.

Many Legal Avenues

Whatever course of action lawyers might select, one of the main objectives would be to uncover more of what Exxon knew, and to publicly compare that with what the company has been saying over the years.

“What we know now is probably just the tip of the iceberg,” said Pawa, the Massachusetts litigator. “No doubt there is much more out there.”

New York’s Martin Act, which forbids “any fraud, deception, concealment, suppression, false pretense” or “any representation or statement which is false,” gives the state broad powers of discovery.

“The attorney general of New York could subpoena the oil companies for what they know deep down about climate change and the perils to their business and hiring phony scientists and all kinds of things, including emails,” said Michael Gerrard, a professor of environmental law at Columbia University in New York.

The office of Schneiderman, a second-term Democrat, declined to make him available for an interview. His spokesman Doug Cohen, said he couldn’t discuss ongoing cases and declined to elaborate. Former Attorney General Andrew Cuomo, now the governor, investigated five coal-burning utility companies under the Martin Act, arguing that they failed to provide a complete picture of the risks related to climate change in their regulatory filings. They agreed to make more complete disclosures.

A comprehensive review of more than a decade of corporate disclosure statements found that Exxon's inclusion of seven words on the subject in its annual report for 2007 "can only be described as one of the most cursory and insubstantial discussions concerning climate change risks." The review was done by legal experts at the University of Colorado in 2009. Over the years, the Securities and Exchange Commission has toughened its disclosure requirements, and Exxon has become somewhat more forthcoming.

Exxon and other fossil fuel companies could face "a huge universe of potential plaintiffs" in civil liability suits in coming years, said Carroll Muffett, a lawyer who is president and CEO of the Center for International Environmental Law, with offices in Washington and Geneva.

"The fossil fuel companies are much more vulnerable than before," Muffett said. The U.S. isn't the only place where fossil fuel companies can be sued; these companies could face "a raft of cases" arising from any country where they do business, Muffett said.

From: [Elizabeth I Woodley](#)
To: [Edward W Maibach](#)
Subject: RE: Second FOIA Request
Date: Tuesday, September 29, 2015 4:01:54 PM
Attachments: [GMU Shukla Consulting Conflicts Records Request.pdf](#)
[GMU Shukla et al RICO Records Request.pdf](#)

Hi Ed,

Thank you for this information. Would your COI certifications be with ORIA, do you know?

The requester seems to be claiming that you and certain other members of Mason's faculty may have violated Conflict of Interest laws and policies. I have attached the two requests that I have received from this requester.

The University is required to respond to any FOIA request by a Virginia citizen, whatever the reason for the request. If you would like to FOIA my communications with the requester, you may do so (assuming you are a Virginia citizen, or you may have a Virginia citizen do so).

Thanks again,

Elizabeth

From: Edward W Maibach
Sent: Tuesday, September 29, 2015 3:36 PM
To: Elizabeth I Woodley
Subject: Re: Second FOIA Request

Hi Elizabeth,

This is a curious set of requests. Here are my initial reactions:

"1) applications for and "written authorization" of waiver of conflicts of interest, and/ or from the prohibition on outside employment and paid consulting exceeding the equivalent of one day per work week without written authorization;

I have never applied for such an exception, because I do relatively little paid consulting.

2) approvals of the appropriate collegiate dean or institute director for Prof. Maibach to use university facilities, equipment, supplies or computer time in their consulting;

Other than my laptop, which is owned by Mason, I can't think of anything else involving Mason that I would have used in my consulting.

3) list of known SFs (and those of his spouse and/or dependent children) related to

the investigator's institutional responsibilities;

None of us have any SFI's related to my institutional responsibilities.

4) conflict of interest certifications; and

I am required to file a COI certification every time I get a grant. In no instance did I ever claim a conflict of interest, because I have none.

5) conflict of interest management plans.”

Not applicable to me.

Is this sufficient?

Any idea what they are fishing for with this request?

All the best,

Ed

p.s. I suppose it is obvious, but the people who are filing these requests have every intention of trying to hurt Shukla and me. We've been told that quite directly by people indirectly involved in the action.

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangescommunication.org

From: Elizabeth I Woodley
Sent: Tuesday, September 29, 2015 3:17 PM
To: Edward W Maibach
Subject: Second FOIA Request

Good afternoon Professor Maibach,

As I told you in the e-mail I just sent, I am Mason's FOIA Compliance Officer. I have just received a second FOIA request for records, including the following records related to you from the years 2011-2015:

"1) applications for and "written authorization" of waiver of conflicts of interest, and/

or from the prohibition on outside employment and paid consulting exceeding the equivalent of one day per work week without written authorization;

- 2) approvals of the appropriate collegiate dean or institute director for Prof. Maibach to use university facilities, equipment, supplies or computer time in their consulting;
- 3) list of known SFIs (and those of his spouse and/or dependent children) related to the investigator's institutional responsibilities;
- 4) conflict of interest certifications; and
- 5) conflict of interest management plans."

Do you know if any such records exist and, if so, who has custody of them? If I locate any responsive records, I will send them to you before I send out the FOIA response so that you may review them for exemptions (private information, etc.). The University must respond to this second request by October 6th, or we may extend the deadline to October 15th.

Again, thank you for your help and please let me know if you have questions.

Elizabeth

Elizabeth Woodley, J.D.
FOIA Compliance Officer
George Mason University
Compliance, Diversity, and Ethics
Phone: (703) 993-5115



Request under the Virginia Freedom of Information Act

September 29, 2015

Elizabeth Woodley
FOIA Compliance Officer
George Mason University

BY ELECTRONIC MAIL — ewoodley@gmu.edu

Re: Public Records Request – Certain Records Pertaining to GMU Faculty Jagadish Shukla, Paul Dirmeyer, Ed Maibach, James Kinter

Dear Ms. Woodley,

With the Competitive Enterprise Institute (CEI) and as a resident of Albemarle County, Virginia, pursuant to the Virginia Freedom of Information Act, Virginia Code § 2.2-3700 *et seq.*, I request you please provide us within five working days copies of all documents in the University's possession as described below.

We make this request following up several reports that George Mason University faculty member Prof. Jagadish Shukla is paying himself, through a largely taxpayer-funded non-governmental organization, nearly three hundred thousand dollars per year (\$292,688)¹ for part-time work that is apparently quite similar to his work as GMU Professor and Director of its Climate Dynamics Program,² for which he is paid between a quarter and a third of a million dollars per year (reportedly leaping from \$250,866 in 2013 to \$314,000 in 2014).³

¹ "Research in the Areas of Climate Variability, Climate Predictability and Climate Changes." <http://www.guidestar.org/FinDocuments/2014/521/761/2014-521761388-0b7d49e1-9.pdf>. With his spouse both compensations from this organization come to \$438,733. According to at least one published source, two Shukla daughters also appeared on the group's payroll. See Tony Thomas, "The Warmists' Golden Fleece", Quadrant, September 27, 2015, <http://quadrant.org.au/opinion/qed/2015/09/warmists-golden-fleece/>.

² <https://cos.gmu.edu/aoes/profile-jagadish-shukla/>.

³ Stephen McIntyre, "Shukla's Gold", Climate Audit, September 28, 2015, <http://climateaudit.org/2015/09/28/shuklas-gold/>.

Apparently similar situations exist for other GMU faculty involved in an effort organized by Prof. Shukla — through Shukla’s group if all in their capacities as GMU faculty. Together these faculty urge the Department of Justice to initiate criminal investigation, under the Federal Racketeer Influenced and Corrupt Organizations Act (RICO), of parties who disagree over the subject of their related and highly lucrative full- and part-time work: Paul Dirmeyer’s (\$112,500 GMU salary in 2013) CV reflects an affiliation with the Center for Ocean-Land-Atmosphere Studies (COLA), which seems to be an entity of Prof. Shukla’s foundation⁴; George Mason communications professor Ed Maibach (\$171,912) is also director of its Center for Climate Change Communication.

“In addition, Shukla’s long-time associate, James Kinter” — who did not sign the letter seeking RICO investigation — “participated in the same double dip, though on a less grandiose scale. Kinter, also a Professor at George Mason, doubled his 2014 university salary of \$180,038 with \$171,320 from IGES, for a total 2014 income of \$351,358.”⁵

We note the following in affirming the strong public interest in the requested records:

“The University looks favorably on appropriate consulting work by faculty members insofar as it does not interfere with full, proper, and effective performance of faculty duties and responsibilities. **Outside employment and paid consulting cannot exceed the equivalent of one day per work week without written authorization** from the collegiate dean or institute director. **Faculty may be required to document outside employment to insure compliance with these requirements.** Although faculty members are state employees, they consult as private individuals, and the University is not responsible for their work outside the University. **When consulting, faculty members should take care to preserve the distinction between projects undertaken through individual initiatives and projects sponsored or officially sanctioned by the University. Outside business interests must not violate the Commonwealth's conflict of interest laws** [<https://vacode.org/2.2-3100/> <https://vacode.org/23-38.96/>] ... **or the University's two conflict of interest policies: 4001, Financial Conflicts of Interests in University Contracts with Businesses under Virginia Law at <http://universitypolicy.gmu.edu/policies/financial-conflicts-of-interest-in-university-contracts-with-businesses-under-virginia-law/> and 4010, Financial Conflicts of Interest in Federally Funded Research at <http://universitypolicy.gmu.edu/policies/financial-conflicts-of-interest-in-federally-funded-research/>.**

⁴ Shukla runs the Institute for Global Environment and Society (IGES). Thomas, “The Warmists’ Golden Fleece”, Quadrant, September 27, 2015, “Research scientists at COLA pick up pay of around \$US125,000-130,000, according to the foundation’s tax filings.”

⁵ Stephen McIntyre, “Shukla’s Gold”.

Faculty members may use university facilities, equipment, supplies or computer time in their consulting only after obtaining the approval of the collegiate dean or institute director.”

George Mason University Faculty Handbook - July 1, 2014, 2.10.7 Outside Employment and/or Business Interests, pp. 49-50 of 62 (bold added).

Also:

General Prohibitions Virginia Code §2.2-3103.

These prohibitions do not require a personal interest, and there are no exceptions.

You are prohibited from accepting or soliciting money or anything of value, regardless of the amount, for:

- 1) Performing your official duties (salary and remuneration for actual expenses excepted)...
- 3) Obtaining a contract for any person or business...
- 5) Accepting any money, loan, gift favor, service or business or professional opportunity reasonably tending to influence you in the performance of your duties.

We also note GMU’s Conflict of Interest Act Quick Guide:

COIA QUICK GUIDE

The State and Local Government Conflict of Interests Act (“Act”), Virginia Code §2.2-3100, et seq., is applicable to you as a University employee. The Act governs 1) contracts 2) transactions and 3) general prohibitions. The following is intended as general guidance. *You need to be aware of potential conflicts and seek an exception, applicable to contracts and transactions only, before engaging in any prohibited conduct...*

Statement of Economic Interests Virginia Code §2.2-3117.

Some employees are required to annually file a Statement of Economic Interests with the Secretary of the Commonwealth. This is a public document. While the form is not a model of clarity, the general guidance is that when in doubt, disclose.

WARNING: The Act has criminal and civil sanctions. Virginia Code §2.2-3120, et seq.

(italics added, bold in original) <http://hr.gmu.edu/policy/docs/COIAQuickGuide.pdf>

Finally, we note that, at 28 hours of work per week, Prof. Shukla's part-time work is approximately four times that which GMU's Handbook indicates is permitted ("the equivalent of one day per work week without written authorization"). This is according to his outside employer's IRS filings as posted at <http://www.guidestar.org/FinDocuments/2014/521/761/2014-521761388-0b7d49e1-9.pdf>.

As such, please provide us copies of each of the following, for Profs. Shukla, Dirmeyer, Maibach and Kinter for 2011, 2012, 2013, 2014 and 2015, in GMU's possession:

- 1) Statements of Economic Interests, if you possess one or more copies of this public record originally filed with the Secretary of the Commonwealth (given that "Each federally funded investigator is responsible for accurate disclosure of financial conflicts of interest. Deans and Institute Directors are responsible for ensuring management plans are appropriate and implemented as specified");
- 2) applications for and "written authorization" of waiver of conflicts of interest, and/or from the prohibition on outside employment and paid consulting exceeding the equivalent of one day per work week without written authorization;
- 3) approvals of the appropriate collegiate dean or institute director for Profs. Shukla, Dirmeyer, Maibach and Kinter to use university facilities, equipment, supplies or computer time in their consulting;
- 4) list of known SFIs (and those of his spouse and/or dependent children) related to the investigator's institutional responsibilities;
- 5) conflict of interest certifications; and
- 6) conflict of interest management plans.

We ask that you please provide responsive documents in electronic format, and in complete form, with any appendices or attachments as the case may be. We do not seek duplicates of responsive records.

As you are aware, Va. Code § 2.2-3704 (B) requires your office to provide a response within five days. Such a response can take several forms:

- 1) Pursuant to § 2.2-3704 (B)(1), you can withhold all responsive records, but only if you "identify with reasonable particularity the volume and subject matter of withheld records, and cite, as to each category of withheld records, the specific Code section that authorizes the withholding of the records."
- 2) Pursuant to § 2.2-3704 (B)(2), you can provide the records in part and withhold them in part, but only if you "identify with reasonable particularity the subject matter of withheld portions, and cite, as to each category of withheld records, the specific Code section that authorizes the withholding of the records."
- 3) Pursuant to Va. Code § 2.2-3704(B)(3), you can claim that no records exist.
- 4) Pursuant to Va. Code 2.2-3704(B)(4), you can claim an extra seven days are needed to make one of the responses delineated in ##1-3, above.

Va. Code 2.2-3704(F) allows a public body to “make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for the requested records.” The statute does not allow a public body to charge for a mere determination that records are exempt and therefore withheld pursuant to Va. Code § 2.2-3704 (B)(1), in which case the public body must nevertheless identify the volume of the records it is withholding and the statutory basis for doing so. Similarly, the University may claim it has no responsive records pursuant to § 2.2-3704 (B)(3). It may not, however, charge for such a response.

Requesters’ specific purpose makes release and waiver of any costs in the public interest, in that the principal purpose of the request is to access and disseminate information to the general public and is not for the principal purpose of personal or commercial benefit. Neither requester has any commercial interest in obtaining the requested information. Instead, we intend to use the requested information to inform the public, so the public can meaningfully oversee the use of public resources.

Regardless, I authorize charges of up to \$250.00 in advance. Please do not hesitate to contact me with any questions.

Sincerely,



Christopher C. Horner, Esq.

Competitive Enterprise Institute
1899 L Street NW, Suite 1200
Washington, DC 20036
202.262.4458 (M)

1489 Kinross Lane
Keswick, VA 22947
CHornerLaw@aol.com



Request under the Virginia Freedom of Information Act

September 24, 2015

Elizabeth Woodley, J.D.
FOIA Compliance Officer
George Mason University
Compliance, Diversity, and Ethics

BY ELECTRONIC MAIL — ewoodley@gmu.edu

Re: Public Records Request – Certain Emails to or from Profs. Shukla, Maibach, Dirmeyer, Klinger, Schopf, and Straus

Dear Ms. Woodley,

With the Competitive Enterprise Institute (CEI) and as a resident of Albemarle County, Virginia, pursuant to the Virginia Freedom of Information Act, Virginia Code § 2.2-3700 *et seq.* (VFOIA), I request you please provide us within five working days copies of all documents in your possession as described below.

We make this request together following up a September 1, 2015 letter recently in the news, sent by among others six George Mason University faculty members. In it, Profs. Jagadish Shukla, Edward Maibach, Paul Dirmeyer, Barry Klinger, Paul Schopf, and David Straus write the United States Department of Justice, expressly in their capacities as professors with your public institution dedicated to the vigorous exchange of ideas, to “strongly endorse” criminal investigation of those who disagree with them.

Specifically, these GMU faculty members write in support of investigation of parties identified in some of their favorite books and pamphlets for not sharing the same vision of “America’s response to climate change”, using the Federal Racketeer Influenced and Corrupt Organizations Act (RICO).

While we credit the faculty’s understatement in characterizing this suggestion as an “aggressive and imaginative use of limited tools available to” the federal government in

countering political opposition, we are interested in the use of public resources afforded them to advance this unique twist on vigorous policy debate.

As such, please provide us copies of all records in the University's system in the form of electronic mail sent From or To the above-named GMU faculty (including also in the cc: or bcc: fields) dated from June 1, 2015 through the date you process this request, inclusive, which use of contain any of the words RICO, racketeer, racketeering, DoJ, prosecute or prosecution.

We understand that open records laws may seem a rather less "aggressive or imaginative use of limited tools available" to the public than those conjured by Profs. Shukla, Maibach, Dirmeyer, Klinger, Schopf, and Straus and their cadre. However, as both requesters are engaged in research, investigative journalism and publication, as well as transparency pursuits seeking public records relating to environmental and energy policy, we share an approach of giving preference to increasing — as opposed to suppressing — the information available to the public, particularly regarding the use of public resources.

We ask that you please provide responsive documents in electronic format, and in complete form, with any appendices or attachments as the case may be. We do not seek duplicates of responsive records.

As you are aware, Va. Code § 2.2-3704 (B) requires your office to provide a response within five days. Such a response can take several forms:

- 1) Pursuant to § 2.2-3704 (B)(1), you can withhold all responsive records, but only if you "identify with reasonable particularity the volume and subject matter of withheld records, and cite, as to each category of withheld records, the specific Code section that authorizes the withholding of the records."
- 2) Pursuant to § 2.2-3704 (B)(2), you can provide the records in part and withhold them in part, but only if you "identify with reasonable particularity the subject matter of withheld portions, and cite, as to each category of withheld records, the specific Code section that authorizes the withholding of the records."
- 3) Pursuant to Va. Code § 2.2-3704(B)(3), you can claim that no records exist.
- 4) Pursuant to Va. Code 2.2-3704(B)(4), you can claim an extra seven days are needed to make one of the responses delineated in ##1-3, above.

Va. Code 2.2-3704(F) allows a public body to "make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for the requested records." The statute does not allow a public body to charge for a mere determination that records are exempt and therefore withheld pursuant to Va. Code § 2.2-3704 (B)(1), in which case the public body must nevertheless identify the volume of the records it is withholding and the statutory basis for doing so. Similarly, the University may claim it

has no responsive records pursuant to § 2.2-3704 (B)(3). It may not, however, charge for such a response.

Requesters' specific purpose makes release and waiver of any costs in the public interest, in that the principal purpose of the request is to access and disseminate information to the general public and is not for the principal purpose of personal or commercial benefit. Neither requester has any commercial interest in obtaining the requested information. Instead, we intend to use the requested information to inform the public, so the public can meaningfully oversee the use of public resources.

Regardless, I authorize charges of up to \$100.00 in advance. Please do not hesitate to contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Horner", with a stylized flourish at the end.

Christopher C. Horner, Esq.

Competitive Enterprise Institute
1899 L Street NW, Suite 1200
Washington, DC 20036
202.262.4458 (M)

1489 Kinross Lane
Keswick, VA 22947
CHornerLaw@aol.com

From: [Elizabeth I Woodley](#)
To: [Edward W Maibach](#); [Jagadish Shukla](#); [Paul A Dirmeyer](#); [Barry A Klinger](#); [Paul S Schopf](#); [David M. Straus](#)
Cc: [Edwin K Schneider](#)
Subject: RE: FOIA Request for E-mails
Date: Tuesday, September 29, 2015 4:12:22 PM

Hi Ed,

To answer your questions:

1. Either printed documents or PDFs, whichever is easier for you.
2. The purpose of the FOIA statute is to promote transparency in government operations- it's an "open government" law. Therefore, it's written to broadly capture the activities of government, including public universities, while protecting limited categories of sensitive information. You are correct that the public records that you would be in possession of relate to teaching, research or service. If you can't locate any public records (related to your teaching, research or service) which contain the keywords the requester has asked for, then I will respond to the requester that no public records exist which are responsive to his request. But, the reason the requester is asking for documents is irrelevant under the FOIA statute- the purpose of the statute is to allow people to search for government misconduct, after all. We have to provide records to people who are hostile to the University or our faculty in the same way as we provide documents to people who support the University.

Hope that helps clarify. Let me know if you have more questions!

Elizabeth

From: Edward W Maibach
Sent: Tuesday, September 29, 2015 4:01 PM
To: [Elizabeth I Woodley](#); [Jagadish Shukla](#); [Paul A Dirmeyer](#); [Barry A Klinger](#); [Paul S Schopf](#); [David M. Straus](#)
Cc: [Edwin K Schneider](#)
Subject: Re: FOIA Request for E-mails

Hi Elizabeth,

Two questions of clarification, the easy one first:

- 1) How would you like us to share these emails with you? Printed documents?
- 2) The exemptions criteria seems quite narrow (private information, personnel records, student information, and proprietary information) but the "in the course of public business" criteria seems quite broad. How should we reconcile the difference?

In my view, I was not paid by Mason to create the document (a letter) that is of interest to the requester, nor does the document directly relate to my job description in that it is neither teaching, research nor service -- activities which consume far more than 40 hours of my time each week during the school year. Rather, it was written in my capacity as a concerned citizen, in my spare time. Moreover, it was written almost entirely (if not entirely) during summer term, a period when I am employed by Mason only a part-time.

Thanks for any additional guidance that you can provide.

All the best,

Ed

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: Elizabeth I Woodley

Sent: Tuesday, September 29, 2015 2:27 PM

To: Jagadish Shukla; Paul A Dirmeyer; Edward W Maibach; Barry A Klinger; Paul S Schopf; David M. Straus

Cc: Edwin K Schneider

Subject: FOIA Request for E-mails

Good afternoon Professors Shukla, Dirmeyer, Maibach, Klinger, Schopf, and Straus,

My name is Elizabeth Woodley. I am George Mason University's Freedom of Information Act Compliance Officer. I wanted to let you know that I have received a FOIA request for e-mail communications which you may have sent or received from your Mason e-mail address in your capacity as Mason employees from June 1, 2015 to the present which include the keywords "RICO, racketeer, racketeering, DoJ, prosecute, or prosecution".

The FOIA statute covers records which were created "in the course of public business", in your capacity as Mason employees. Good questions to ask yourself to help determine whether a record was created in the transaction of public business are: "Was I paid by George Mason to create this document?" and "Does the document relate to the duties listed in my job description?"

Outside of some narrowly-defined exemptions, all public records are subject to FOIA. Exemptions include: private information, personnel records, student information, and proprietary information.

If you believe you may possess responsive documents, please let me know and send me an

estimate of the cost to produce the documents. Please estimate the amount of time you (or another Mason employee as your designee) would spend responding to this request (searching for documents and reviewing them for possible exemptions). Please also tell me your (or your designee's) hourly rate, so that I may charge the requester for your time. Hourly rate is calculated by dividing base salary (without benefits) by 2080 for 12-month employees or 1560 for 9-month employees.

Please do not begin responding to the request until you hear from me. If the cost estimate is high enough I will require the requester to pay a deposit before we begin the response.

Please let me know if you have any questions about this request. I am available by e-mail or phone- my direct line is 703-993-5115. For more information, Mason's FOIA Policy is available here: http://universitypolicy.gmu.edu/policies/responding-to-virginia-freedom-of-information-act-foia-requests-for-records/?_ga=1.13439028.201496376.1363277436

Thank you,

Elizabeth

Elizabeth Woodley, J.D.
FOIA Compliance Officer
George Mason University
Compliance, Diversity, and Ethics
Phone: (703) 993-5115

From: [Jeff Nesbit](#)
To: [Edward W Malbach](#)
Subject: FW: Statement language
Date: Tuesday, September 29, 2015 5:16:38 PM

I coached Phil on his note.

From: Philip Newell <pnewell@climatenexus.org>
Date: Tuesday, September 29, 2015 1:52 PM
To: Shukla <shukla@iges.org>
Subject: Statement language

Hi J,

Here's what I would say in your situation:

On September 1st, 2015, a group of scientists sent the President a letter urging an investigation into the climate science denial activities of corporations and organizations. This has caused some understandable concern among those who reject the scientific consensus on climate change, who have misinterpreted the letter's intent and also misrepresented financial information.

When the letter became public, climate change denial blogs wrongly portrayed our request for an investigation of companies and groups, misrepresenting it as a demand to prosecute and jail individual scientists and bloggers or otherwise criminalize skepticism. This is not at all the case. Our letter never once makes reference to individuals, be it scientists or bloggers, instead suggesting an "investigation of corporations and other organizations" such as oil and coal lobby groups. We are not calling for contrarian scientists or bloggers to be jailed for expressing their beliefs about climate change. Freedom of speech and freedom of scientific exploration are critical rights that should always be respected.

We asked for an investigation of corporations and their organizations to be carried out to determine if they broke the law by lying to the public about climate risk. Our three paragraph letter cited six different sources that researched the organizations and corporations who propagate denial, not individual scientists who should be absolutely free to follow wherever the research leads them and publicize those results. We believe whole-heartedly in academic freedom and the scientific necessity in exploring alternative hypotheses. But this is not about scientists themselves, or even about bloggers who disagree with the scientific consensus on climate change.

This is about holding corporations and the organizations they fund responsible for the misleading information they have presented to the public, and determining whether or not they knew that information to be deceptive. There is a clear precedent for this sort of investigation in the tobacco industry, so this would not be an unusual application of RICO. Further investigative reporting on Exxon proves that there is at justification to at least investigate the possibility of corporate or organizational wrong-doing. To reiterate, we're calling for investigation- not prosecution- into corporations and organizations-not scientists or bloggers.

In the aftermath of the letter, some have called attention to the financial situation at IGES. What they

have presented is not accurate. [Financial clarifications]

Finally, a note about the future of IGES, in order to prevent any further misunderstandings. In 2013, IGES leadership made the decision to begin transitioning to George Mason University as is documented [in these 2013 internal documents.] As a result of this transition, IGES will be formally disbanding on December 31, 2015. Though some will be tempted to interpret this change as a result of their response to our letter, this decision was made years ago and has nothing to do with the letter or its reception. This transition has led to some internal confusion regarding the letter, which was briefly taken down before being put back up. For future reference after the IGES site goes offline, the letter will be hosted at GMU, as part of [name of project/research center/etc that IGES is becoming at GMU.]

We stand by our request that denial organizations be investigated to determine if they knowingly deceived the public about climate science, and want to be clear that we are not suggesting that scientists or bloggers should be punished for expressing their beliefs.

Philip Newell

Creative Media Manager | [Climate Nexus](#)

171 Madison Ave, Suite 901 | New York, NY 10016

646.559.5868

[Hot News](#) | [Facebook](#) | [Twitter](#)

[Road Through Paris](#) | [@RoadThruParis](#)

From: [Elizabeth I Woodley](#)
To: [Jagadish Shukla](#)
Cc: [Paul A Dirmeyer](#); [Edward W Maibach](#); [Barry A Klinger](#); [Paul S Schopf](#); [David M. Straus](#); [Edwin K Schneider](#)
Subject: RE: FOIA Request for E-mails
Date: Wednesday, September 30, 2015 8:50:01 AM
Attachments: [GMU Shukla et al RICO Records Request.pdf](#)
[GMU Shukla Consulting Conflicts Records Request.pdf](#)

Good morning Professor Shukla,

Please find the attached request. Yesterday I received a second request (also attached); I am working to locate those documents. Any documents that I produce I will first send to the employee mentioned in them so that he may review them for private information which may be exempt from FOIA.

Thank you,

Elizabeth

Elizabeth Woodley, J.D.
FOIA Compliance Officer
George Mason University
Compliance, Diversity, and Ethics
Phone: (703) 993-5115

From: Jagadish Shukla
Sent: Tuesday, September 29, 2015 10:53 PM
To: Elizabeth I Woodley
Cc: Paul A Dirmeyer; Edward W Maibach; Barry A Klinger; Paul S Schopf; David M. Straus; Edwin K Schneider
Subject: Re: FOIA Request for E-mails

Dear Elizabeth,
I just saw your email.
Could you please forward the original request? Thank you.

Regards,
Shukla

University Professor, George Mason University
President, Institute of Global Environment & Society
Research Hall, Room 105
George Mason University, MSN: 2B3
[4400 University Drive](#)
[Fairfax, VA 22030 USA](#)

Tel: 703-993-5700

E-mail: shukla@iges.org

<http://www.iges.org/>

On Sep 29, 2015, at 2:27 PM, Elizabeth I Woodley <ewoodley@gmu.edu> wrote:

Good afternoon Professors Shukla, Dirmeyer, Maibach, Klinger, Schopf, and Straus,

My name is Elizabeth Woodley. I am George Mason University's Freedom of Information Act Compliance Officer. I wanted to let you know that I have received a FOIA request for e-mail communications which you may have sent or received from your Mason e-mail address in your capacity as Mason employees from June 1, 2015 to the present which include the keywords "RICO, racketeer, racketeering, DoJ, prosecute, or prosecution".

The FOIA statute covers records which were created "in the course of public business", in your capacity as Mason employees. Good questions to ask yourself to help determine whether a record was created in the transaction of public business are: "Was I paid by George Mason to create this document?" and "Does the document relate to the duties listed in my job description?"

Outside of some narrowly-defined exemptions, all public records are subject to FOIA. Exemptions include: private information, personnel records, student information, and proprietary information.

If you believe you may possess responsive documents, please let me know and send me an estimate of the cost to produce the documents. Please estimate the amount of time you (or another Mason employee as your designee) would spend responding to this request (searching for documents and reviewing them for possible exemptions). Please also tell me your (or your designee's) hourly rate, so that I may charge the requester for your time. Hourly rate is calculated by dividing base salary (without benefits) by 2080 for 12-month employees or 1560 for 9-month employees.

Please do not begin responding to the request until you hear from me. If the cost estimate is high enough I will require the requester to pay a deposit before we begin the response.

Please let me know if you have any questions about this request. I am available by e-mail or phone- my direct line is 703-993-5115. For more information, Mason's FOIA Policy is available here: http://universitypolicy.gmu.edu/policies/responding-to-virginia-freedom-of-information-act-foia-requests-for-records/?_ga=1.13439028.201496376.1363277436

Thank you,

Elizabeth

Elizabeth Woodley, J.D.
FOIA Compliance Officer
George Mason University
Compliance, Diversity, and Ethics
Phone: (703) 993-5115



Request under the Virginia Freedom of Information Act

September 24, 2015

Elizabeth Woodley, J.D.
FOIA Compliance Officer
George Mason University
Compliance, Diversity, and Ethics

BY ELECTRONIC MAIL — ewoodley@gmu.edu

Re: Public Records Request – Certain Emails to or from Profs. Shukla, Maibach, Dirmeyer, Klinger, Schopf, and Straus

Dear Ms. Woodley,

With the Competitive Enterprise Institute (CEI) and as a resident of Albemarle County, Virginia, pursuant to the Virginia Freedom of Information Act, Virginia Code § 2.2-3700 *et seq.* (VFOIA), I request you please provide us within five working days copies of all documents in your possession as described below.

We make this request together following up [a September 1, 2015 letter](#) recently in the news, sent by among others six George Mason University faculty members. In it, Profs. Jagdish Shukla, Edward Maibach, Paul Dirmeyer, Barry Klinger, Paul Schopf, and David Straus write the United States Department of Justice, expressly in their capacities as professors with your public institution dedicated to the vigorous exchange of ideas, to “strongly endorse” criminal investigation of those who disagree with them.

Specifically, these GMU faculty members write in support of investigation of parties identified in some of their favorite books and pamphlets for not sharing the same vision of “America’s response to climate change”, using the Federal Racketeer Influenced and Corrupt Organizations Act (RICO).

While we credit the faculty’s understatement in characterizing this suggestion as an “aggressive and imaginative use of limited tools available to” the federal government in

countering political opposition, we are interested in the use of public resources afforded them to advance this unique twist on vigorous policy debate.

As such, please provide us copies of all records in the University's system in the form of electronic mail sent From or To the above-named GMU faculty (including also in the cc: or bcc: fields) dated from June 1, 2015 through the date you process this request, inclusive, which use of contain any of the words RICO, racketeer, racketeering, DoJ, prosecute or prosecution.

We understand that open records laws may seem a rather less "aggressive or imaginative use of limited tools available" to the public than those conjured by Profs. Shukla, Maibach, Dirmeyer, Klinger, Schopf, and Straus and their cadre. However, as both requesters are engaged in research, investigative journalism and publication, as well as transparency pursuits seeking public records relating to environmental and energy policy, we share an approach of giving preference to increasing — as opposed to suppressing — the information available to the public, particularly regarding the use of public resources.

We ask that you please provide responsive documents in electronic format, and in complete form, with any appendices or attachments as the case may be. We do not seek duplicates of responsive records.

As you are aware, Va. Code § 2.2-3704 (B) requires your office to provide a response within five days. Such a response can take several forms:

- 1) Pursuant to § 2.2-3704 (B)(1), you can withhold all responsive records, but only if you "identify with reasonable particularity the volume and subject matter of withheld records, and cite, as to each category of withheld records, the specific Code section that authorizes the withholding of the records."
- 2) Pursuant to § 2.2-3704 (B)(2), you can provide the records in part and withhold them in part, but only if you "identify with reasonable particularity the subject matter of withheld portions, and cite, as to each category of withheld records, the specific Code section that authorizes the withholding of the records."
- 3) Pursuant to Va. Code § 2.2-3704(B)(3), you can claim that no records exist.
- 4) Pursuant to Va. Code 2.2-3704(B)(4), you can claim an extra seven days are needed to make one of the responses delineated in ##1-3, above.

Va. Code 2.2-3704(F) allows a public body to "make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for the requested records." The statute does not allow a public body to charge for a mere determination that records are exempt and therefore withheld pursuant to Va. Code § 2.2-3704 (B)(1), in which case the public body must nevertheless identify the volume of the records it is withholding and the statutory basis for doing so. Similarly, the University may claim it

has no responsive records pursuant to § 2.2-3704 (B)(3). It may not, however, charge for such a response.

Requesters' specific purpose makes release and waiver of any costs in the public interest, in that the principal purpose of the request is to access and disseminate information to the general public and is not for the principal purpose of personal or commercial benefit. Neither requester has any commercial interest in obtaining the requested information. Instead, we intend to use the requested information to inform the public, so the public can meaningfully oversee the use of public resources.

Regardless, I authorize charges of up to \$100.00 in advance. Please do not hesitate to contact me with any questions.

Sincerely,



Christopher C. Horner, Esq.

Competitive Enterprise Institute
1899 L Street NW, Suite 1200
Washington, DC 20036
202.262.4458 (M)

1489 Kinross Lane
Keswick, VA 22947
CHornerLaw@aol.com



Request under the Virginia Freedom of Information Act

September 29, 2015

Elizabeth Woodley
FOIA Compliance Officer
George Mason University

BY ELECTRONIC MAIL — ewoodley@gmu.edu

Re: Public Records Request – Certain Records Pertaining to GMU Faculty Jagadish Shukla, Paul Dirmeyer, Ed Maibach, James Kinter

Dear Ms. Woodley,

With the Competitive Enterprise Institute (CEI) and as a resident of Albemarle County, Virginia, pursuant to the Virginia Freedom of Information Act, Virginia Code § 2.2-3700 *et seq.*, I request you please provide us within five working days copies of all documents in the University's possession as described below.

We make this request following up several reports that George Mason University faculty member Prof. Jagadish Shukla is paying himself, through a largely taxpayer-funded non-governmental organization, nearly three hundred thousand dollars per year (\$292,688)¹ for part-time work that is apparently quite similar to his work as GMU Professor and Director of its Climate Dynamics Program,² for which he is paid between a quarter and a third of a million dollars per year (reportedly leaping from \$250,866 in 2013 to \$314,000 in 2014).³

¹ "Research in the Areas of Climate Variability, Climate Predictability and Climate Changes." <http://www.guidestar.org/FinDocuments/2014/521/761/2014-521761388-0b7d49e1-9.pdf>. With his spouse both compensations from this organization come to \$438,733. According to at least one published source, two Shukla daughters also appeared on the group's payroll. See Tony Thomas, "The Warmists' Golden Fleece", Quadrant, September 27, 2015, <http://quadrant.org.au/opinion/qed/2015/09/warmists-golden-fleece/>.

² <https://cos.gmu.edu/aoes/profile-jagadish-shukla/>.

³ Stephen McIntyre, "Shukla's Gold", Climate Audit, September 28, 2015, <http://climateaudit.org/2015/09/28/shuklas-gold/>.

Apparently similar situations exist for other GMU faculty involved in an effort organized by Prof. Shukla — through Shukla’s group if all in their capacities as GMU faculty. Together these faculty urge the Department of Justice to initiate criminal investigation, under the Federal Racketeer Influenced and Corrupt Organizations Act (RICO), of parties who disagree over the subject of their related and highly lucrative full- and part-time work: Paul Dirmeyer’s (\$112,500 GMU salary in 2013) CV reflects an affiliation with the Center for Ocean-Land-Atmosphere Studies (COLA), which seems to be an entity of Prof. Shukla’s foundation⁴; George Mason communications professor Ed Maibach (\$171,912) is also director of its Center for Climate Change Communication.

“In addition, Shukla’s long-time associate, James Kinter” — who did not sign the letter seeking RICO investigation — “participated in the same double dip, though on a less grandiose scale. Kinter, also a Professor at George Mason, doubled his 2014 university salary of \$180,038 with \$171,320 from IGES, for a total 2014 income of \$351,358.”⁵

We note the following in affirming the strong public interest in the requested records:

“The University looks favorably on appropriate consulting work by faculty members insofar as it does not interfere with full, proper, and effective performance of faculty duties and responsibilities. **Outside employment and paid consulting cannot exceed the equivalent of one day per work week without written authorization** from the collegiate dean or institute director. **Faculty may be required to document outside employment to insure compliance with these requirements.** Although faculty members are state employees, they consult as private individuals, and the University is not responsible for their work outside the University. **When consulting, faculty members should take care to preserve the distinction between projects undertaken through individual initiatives and projects sponsored or officially sanctioned by the University. Outside business interests must not violate the Commonwealth's conflict of interest laws** [<https://vacode.org/2.2-3100/> <https://vacode.org/23-38.96/>] ... **or the University's two conflict of interest policies:** 4001, Financial Conflicts of Interests in University Contracts with Businesses under Virginia Law at <http://universitypolicy.gmu.edu/policies/financial-conflicts-of-interest-in-university-contracts-with-businesses-under-virginia-law/> and 4010, Financial Conflicts of Interest in Federally Funded Research at <http://universitypolicy.gmu.edu/policies/financial-conflicts-of-interest-in-federally-funded-research/>.

⁴ Shukla runs the Institute for Global Environment and Society (IGES). Thomas, “The Warmists’ Golden Fleece”, Quadrant, September 27, 2015, “Research scientists at COLA pick up pay of around \$US125,000-130,000, according to the foundation’s tax filings.”

⁵ Stephen McIntyre, “Shukla’s Gold”.

Faculty members may use university facilities, equipment, supplies or computer time in their consulting only after obtaining the approval of the collegiate dean or institute director.”

George Mason University Faculty Handbook - July 1, 2014, 2.10.7 Outside Employment and/or Business Interests, pp. 49-50 of 62 (bold added).

Also:

General Prohibitions Virginia Code §2.2-3103.

These prohibitions do not require a personal interest, and there are no exceptions.

You are prohibited from accepting or soliciting money or anything of value, regardless of the amount, for:

- 1) Performing your official duties (salary and remuneration for actual expenses excepted)...
- 3) Obtaining a contract for any person or business...
- 5) Accepting any money, loan, gift favor, service or business or professional opportunity reasonably tending to influence you in the performance of your duties.

We also note GMU’s Conflict of Interest Act Quick Guide:

COIA QUICK GUIDE

The State and Local Government Conflict of Interests Act (“Act”), Virginia Code §2.2-3100, et seq., is applicable to you as a University employee. The Act governs 1) contracts 2) transactions and 3) general prohibitions. The following is intended as general guidance. *You need to be aware of potential conflicts and seek an exception, applicable to contracts and transactions only, before engaging in any prohibited conduct...*

Statement of Economic Interests Virginia Code §2.2-3117.

Some employees are required to annually file a Statement of Economic Interests with the Secretary of the Commonwealth. This is a public document. While the form is not a model of clarity, the general guidance is that when in doubt, disclose.

WARNING: The Act has criminal and civil sanctions. Virginia Code §2.2-3120, et seq.

(italics added, bold in original) <http://hr.gmu.edu/policy/docs/COIAQuickGuide.pdf>

Finally, we note that, at 28 hours of work per week, Prof. Shukla's part-time work is approximately four times that which GMU's Handbook indicates is permitted ("the equivalent of one day per work week without written authorization"). This is according to his outside employer's IRS filings as posted at <http://www.guidestar.org/FinDocuments/2014/521/761/2014-521761388-0b7d49e1-9.pdf>.

As such, please provide us copies of each of the following, for Profs. Shukla, Dirmeyer, Maibach and Kinter for 2011, 2012, 2013, 2014 and 2015, in GMU's possession:

- 1) Statements of Economic Interests, if you possess one or more copies of this public record originally filed with the Secretary of the Commonwealth (given that "Each federally funded investigator is responsible for accurate disclosure of financial conflicts of interest. Deans and Institute Directors are responsible for ensuring management plans are appropriate and implemented as specified");
- 2) applications for and "written authorization" of waiver of conflicts of interest, and/or from the prohibition on outside employment and paid consulting exceeding the equivalent of one day per work week without written authorization;
- 3) approvals of the appropriate collegiate dean or institute director for Profs. Shukla, Dirmeyer, Maibach and Kinter to use university facilities, equipment, supplies or computer time in their consulting;
- 4) list of known SFIs (and those of his spouse and/or dependent children) related to the investigator's institutional responsibilities;
- 5) conflict of interest certifications; and
- 6) conflict of interest management plans.

We ask that you please provide responsive documents in electronic format, and in complete form, with any appendices or attachments as the case may be. We do not seek duplicates of responsive records.

As you are aware, Va. Code § 2.2-3704 (B) requires your office to provide a response within five days. Such a response can take several forms:

- 1) Pursuant to § 2.2-3704 (B)(1), you can withhold all responsive records, but only if you "identify with reasonable particularity the volume and subject matter of withheld records, and cite, as to each category of withheld records, the specific Code section that authorizes the withholding of the records."
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- 3) Pursuant to Va. Code § 2.2-3704(B)(3), you can claim that no records exist.
- 4) Pursuant to Va. Code 2.2-3704(B)(4), you can claim an extra seven days are needed to make one of the responses delineated in ##1-3, above.

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Regardless, I authorize charges of up to \$250.00 in advance. Please do not hesitate to contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Horner", with a long horizontal flourish extending to the right.

Christopher C. Horner, Esq.

Competitive Enterprise Institute
1899 L Street NW, Suite 1200
Washington, DC 20036
202.262.4458 (M)

1489 Kinross Lane
Keswick, VA 22947
CHornerLaw@aol.com

From: [Holdren, John P.](#)
To: [J Shukla](#)
Cc: [Edward W Maibach](#); [Paul A Dirmeyer](#); [Professor Barry Klinger](#); [Paul S Schopf](#); [David M. Straus](#); [Edward Sarachik](#); [Mike Wallace](#); [Alan Robock](#); [Professor Eugenia Kalnay](#); [Dr. Ben Kirtman](#); [Dr. Bill Lau](#); [Dr. Kevin Trenberth](#); [Professor T.N. Krishnamurti](#); [Dr. Vasubandhu Misra](#); [Dr. Robert Dickinson](#); [Dr. Michela Biasutti](#); [Dr. Mark Cane](#); [Dr. Lisa Goddard](#); [Dr. Alan Betts](#); [Sheldon Whitehouse](#); [Joseph Majkut](#); [Lara Quint](#)
Subject: RE: Letter to President, AG, and OSTP Director
Date: Wednesday, September 30, 2015 8:03:59 PM

Dear Professor Shukla,

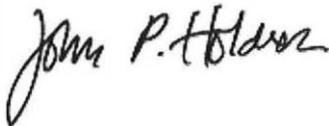
Thank you for your email and letter of a couple of weeks ago. I apologize for my delay in responding. These two weeks have been even more demanding than usual here.

As you know, the Administration shares the concern expressed in the letter about the seriousness of the threat posed by climate change. The President has made addressing that threat a top priority, and, as you also know, it has long been a top priority of mine.

Regarding the letter's proposal of a RICO investigation, though, neither the White House Office nor the Office of Science and Technology Policy determines or directs the Department of Justice's prosecutorial or investigative decisions.

I and my colleagues here do very much value views from the wider scientific community on reducing the risk of climate change, and we look forward to continuing to find ways to work together to address this critical issue.

Sincerely,



JOHN P. HOLDREN, PhD
Assistant to the President for Science and Technology
Director, Office of Science and Technology Policy
Co-Chair, President's Council of Advisors on Science and Technology
Executive Office of the President of the United States

E-mail: jholdren@ostp.eop.gov
Assistant: Billie_S_McGrane@ostp.eop.gov, 202-456-6064
Web: <http://www.ostp.gov>

From: J Shukla [<mailto:shukla@iges.org>]
Sent: Monday, September 14, 2015 11:18 AM

To: Holdren, John P.; McLaughlin, Pat

Cc: Dr. Edward Maibach; Paul Dirmeyer; Professor Barry Klinger; Dr. Paul Schopf; Dr. David M. Straus; Edward Sarachik; Mike Wallace; Alan Robock; Professor Eugenia Kalnay; Dr. Ben Kirtman; Dr. Bill Lau; Dr. Kevin Trenberth; Professor T.N. Krishnamurti; Dr. Vasubandhu Misra; Dr. Robert Dickinson; Dr. Michela Biasutti; Dr. Mark Cane; Dr. Lisa Goddard; Dr. Alan Betts; Sheldon Whitehouse; Joseph Majkut; Lara Quint

Subject: Letter to President, AG, and OSTP Director

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We will be grateful if you can please bring this letter to the attention of the President. Thank you.

Regards,
J. Shukla

University Professor, George Mason University
President, Institute of Global Environment & Society
Research Hall, Room 105
George Mason University, MSN: 2B3
4400 University Drive
Fairfax, VA 22030 USA

Tel: 703-993-5700

E-mail: shukla@iges.org

>http://www.iges.org/<

On Sep 9, 2015, at 4:11 PM, J Shukla <shukla@iges.org> wrote:

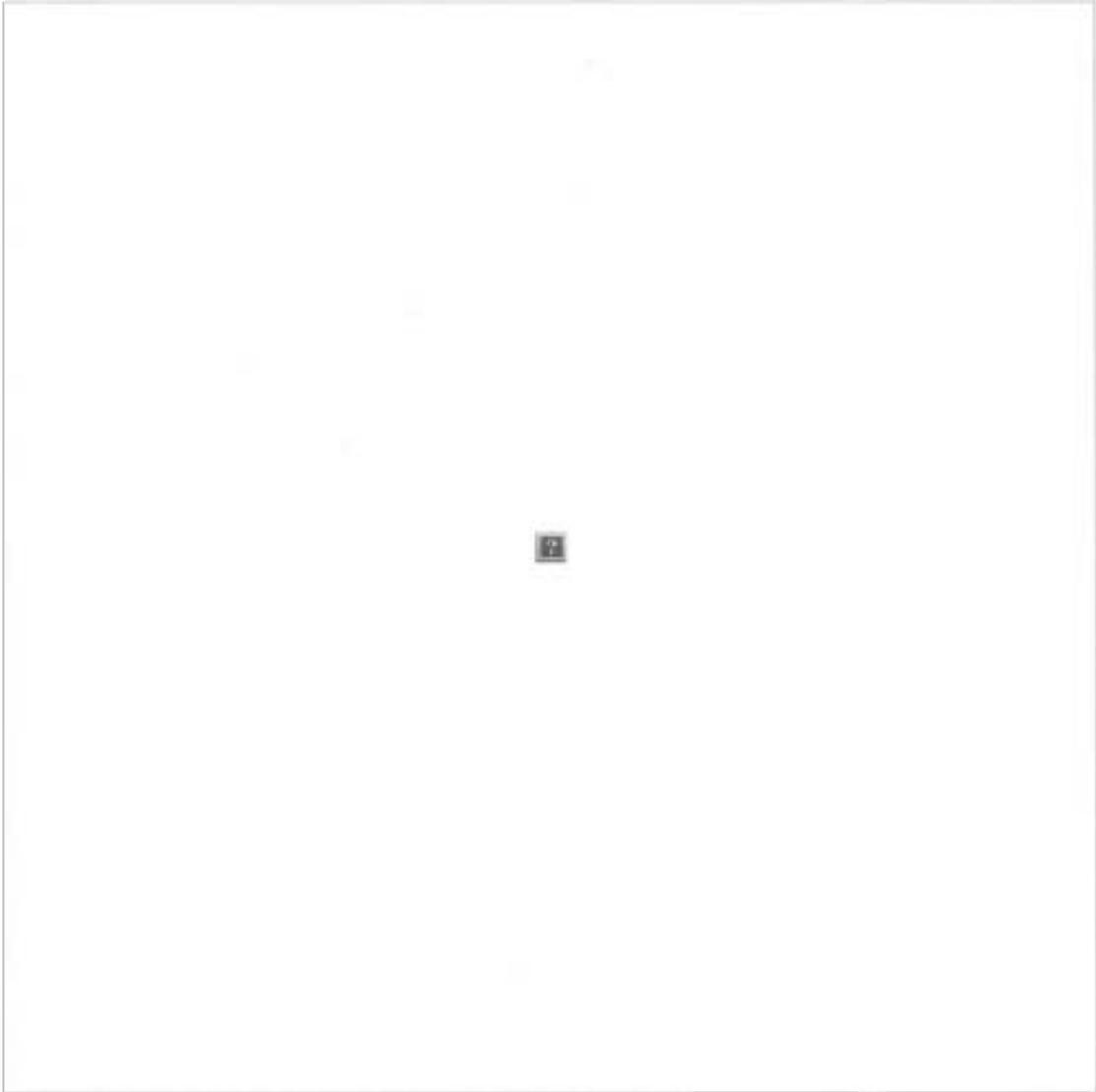
Dear Friends,

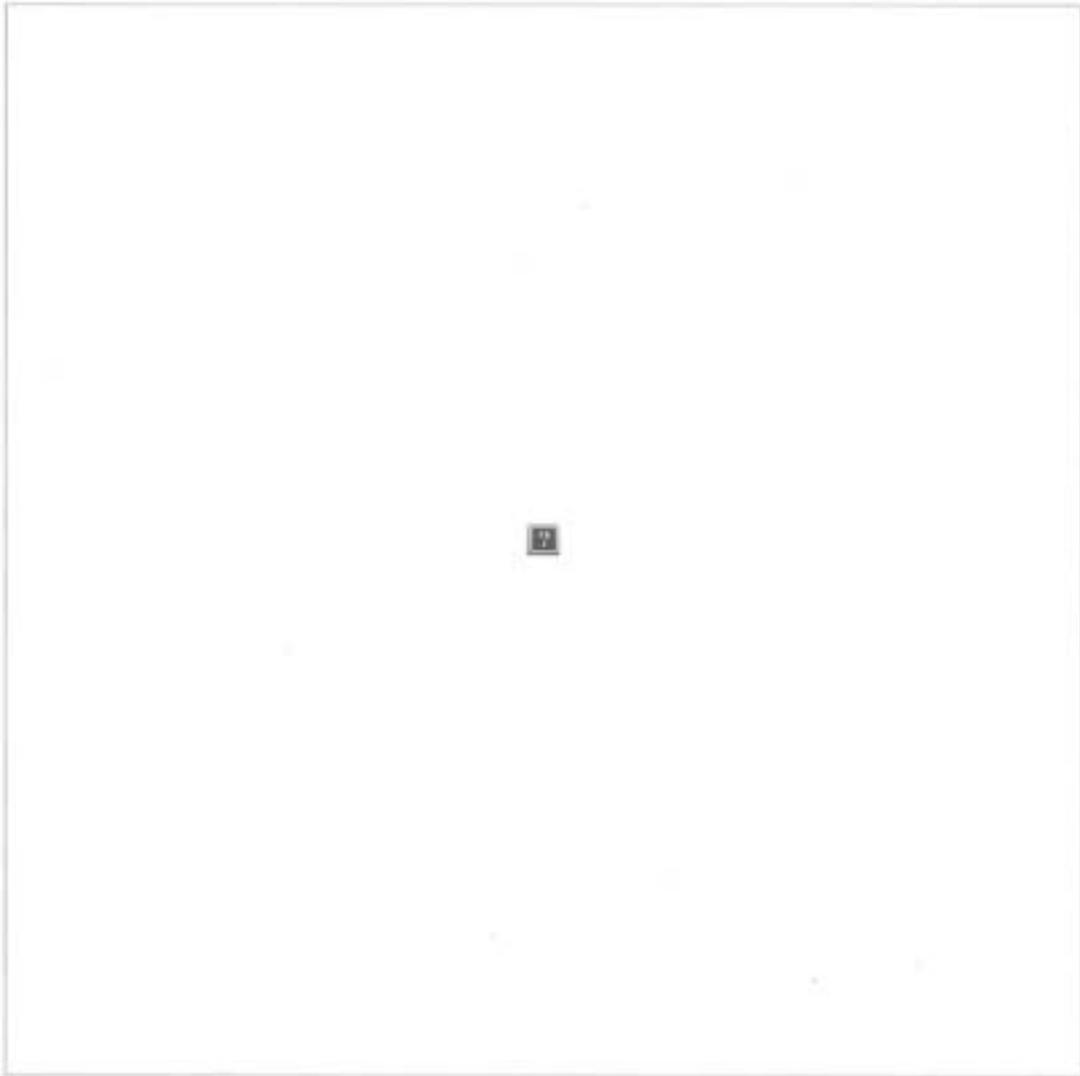
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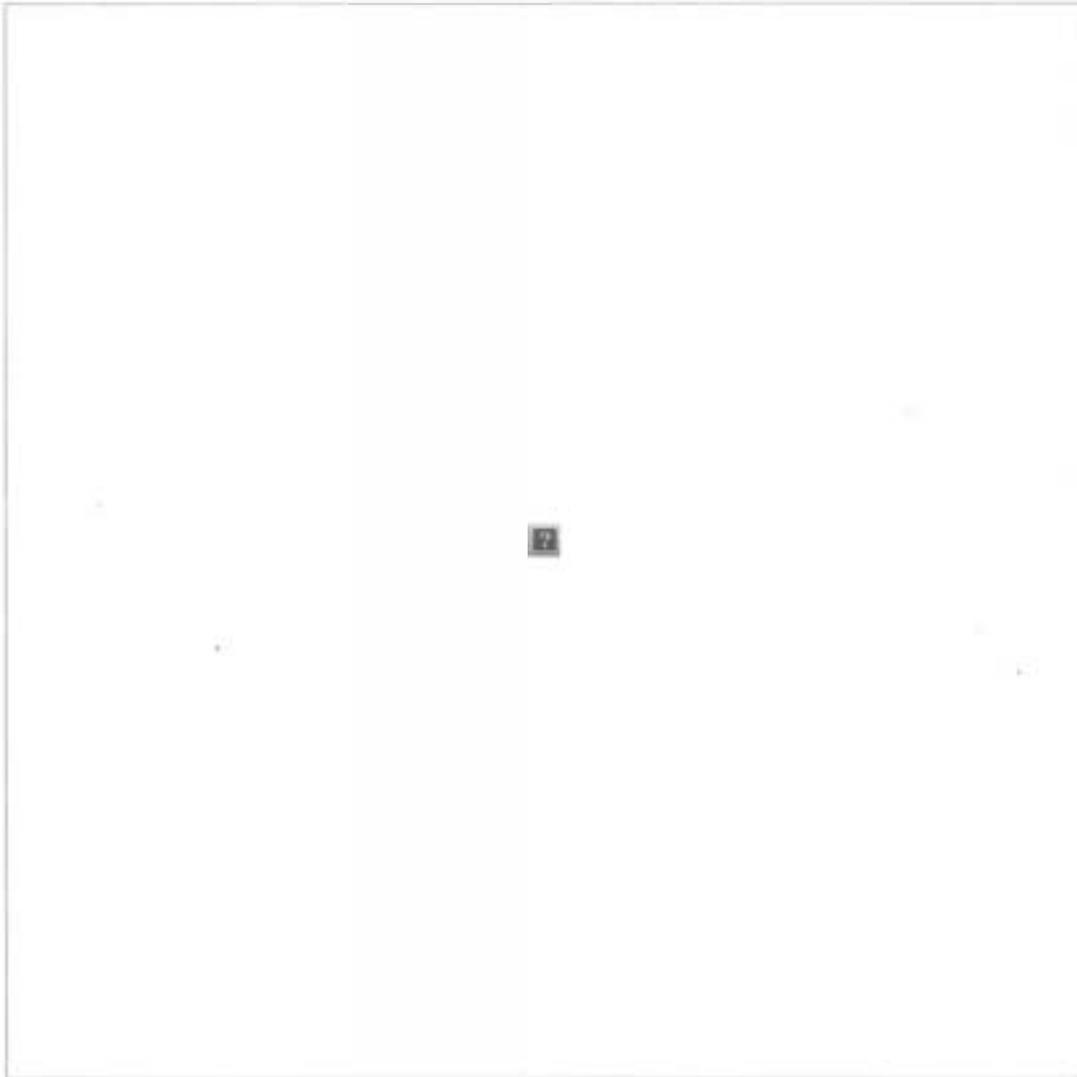
<Letter to Pres, AG, Holdren_Final.docx>

From: [Climate Nexus](#)
To: [Edward W Maibach](#)
Subject: Exxon Faces Legal Troubles, NYC Pensions Pushed to Divest, and more
Date: Wednesday, September 30, 2015 8:06:02 AM





Protect Cities, Protect People: How might urban slum communities become more resilient to the effects of climate change? Share your ideas in the Amplify Urban Resilience challenge for a chance to win a share of \$800,000 in funding and technical design assistance. Participate [here](#).

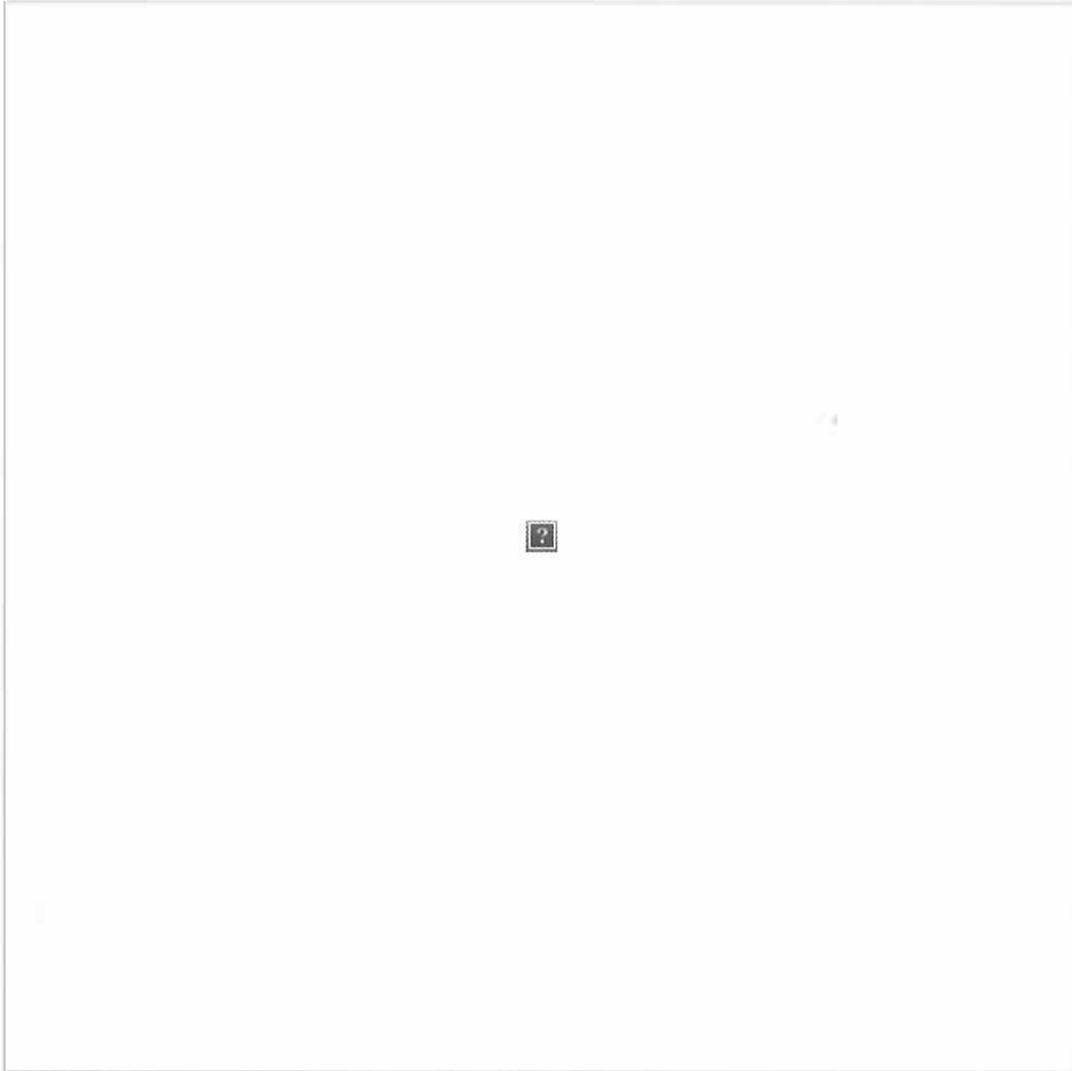


Exxon Could Get Drilled, Lawyers Say: ExxonMobil could face legal challenges as more news emerges that its own researchers warned management decades ago about the connection between catastrophic risks of climate change and fossil fuel use. Environmental advocates and their political allies are pressing federal and state authorities to launch investigations, subpoenas or prosecutions, according to the newest installment of InsideClimate News' multi-part investigative report on Exxon. There is "no way, no way," attorney Matt Pawa said, for Exxon to escape eventual legal accountability. "Not when it's in plain sight and they recognized it decades ago." ([InsideClimate News](#))

NYC Mayor Wants to Quit Coal: New York City Mayor Bill de Blasio is encouraging the city's five pension funds, worth over \$160 billion, to end their investments in coal companies and reconsider investments in other fossil fuels. The mayor's office estimates that the funds have at least \$33 million of exposure to thermal coal. De Blasio views divestment as the next logical step, as New York City continues to move away from fossil fuels and towards renewables. ([Huffington Post](#), [Newsweek](#), [AP](#), [The Guardian](#), [Bloomberg](#))

Carbon Footprint Could Stomp on Investments: Bank of England Governor Mark Carney warned about the economic volatility of fossil fuel assets, urging companies to be more

transparent about their “climate change footprint.” According to Carney, assets must be re-priced soon to reflect the impact of climate change and help British investors avoid potentially huge financial risks. Carney suggests that an industry-led climate disclosure task force could be created to develop a voluntary standard for carbon emitting companies. ([The Guardian](#), [Financial Times](#) \$, [BBC](#), [The Telegraph](#) \$, [Sydney Morning Herald](#) \$, [Reuters](#))



US News

- Tropical Storm Joaquin forms off East Coast ([USA Today](#), [Wx Shift](#))
- Jeb Bush lays out energy plan with call to relax environmental rules ([The Guardian](#), [Financial Times](#) \$, [Politico](#), [E&E News](#) \$)
- Under Clean Power Plan, Pennsylvania confronts its deep ties to coal ([E&E News](#) \$)
- AP styles 'deniers' into 'doubters,' creating newsroom skeptics ([InsideClimate News](#))
- Marco Rubio questioned by Republican college student on climate and energy policy ([Think Progress](#))
- Truckee planners address need for climate change action plan ([Sierra Sun](#))
- 9 in 10 scientists think climate change is real ([Lafayette Journal & Courier](#) \$)
- How much can electric cars impact climate change? New report says a lot ([San Gabriel Valley Tribune](#))

- Alaska divided as Shell halts Arctic drilling: heartbreaking news or a miracle? ([The Guardian](#))
- DOE tries to jump-start lagging US offshore wind development ([E&E News](#) \$)
- New regulations on smog remain as divisive as ever ([New York Times](#) \$)
- The highs and (mostly) lows of Shell's failed Arctic adventure ([InsideClimate News](#))
- Senate Dems consider 2016 Koch brothers strategy ([Politico](#))
- 10 states that burn the most coal ([Huffington Post](#))
- Gore: Florida climate crisis mired in politics ([Miami Herald](#))
- Climate change threatens perch, other warm-water fish ([Great Lakes Echo](#))
- Will climate change impact bird-watching in South Texas? Some say it already is ([San Antonio Current](#))
- MacArthur 'genius' Gary Cohen: Health industry's epiphany creates science opportunity ([Washington Post](#) \$)

World News

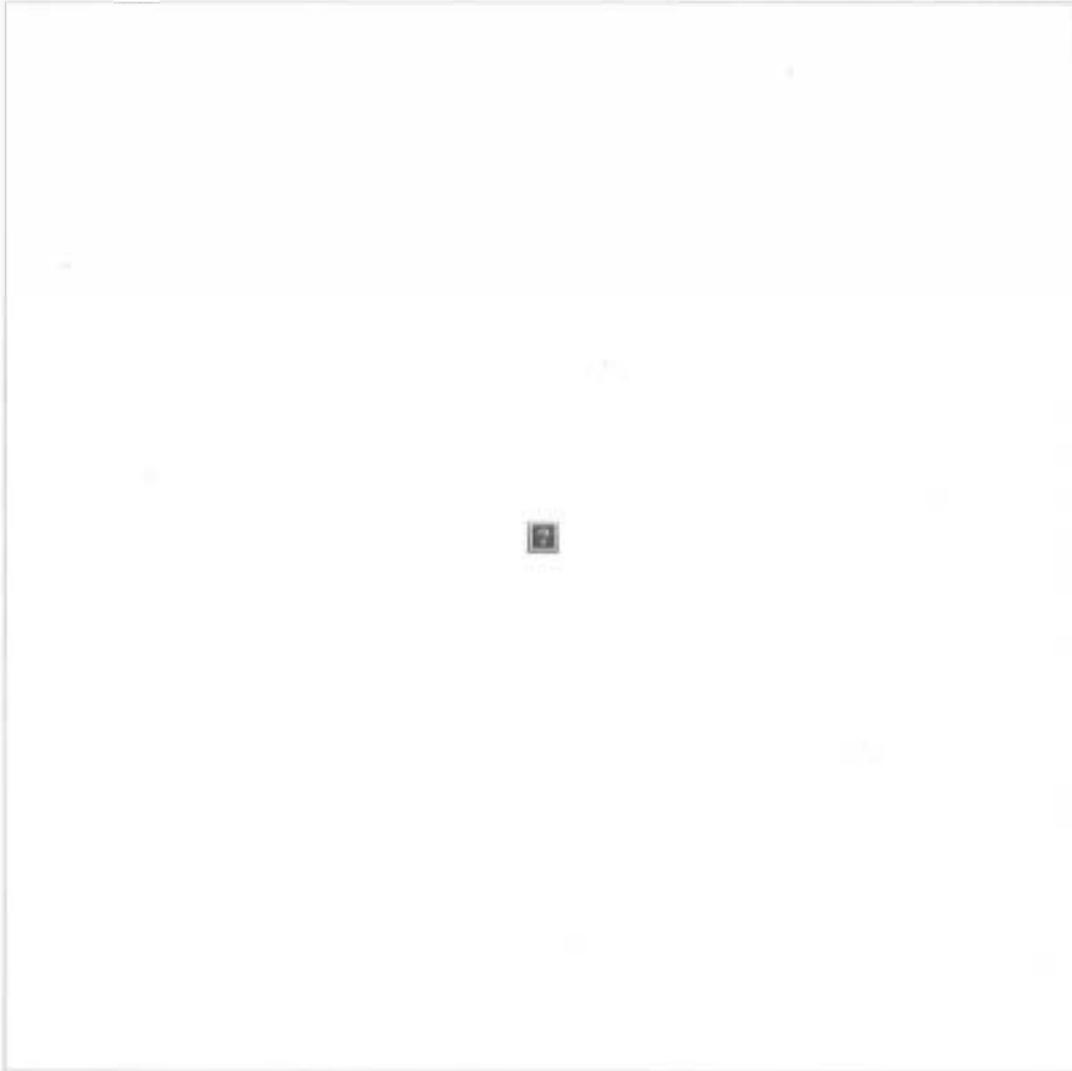
- China set to achieve 2015 climate goals, study says ([Wall Street Journal](#) \$)
- INDC Roundup: Countries race to meet Oct. 1 UN deadline ([Carbon Pulse](#))
- India, US activate backroom talks on climate change ([Business Standard](#))
- Heat rising from the depths of the Arctic 'could accelerate ice melt.' ([The Telegraph](#) \$)
- To build a greener economy, Bhutan wants to go organic by 2020 ([Reuters](#))
- Scientists declare an 'urgent' mission - study West Antarctica, and fast ([Washington Post](#) \$)
- TransCanada's Energy East pipeline yet to win Quebec over, Premier says ([Globe and Mail](#))
- Climate model shows limits of global emissions pledges ([Climate Central](#))
- Why cities are the next frontier in the fight against climate change ([TIME](#))
- Will China's carbon-trading plan help curb climate change? ([Christian Science Monitor](#))
- Alberta Premier supports federal NDP climate change plan ([CBC News](#), [Edmonton Sun](#))
- New ways to motivate climate change action around the world ([Phys.org](#))
- India backs solar as Paris climate talks loom ([Phys.org](#))
- Two countries join the global effort to cut carbon ([Think Progress](#))
- Forestry breeds against climate change ([Nanaimo News Bulletin](#))
- Jeremy Corbyn drops plans to nationalize energy groups ([Financial Times](#) \$)
- Labour conference: Nandy backs community-owned energy plants ([BBC](#))
- Rio Tinto sells coal mine stake for \$606m ([Financial Times](#) \$)
- BHP insists global climate deal will not harm future mining profits ([The Guardian](#), [Reuters](#), [Financial Times](#) \$)
- Aviation industry pledges more action on climate ([Financial Times](#) \$)
- Toronto high schooler off to the Arctic to study climate change ([Toronto Star](#))
- The media is doing a 'better job' at communicating climate change ([BusinessGreen](#))
- Long road of climate action to follow Paris, officials say ([Al Jazeera](#))
- China 'highly polluting project' decision to spur coal subsidy talks ([Reuters](#))
- Environmental groups seek end to all Arctic Ocean drilling ([AP](#))



- Is the fossil fuel industry, like the tobacco industry, guilty of racketeering? ([The Guardian, Dana Nuccitelli column](#))
- Getting to \$100 billion in climate change aid ([New York Times, Eduardo Porter column](#) \$)
- Why beef is the new SUV ([CNN, John D. Sutter column](#))
- Ten greenest cities in the world ([EcoWatch, Cole Mellino column](#))
- Why Seattle is calling on the Gates Foundation to divest ([The Guardian, Mike McGinn, Alec Connon & Sarra Tekola op-ed](#))
- It's time to ramp up local climate efforts ([EcoWatch, Michael Bloomberg column](#))
- Visualizing the shrinking sea ice ([Atlantic, Robinson Meyer column](#))
- There may be flowing water on Mars. But is there intelligent life on Earth? ([The Guardian, George Monbiot op-ed](#))
- Tropical Storm Joaquin likely to produce East Coast deluge this week ([Slate, Eric Holthaus column](#))
- XPrize's \$20m carbon recycling award aims to cut fossil fuel emissions ([The Guardian, Marc Gunther column](#))
- The painfully obvious omission from Jeb Bush's overly familiar energy plan ([Slate, Josh Voorhees column](#))
- Shell didn't quit Alaska out of the goodness of its heart ([Wired, Nick Stockton column](#))

- The ozone rules that no one will like ([National Journal, Jason Plautz column](#))
- Glenn Beck accuses Carly Fiorina of believing in climate change, Fiorina says 'no' ([Think Progress, Emily Atkin column](#))
- Why women around the world are calling for action on climate change ([Refinery29, Torey Van Oot column](#))
- Climate change: Governor taking a needed step, but much work remains ([Seattle Times, Jasjit Basi letter](#) \$)
- Bipartisan solutions on climate change ([Superior Telegram, Bill Bussey op-ed](#))
- David Thoreson talks Arctic climate change ([The Daily Princetonian, Annie Yang column](#))
- Millennials leading climate change movement ([Daily Bulletin, David Oxtoby column](#))
- Think global, act local to mitigate climate change ([Financial Express, PP Sangal column](#))
- Assessing the cost of climate change ([The National, Nick Leech column](#))
- Rachel Notley faces a tough challenge in improving Alberta's environmental image ([Edmonton Journal, Graham Thompson column](#))
- Pope's embrace of climate change inspiring ([Fosters Daily Democrat, Rabbi Robin Nafshi op-ed](#) \$)
- Change occurring in Congress ([Wisconsin Rapids Tribune, Dan Dietrich letter](#))
- The big-money effort to turn the GOP greener ([NPR, Jay Faison interview](#))
- VW scandal: Corporate green claims need a new kind of scrutiny ([Scientific American, Fred Pearce column](#))
- Is a warming world to blame for the Syrian refugee crisis? ([onEarth, Melissa Denchak column](#))
- Brazil's climate pledge represents slight increase on current emissions ([Carbon Brief, Sophie Yeo column](#))
- Energy - The lure of laziness ([Bloomberg, Michael Liebreich, and Charles Blanchard op-ed](#))
- Is Shell suddenly poised to become a climate leader? ([BusinessGreen, Madeleine Cuff column](#) \$)
- Is Paris the last chance to save humankind, like Hollande said? ([EU Observer, Peter Teffer column](#))
- Voters don't care that much about climate change. Democrats should talk about it anyway. ([Washington Post, Greg Sargent column](#) \$)
- Countdown to Paris: Modi and Obama talk climate change, factoring in development is the challenge ([Times of India editorial](#))
- Climate 'reparations' for poor nations? Not so fast ([Bloomberg, Cass R. Sunstein column](#))
- German engineers only latest auto cheaters ([USA Today, Dan Becker and James Gerstenzang column](#))
- Here's what the VW fraud is really going to cost us ([Politico, Charles Komanoff op-ed](#))
- How cities can save the planet ([Politico, Eric Garcetti op-ed](#))
- US must reduce damage to environment ([Columbus Dispatch, Evan McCollum letter](#))
- Your food waste contributes to global warming ([Los Angeles Daily News editorial](#))
- Pope Francis in US embraces the language of inclusion ([Irish Times editorial](#))
- Climate change: A major step we can take locally ([Seattle Times, Benjamin Sibelman letter](#) \$)
- Is Australia's commitment to fighting climate change good enough? ([Sydney Morning Herald, Tony Wood op-ed](#) \$)
- India has one of the world's largest or smallest carbon footprints depending on

how you measure it ([Wall Street Journal, Joanna Sugden and Niharika Mandhana analysis S](#))



Limbaugh's Out-Of-This-World NASA Conspiracy

NASA's discovery of water on Mars has generated an understandable amount of buzz. Among the reactions are those suggesting NASA purposefully released the news ahead of the Ridley Scott film, *The Martian*. [John Nolte at Breitbart](#) goes on to say NASA discovered the evidence months ago, because it shared photos (the details of which are unclear) with Ridley Scott during *The Martian's* production. Nolte tries to argue that NASA employees "withheld news in order to benefit their political pals" (because apparently Obama's administration is pals with 20th Century Fox), when in reality, NASA was probably just wrapping up its findings and analysis.

While that's outlandish but possible, [Rush Limbaugh's conspiracy theory](#) is downright wrong. Limbaugh—after telling his listeners the Earth hasn't warmed and NASA is "making up the temperatures"—says water on Mars is perhaps as fake as the global temperature record. He asks, "What's to stop them from making up something that happened on Mars that will help advance their left-wing agenda on this planet?"

Moving on from the Red Planet to red states, a [new poll suggests](#) Republican politicians would be better off distancing themselves from deniers like Limbaugh. The poll—commissioned by Republican businessman turned-donor Jay Faison—shows that nearly 75% of Republicans support development and deployment of clean energy, 54% support carbon taxes and tax incentives for alternative energy, and 56% believe humans play a role in changing the climate.

But will the GOP listen to its clean-energy loving constituents? Or will it embrace Limbaugh's conspiratorial [space oddity](#)?



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Climate Nexus · 171 Madison Ave. · Suite 901 · New York, NY 10016 · USA

From: [Dickinson, Robert E](#)
To: [Edward W Maibach](#)
Subject: Re: Another important request
Date: Friday, October 02, 2015 7:31:33 PM

I can be on it. Science magazine is writing an article about the letter and resulting controversy. Can I/ should I send them this second letter. I think the deadline for the article to be finished is about now so it should be done right away. Better, I will forward to you the person doing it for further communication. I am leaving this weekend for 3 weeks and will probably not answer much emails.

Robert Dickinson

From: Edward W Maibach <emaibach@gmu.edu>
Sent: Friday, October 2, 2015 6:18 PM
To: J Shukla
Cc: Professor Barry Klinger; Mike Wallace; Dr. Ben Kirtman; Dr. Kevin Trenberth; Dickinson, Robert E; Dr. Michela Biasutti; Dr. Mark Cane; Dr. Lisa Goddard; vmisra@fsu.edu
Subject: Re: Another important request

Dear fellow letter signers,

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We intend to release this statement early next week, although the exact mechanism is TDB.

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Thank you,

Ed Maibach

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: Edward W Maibach

Sent: Friday, October 2, 2015 7:15 PM

To: J Shukla

Cc: Professor Barry Klinger; Mike Wallace; Dr. Ben Kirtman; Dr. Kevin Trenberth; Dr. Robert Dickinson; Dr. Michela Biasutti; Dr. Mark Cane; Dr. Lisa Goddard; vmisra@fsu.edu

Subject: An important request

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Shukla and I respectfully request that you send us your private email address.

If you prefer to leave it in a voice message, call me at 703-993-1587.

Thank you,

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Fairfax, VA 22030
www.climatechangecommunication.org

From: Holdren, John P. <John_P._Holdren@ostp.eop.gov>

Sent: Wednesday, September 30, 2015 8:01 PM

To: J Shukla

Cc: Edward W Maibach; Paul A Dirmeyer; Professor Barry Klinger; Paul S Schopf; David M. Straus; Edward Sarachik; Mike Wallace; Alan Robock; Professor Eugenia Kalnay; Dr. Ben Kirtman; Dr. Bill Lau; Dr. Kevin Trenberth; Professor T.N. Krishnamurti; Dr. Vasubandhu Misra; Dr. Robert Dickinson; Dr. Michela Biasutti; Dr. Mark Cane; Dr. Lisa Goddard; Dr. Alan Betts; Sheldon Whitehouse; Joseph Majkut; Lara Quint

Subject: RE: Letter to President, AG, and OSTP Director

Dear Professor Shukla,

Thank you for your email and letter of a couple of weeks ago. I apologize for my delay in responding. These two weeks have been even more demanding than usual here.

As you know, the Administration shares the concern expressed in the letter about the seriousness of the threat posed by climate change. The President has made addressing that threat a top priority, and, as you also know, it has long been a top priority of mine.

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Regards,
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Tel: 703-993-5700
E-mail: shukla@iges.org
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Dear Friends,

Please find enclosed a copy of the final letter. Thank you for your support.

Regards,
Shukla

<Letter to Pres, AG, Holdren_Final.docx>

From: Benjamin Kirtman
To: Lisa Goddard; Mark Cane
Cc: Edward W Maibach; Jagdish Shukla; Professor Barry Klinger; Mike Wallace; Kevin Trenberth; Dr. Robert Dickinson; Biasutti Michela; vmisra@fsu.edu
Subject: RE: Another important request
Date: Saturday, October 03, 2015 8:41:40 PM

I have to agree with Lisa, Mark and Kevin on this. I see no need to be part of any additional letters. Ben

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: Lisa Goddard <goddard@iri.columbia.edu>
Date: 10/03/2015 7:44 PM (GMT-05:00)
To: Mark Cane <mcane01@gmail.com>
Cc: Edward W Maibach <emaibach@gmu.edu>, Jagdish Shukla <shukla@iges.org>, Professor Barry Klinger <klinger@cola.iges.org>, Mike Wallace <wallacem@uw.edu>, Benjamin Kirtman <bkirtman@rsmas.miami.edu>, Kevin Trenberth <trenberth@ucar.edu>, "Dr. Robert Dickinson" <robedt@jsg.utexas.edu>, Biasutti Michela <mbiasutti@gmail.com>, vmisra@fsu.edu
Subject: Re: Another important request

I agree with Mark and similar comments by the others.
I think the first letter was a worthwhile statement, but don't feel the need to be part of additional explanations.

Best,
Lisa

On Oct 3, 2015, at 1:26 PM, Mark Cane <mcane01@gmail.com> wrote:

I do not agree with this letter.
More to the point, I am sure that any such attempt to make things better, clarify, etc will backfire. It will provide a new opportunity for the climate doubters to launch a new round of blogs, attacks, etc.
Disraeli, who was a far better politician than any of us, said "Never apologize, never explain." His advice should be followed.
Please take my name off this letter or any other. Please take me off this email list.
Mark

On Oct 2, 2015, at 7:18 PM, Edward W Maibach <emaibach@gmu.edu> wrote:

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Sincerely,

<image001.jpg>

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Assistant to the President for Science and Technology
Director, Office of Science and Technology Policy
Co-Chair, President's Council of Advisors on Science and Technology
Executive Office of the President of the United States

E-mail: jholdren@ostp.eop.gov

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Shukla

<Letterto Pres, AG, Holdren_Final.docx>

<Additional letter v2.docx>

Mark A. Cano
G. Unger Vetlesen Professor of Earth and Climate Sciences
Lamont-Doherty Earth Observatory of Columbia University
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Department of Earth and Environmental Science <http://eesc.columbia.edu/>
Department of Applied Physics and Applied Math
Founder, Master of Arts Program in Climate and Society:
<http://www.columbia.edu/cu/climatesociety/>

From: [Kevin Trenberth](#)
To: [Edward W Maibach](#); [J Shukla](#)
Cc: [Professor Barry Klinger](#); [Mike Wallace](#); [Dr. Ben Kirtman](#); [Dr. Robert Dickinson](#); [Dr. Michela Biasutti](#); [Dr. Mark Cane](#); [Dr. Lisa Goddard](#); vmisra@fsu.edu
Subject: Re: Another important request
Date: Friday, October 02, 2015 8:01:59 PM

I do not agree with the letter.
Kevin

On 10/2/15 7:18 PM, Edward W Maibach wrote:

Dear fellow letter signers,

Shukla and I have drafted the attached statement with the aim of setting the record straight on a number of important misunderstandings associated with our original letter.

We intend to release this statement early next week, although the exact mechanism is TDB.

Please review the draft and reply to Shukla and me with your assent to be listed.

Thank you,

Ed Maibach

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: Edward W Maibach
Sent: Friday, October 2, 2015 7:15 PM
To: J Shukla
Cc: Professor Barry Klinger; Mike Wallace; Dr. Ben Kirtman; Dr. Kevin Trenberth; Dr. Robert Dickinson; Dr. Michela Biasutti; Dr. Mark Cane; Dr. Lisa Goddard; vmisra@fsu.edu
Subject: An important request

Dear fellow letter signers.

Shukla and I respectfully request that you send us your private email address.

If you prefer to leave it in a voice message, call me at 703-993-1587.

Thank you,

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: Holdren, John P. <John_P_Holdren@ostp.eop.gov>

Sent: Wednesday, September 30, 2015 8:01 PM

To: J Shukla

Cc: Edward W Maibach; Paul A Dirmeyer; Professor Barry Klinger; Paul S Schopf; David M. Straus; Edward Sarachik; Mike Wallace; Alan Robock; Professor Eugenia Kalnay; Dr. Ben Kirtman; Dr. Bill Lau; Dr. Kevin Trenberth; Professor T.N. Krishnamurti; Dr. Vasubandhu Misra; Dr. Robert Dickinson; Dr. Michela Biasutti; Dr. Mark Cane; Dr. Lisa Goddard; Dr. Alan Betts; Sheldon Whitehouse; Joseph Majkut; Lara Quint

Subject: RE: Letter to President, AG, and OSTP Director

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Sincerely,



JOHN P. HOLDREN, PhD

Assistant to the President for Science and Technology
Director, Office of Science and Technology Policy
Co-Chair, President's Council of Advisors on Science and Technology
Executive Office of the President of the United States

E-mail: jholdren@ostp.eop.gov

Assistant: Billie_S_McGrane@ostp.eop.gov, 202-456-6064

Web: <http://www.ostp.gov>

From: J Shukla [<mailto:shukla@iges.org>]

Sent: Monday, September 14, 2015 11:18 AM

To: Holdren, John P.; McLaughlin, Pat

Cc: Dr. Edward Maibach; Paul Dirmeyer; Professor Barry Klinger; Dr. Paul Schopf; Dr. David M. Straus; Edward Sarachik; Mike Wallace; Alan Robock; Professor Eugenia Kalnay; Dr. Ben Kirtman; Dr. Bill Lau; Dr. Kevin Trenberth; Professor T.N. Krishnamurti; Dr. Vasubandhu Misra; Dr. Robert Dickinson; Dr. Michela Biasutti; Dr. Mark Cane; Dr. Lisa Goddard; Dr. Alan Betts; Sheldon Whitehouse; Joseph Majkut; Lara Quint

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Regards,
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University Professor, George Mason University
President, Institute of Global Environment & Society
Research Hall, Room 105
George Mason University, MSN: 2B3
4400 University Drive
Fairfax, VA 22030 USA

Tel: 703-993-5700
E-mail: shukla@iges.org
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On Sep 9, 2015, at 4:11 PM, J Shukla <shukla@iges.org> wrote:

Dear Friends,

Please find enclosed a copy of the final letter. Thank you for your support.

Regards,
Shukla

<Letter to Pres, AG, Holdren_Final.docx>

--
Kevin E Trenberth
Distinguished Senior Scientist
Climate Analysis Section
National Center for Atmospheric Research
PO Box 3000
Boulder, CO 80307, USA
ph 303 497 1318
fax 303 497 1333
email trenbert@ucar.edu

From: [Kevin Trenberth](#)
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Subject: Re: Another important request
Date: Saturday, October 03, 2015 11:27:55 AM

Hi again

I was on travel all last week in the UK, I am back briefly for 1 day. So I apologize for my brief reaction. Let me elaborate on why I stated that I did not like the letter. Who is this letter to? I have received dozens of nasty emails from various people about our original letter, and there are commentaries from people like Judy Curry and Peter Webster. You won't change the minds of any of those. This letter just adds fuel to the fire. It likely sets off another round of these nasty emails.

Several of the sentiments expressed in the letter are actually fine in the right context, but you should not be backing off or apologizing. The question is what to do with this and how to reach the few in the general public who care enough to even notice? If you think some of the emailers are genuinely misled, then by all means respond individually. In the past I have done this and one quickly finds out whether they were indeed led astray or whether they are true deniers. There are some in the first camp but most are not. So the issue is who are you releasing this statement to? Or how do you reach the ones who matter? Versus inflaming and revitalizing the denier web sites all over again.

The IGES stuff is a side issue and does not belong here. At the very least, please do NOT apologize: remove the last sentence in para 3. You seem to be trying to back off and downplay this, and I would prefer that tone to be removed.

We need a friendly web site to post stuff like this and the original letter that seeks to clarify intent.

Best
Kevin

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Subject: RE: Letter to President, AG, and OSTP Director

Dear Professor Shukla,

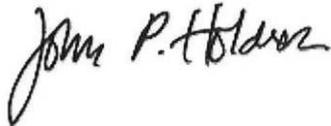
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Director, Office of Science and Technology Policy
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E-mail: jholdren@ostp.eop.gov

Assistant: Billie_S_McGrane@ostp.eop.gov, 202-456-6064

Web: <http://www.ostp.gov>

From: J Shukla [<mailto:shukla@iges.org>]

Sent: Monday, September 14, 2015 11:18 AM

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Cc: Dr. Edward Maibach; Paul Dirmeyer; Professor Barry Klinger; Dr. Paul Schopf; Dr. David M. Straus; Edward Sarachik; Mike Wallace; Alan Robock; Professor Eugenia Kalnay; Dr. Ben Kirtman; Dr. Bill Lau; Dr. Kevin Trenberth; Professor T.N. Krishnamurti; Dr. Vasubandhu Misra; Dr. Robert Dickinson; Dr. Michela Biasutti; Dr. Mark Cane; Dr. Lisa Goddard; Dr. Alan Betts; Sheldon Whitehouse; Joseph Majkut; Lara Quint

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We will be grateful if you can please bring this letter to the attention of the President. Thank you.

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President, Institute of Global Environment & Society
Research Hall, Room 105
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Tel: 703-993-5700
E-mail: shukla@iges.org
>http://www.iges.org/<

On Sep 9, 2015, at 4:11 PM, J Shukla <shukla@iges.org> wrote:

Dear Friends,

Please find enclosed a copy of the final letter. Thank you for your support.

Regards,
Shukla

<Letter to Pres, AG, Holdren_Final.docx>

--

Kevin E Trenberth
Distinguished Senior Scientist
Climate Analysis Section
National Center for Atmospheric Research
PO Box 3000
Boulder, CO 80307, USA

ph 303 497 1318

fax 303 497 1333

email trenbert@ucar.edu

From: [Barry Klinger](#)
To: [Edward W Maibach](#); [J Shukla](#)
Cc: [Mike Wallace](#); [Dr. Ben Kirtman](#); [Dr. Kevin Trenberth](#); [Dr. Robert Dickinson](#); [Dr. Michela Biasutti](#); [Dr. Mark Cane](#); [Dr. Lisa Goddard](#); vmisra@fsu.edu; BarryAKlinger@comcast.net
Subject: Re: Another important request
Date: Saturday, October 03, 2015 11:48:28 AM

My new personal email seems to be working now:
BarryAKlinger@comcast.net.

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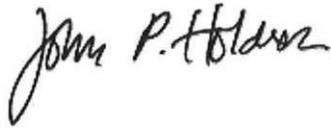
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E-mail: jholdren@ostp.eop.gov

Assistant: [Billie S. McGrane@ostp.eop.gov](mailto:Billie_S_McGrane@ostp.eop.gov), 202-456-6064

Web: <http://www.ostp.gov>

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Sent: Monday, September 14, 2015 11:18 AM

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Barry Klinger, Associate Professor and Graduate Coordinator

Department of Atmospheric, Oceanic, and Earth Sciences, and
Center for Ocean-Land-Atmosphere Studies (COLA),
George Mason University

4400 University Drive, MS 2B3, Fairfax, VA 22030
116 Research Hall, 703-993-9227, bklinger@gmu.edu
<http://mason.gmu.edu/~bklinger>, <http://cos.gmu.edu/aoes>

From: Barry Klinger
To: Barry Klinger; Edward W Maibach; J Shukla
Cc: Mike Wallace; Dr. Ben Kirtman; Dr. Kevin Trenberth; Dr. Robert Dickinson; Dr. Michela Biasutti; Dr. Mark Cane; Dr. Lisa Goddard; vmisra@fsu.edu; BarryAKlinger@comcast.net
Subject: Re: Another important request
Date: Saturday, October 03, 2015 12:12:38 PM

Dear Shukla et al.,

Regarding draft of new email

1) Material concerning IGES should come from Shukla, not from all of us, since the rest of us had nothing to do with posting it on IGES and have no authority on IGES actions.

2) This letter would have been much better on about day 2, when stuff was flying out over Wattsupp, Curry's website and various conservative sites.

While at least some of these sites may be havens for True Believers, there are also people with different or more nuanced views who are reading the sites but not sending hate mail to Kevin Trenberth.

I can imagine going on to one of these sites, as I occasionally do, and if I didn't know anything more about the signers I could easily get the impression that "yeah there are some pretty extremist people on the side urging more action on AGW."

I wrote my original response

<http://mason.gmu.edu/~bklinger/rico.html> with the above philosophy in mind but did not directly contact web sites (except for Free Beacon which contacted me) because as a minor player in this I felt it wasn't my place. But I wish you guys had.

3) I don't think this is going to die down.

<http://www.nationalreview.com/corner/climate-extremist-taxpayer-funded-house-investigation-ian-tuttle>

(By the way a brief internet search turned up a Congressional Research Service report which said:

"Generally, organizations or entities which receive federal funds

by way of grants, contracts, or cooperative agreements do not

lose their rights as organizations to use their *own*, private, non-federal resources for "political activities" because of or as a consequence of receiving such federal funds."

<https://www.fas.org/sgp/crs/misc/RL34725.pdf>

so it is possible that the investigation into IGES is based on a false premise that there is anything wrong with IGES' action.)

4) My own instinct (for what it's worth) is to figure out for sure if there is no basis for the Smith investigation (ie is my quote above a good description of the law) and if so to start hollering loudly about political persecution which this clearly is. Besides getting our side of the story out this may also persuade Republicans and others that the political cost-benefit argues AGAINST harassing Shukla over this nonsense.

I think it is entirely appropriate for Shukla to say that IGES did nothing wrong but that as a practical matter he wished that he hadn't embroiled IGES in this matter which is peripheral to IGES' work.

5) Regarding the impending dissolution of IGES, it would be much better to give documentary evidence that IGES was on its way out. At a minimum should explain the reason for IGES closing, such as <https://cos.gmu.edu/aoes/cola-moves-to-george-mason-university-fairfax-campus/> or an official GMU announcement. Otherwise you're going to get people claiming that their investigative reporting has driven a scandal-wracked institution to close.

6) Send the letter(s) to all the web sites that have been flogging this issue, put the IGES one on the IGES web site, and find an appropriate one on which to put the letter from all of us. I don't think it is backing down to qualify what we originally wrote, and the letter Maibach sent around is consistent with how I interpreted the original letter.

-B A K

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Barry Klingler, Associate Professor and Graduate Coordinator

Department of Atmospheric, Oceanic, and Earth Sciences, and
Center for Ocean-Land-Atmosphere Studies (COLA),
George Mason University

4400 University Drive, MS 2B3, Fairfax, VA 22030
116 Research Hall, 703-993-9227, bklingler@gmu.edu
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From: [Barry Klinger](#)
To: [Edward W Maibach](#); [J Shukla](#)
Cc: [Mike Wallace](#); [Dr. Ben Kirtman](#); [Dr. Kevin Trenberth](#); [Dr. Robert Dickinson](#); [Dr. Michela Biasutti](#); [Dr. Mark Cane](#); [Dr. Lisa Goddard](#); vmisra@fsu.edu; BarryAKlinger@comcast.net
Subject: Re: Another important request
Date: Saturday, October 03, 2015 12:17:56 PM

Another issue that could be clarified is the institutional identification on the original letter. It should have said something like "for identification purposes only" since this did not represent the official view of the institutions, departments, etc.

On 10/2/2015 7:18 PM, Edward W Maibach wrote:

Dear fellow letter signers,

Shukla and I have drafted the attached statement with the aim of setting the record straight on a number of important misunderstandings associated with our original letter.

We intend to release this statement early next week, although the exact mechanism is TBD.

Please review the draft and reply to Shukla and me with your assent to be listed.

Thank you,

Ed Maibach

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: Edward W Maibach
Sent: Friday, October 2, 2015 7:15 PM
To: J Shukla
Cc: Professor Barry Klinger; Mike Wallace; Dr. Ben Kirtman; Dr. Kevin Trenberth; Dr. Robert Dickinson; Dr. Michela Biasutti; Dr. Mark Cane; Dr.

Lisa Goddard; vmisra@fsu.edu

Subject: An important request

Dear fellow letter signers.

Shukla and I respectfully request that you send us your private email address.

If you prefer to leave it in a voice message, call me at 703-993-1587.

Thank you,

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: Holdren, John P. <John_P_Holdren@ostp.eop.gov>

Sent: Wednesday, September 30, 2015 8:01 PM

To: J Shukla

Cc: Edward W Maibach; Paul A Dirmeyer; Professor Barry Klinger; Paul S Schopf; David M. Straus; Edward Sarachik; Mike Wallace; Alan Robock; Professor Eugenia Kalnay; Dr. Ben Kirtman; Dr. Bill Lau; Dr. Kevin Trenberth; Professor T.N. Krishnamurti; Dr. Vasubandhu Misra; Dr. Robert Dickinson; Dr. Michela Biasutti; Dr. Mark Cane; Dr. Lisa Goddard; Dr. Alan Betts; Sheldon Whitehouse; Joseph Majkut; Lara Quint

Subject: RE: Letter to President, AG, and OSTP Director

Dear Professor Shukla,

Thank you for your email and letter of a couple of weeks ago. I apologize for my delay in responding. These two weeks have been even more demanding than usual here.

As you know, the Administration shares the concern expressed in the letter about the seriousness of the threat posed by climate change. The President has made addressing that threat a top priority, and, as you also know, it has long been a top priority of mine.

Regarding the letter's proposal of a RICO investigation, though,

neither the White House Office nor the Office of Science and Technology Policy determines or directs the Department of Justice's prosecutorial or investigative decisions.

I and my colleagues here do very much value views from the wider scientific community on reducing the risk of climate change, and we look forward to continuing to find ways to work together to address this critical issue.

Sincerely,



JOHN P. HOLDREN, PhD
Assistant to the President for Science and Technology
Director, Office of Science and Technology Policy
Co-Chair, President's Council of Advisors on Science and Technology
Executive Office of the President of the United States

E-mail: jholdren@ostp.eop.gov
Assistant: Billie_S_McGrane@ostp.eop.gov, 202-456-6064
Web: <http://www.ostp.gov>

From: J Shukla [<mailto:shukla@iges.org>]
Sent: Monday, September 14, 2015 11:18 AM
To: Holdren, John P.; McLaughlin, Pat
Cc: Dr. Edward Maibach; Paul Dirmeyer; Professor Barry Klinger; Dr. Paul Schopf; Dr. David M. Straus; Edward Sarachik; Mike Wallace; Alan Robock; Professor Eugenia Kalnay; Dr. Ben Kirtman; Dr. Bill Lau; Dr. Kevin Trenberth; Professor T.N. Krishnamurti; Dr. Vasubandhu Misra; Dr. Robert Dickinson; Dr. Michela Biasutti; Dr. Mark Cane; Dr. Lisa Goddard; Dr. Alan Betts; Sheldon Whitehouse; Joseph Majkut; Lara Quint
Subject: Letter to President, AG, and OSTP Director

Dear Dr. Holdren,

It has been a long time since I have had email correspondence with you. I do hope this email will reach your office.

Please find enclosed a letter to the President, the Attorney General, and you, reiterating the position of an overwhelming majority of climate scientists about the potentially serious adverse effects of

human-induced climate change. The letter also supports Senator Whitehouse's proposal that the Department of Justice begin a RICO investigation of the fossil-fuel industry, who according to Senator Whitehouse, have knowingly deceived the American people about the risks of climate change. The letter has been endorsed by a number of distinguished scientists whose names and affiliations are provided at the end of the letter.

We will be grateful if you can please bring this letter to the attention of the President. Thank you.

Regards,
J. Shukla

University Professor, George Mason University
President, Institute of Global Environment & Society
Research Hall, Room 105
George Mason University, MSN: 2B3
4400 University Drive
Fairfax, VA 22030 USA

Tel: 703-993-5700
E-mail: shukla@iges.org
>http://www.iges.org/<

On Sep 9, 2015, at 4:11 PM, J Shukla <shukla@iges.org>
wrote:

Dear Friends,

Please find enclosed a copy of the final letter. Thank you
for your support.

Regards,
Shukla

<Letter to Pres, AG, Holdren_Final.docx>

Barry Klinger, Associate Professor and Graduate Coordinator

Department of Atmospheric, Oceanic, and Earth Sciences, and
Center for Ocean-Land-Atmosphere Studies (COLA),
George Mason University

4400 University Drive, MS 2B3, Fairfax, VA 22030
116 Research Hall, 703-993-9227, bklinger@gmu.edu
<http://mason.gmu.edu/~bklinger>, <http://cos.gmu.edu/aoes>

From: [Benjamin Kirtman](#)
To: [Edward W. Maibach](#)
Subject: RE: An important request
Date: Saturday, October 03, 2015 3:04:24 PM

benjie.kirtman@gmail.com

--
Ben Kirtman
Professor and Associate Dean for Research
Program Director: Physical Sciences and Engineering, Center for Computational Science
University of Miami, Rosenstiel School for Marine and Atmospheric Science
Department of Atmospheric Sciences
4600 Rickenbacker Causeway
Miami, FL 33149
Phone: 305-421-4046
bkirtman@rsmas.miami.edu

From: Edward W Maibach [mailto:emaibach@gmu.edu]
Sent: Friday, October 02, 2015 7:15 PM
To: J Shukla
Cc: Professor Barry Klinger; Mike Wallace; Benjamin Kirtman; Dr. Kevin Trenberth; Dr. Robert Dickinson; Dr. Michela Biasutti; Dr. Mark Cane; Dr. Lisa Goddard; vmisra@fsu.edu
Subject: An important request

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University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

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Sincerely,



JOHN P. HOLDREN, PhD
Assistant to the President for Science and Technology
Director, Office of Science and Technology Policy
Co-Chair, President's Council of Advisors on Science and Technology
Executive Office of the President of the United States

E-mail: jholdren@ostp.eop.gov
Assistant: Billie_S_McGrane@ostp.eop.gov, 202-456-6064
Web: <http://www.ostp.gov>

From: J Shukla [mailto:shukla@iges.org]
Sent: Monday, September 14, 2015 11:18 AM
To: Holdren, John P.; McLaughlin, Pat
Cc: Dr. Edward Maibach; Paul Dirmeyer; Professor Barry Klinger; Dr. Paul Schopf; Dr. David M. Straus; Edward Sarachik; Mike Wallace; Alan Robock; Professor Eugenia Kalnay; Dr. Ben Kirtman; Dr. Bill Lau; Dr. Kevin Trenberth; Professor T.N. Krishnamurti; Dr. Vasubandhu Misra; Dr. Robert Dickinson; Dr. Michela Biasutti; Dr. Mark Cane; Dr. Lisa Goddard; Dr. Alan Betts; Sheldon Whitehouse; Joseph Majkut; Lara Quint
Subject: Letter to President, AG, and OSTP Director

From: Brad Johnson
To: Edward W. Malbach
Subject: Prosecute Exxon
Date: Tuesday, September 22, 2015 9:31:13 AM



Tell Attorney General Loretta Lynch: Launch a RICO prosecution of Exxon for knowing climate deception.

Edward --

The headline says it all: "Exxon's Own Research Confirmed Fossil Fuels' Role in Global Warming Decades Ago."

The Pulitzer-winning *InsideClimate News* is running a blockbuster series with incontrovertible evidence -- pulled from Exxon's own archives -- that the oil giant's top executives were warned of possible catastrophe from greenhouse pollution, then led efforts to block solutions. Documents show that **Exxon's own scientists were aware of and studying the dangerous impacts of greenhouse gases in the 1970s and 1980s** - until Exxon's leadership decided to shut down the research and promote climate denial instead, in order to protect the company's unfathomably large profits.

We've known for years that the oil industry finances the climate-denial network of politicians, think tanks, and right-wing media in order to protect their gargantuan profits, but **now we have sufficient evidence of deliberate deceit to make a federal investigation happen.**

Tell the DOJ: **Prosecute Exxon's deliberate climate denial.**

The United States Department of Justice has the power to prosecute Exxon's deliberate deception under the Racketeer Influenced and Corrupt Organizations (RICO) Act - **just as DOJ sued the tobacco industry for knowingly lying about the dangers of cigarette smoking.**

Even before these smoking-gun documents were released, climate hawks have been making calls for a RICO investigation of fossil-fueled climate denial:

- Three weeks ago, a group of **top climate scientists** called for an investigation,

saying, **“it is imperative that these misdeeds be stopped as soon as possible** so that America and the world can get on with the critically important business of finding effective ways to restabilize the Earth's climate, before even more lasting damage is done.”

- Months earlier, climate hawk Senator **Sheldon Whitehouse** (D-RI), a former state Attorney General, called for a RICO investigation of Big Oil, saying, “I don’t know whether the fossil fuel industry and its allies engaged in the same kind of racketeering activity as the tobacco industry. We don’t have enough information to make that conclusion. Perhaps it’s all smoke and no fire. **But there’s an awful lot of smoke.**”

Thanks to the reporters at *InsideClimate News*, **now we have smoking-gun documents** found in public archives. And there’s certain to be more. It’s up to us to demand the U.S. government immediately launch an investigation that will lead to prosecution of Exxon's deliberate and deadly climate denial.

Please add your voice to tell U.S. Attorney General Loretta Lynch:

“Launch a RICO prosecution of Exxon and its fellow fossil-fuel companies for deliberate and malicious climate deception.”

Your fellow climate hawk,

Brad Johnson
Climate Hawks Vote Political Director

References:

“Exxon's Own Research Confirmed Fossil Fuels' Role in Global Warming Decades Ago,” *InsideClimate News*, September 16, 2015
<http://insideclimatenews.org/news/15092015/Exxons-own-research-confirmed-fossil-fuels-role-in-global-warming>

Climate scientists’ letter to President Obama, Attorney General Lynch, and OSTP Director Holdren, September 1, 2015
<http://www.iges.org/letter/LetterPresidentAG.pdf>

“The fossil-fuel industry’s campaign to mislead the American people,” Sen. Sheldon Whitehouse, *Washington Post*, May 29, 2015
https://www.washingtonpost.com/opinions/the-fossil-fuel-industrys-campaign-to-mislead-the-american-people/2015/05/29/04a2c448-0574-11e5-8bda-c7b4e9a8f7ac_story.html

Climate Hawks Vote · United States

This email was sent to emaibach@gmu.edu. To stop receiving emails, [click here](#).

You can also keep up with Brad Johnson on [Twitter](#).

Created with [NationBuilder](#), software for leaders.

From: [James L. Kinter III](#)
To: [Edward W Maibach](#)
Cc: [J Shukla](#)
Subject: Fwd: rico letter
Date: Tuesday, September 22, 2015 9:47:01 AM

Dear Ed - I heard from your friend Jason Samenow in regard to the letter about fossil fuel companies. I also shared this with Shukla, and he reminded me that you are a signatory. I agreed to speak to Jason off the record, but not before Thursday. Best regards. — Jim

Jim Kinter, Director
Center for Ocean-Land-Atmosphere Studies
Professor, Climate Dynamics
Dept. of Atmospheric, Oceanic & Earth Sciences
284 Research Hall, Mail Stop 6C5
George Mason University
4400 University Drive
Fairfax, VA 22030 USA

tel: (703) 993-5700 ***** fax: (703) 993-5770
email: jkinter@gmu.edu *** <http://www.iges.org>

Begin forwarded message:

From: "Samenow, Jason" <Jason.Samenow@washpost.com>
Subject: rico letter
Date: September 21, 2015 at 10:22:46 AM EDT
To: "jkinter@gmu.edu" <jkinter@gmu.edu>

Jim- Hope you're well. I was interested to see you were not among the signatories of the RICO letter prepared and distributed by a number of your colleagues:
<http://www.iges.org/letter/LetterPresidentAG.pdf>

Would you be willing to speak to me off the record about this letter effort – what motivated it and why you chose not to participate...?

Best,
Jason Samenow

From: [Brad Johnson](#)
To: [Edward W Maibach](#)
Subject: Thank you for calling for the prosecution of Exxon's climate denial
Date: Tuesday, September 22, 2015 10:04:58 AM

Edward --

Thank you for signing. Please forward this petition on to others who may want to sign.

Brad Johnson

Here's the full petition:

Sign Now: Prosecute Exxon For Deliberate Climate Denial

[petition_intro](#)

Tell U.S. Attorney General Loretta Lynch:

Launch a RICO prosecution of Exxon and its fellow fossil-fuel companies for deliberate and malicious climate deception.

Sign here: http://www.climatehawksvote.com/prosecute_exxon?recruiter_id=305519

--==--

This email was sent to emaibach@gmu.edu. To stop receiving updates on this page, [unfollow here](#).
Climate Hawks Vote · United States

Created with [NationBuilder](#), software for leaders.

From: [Paul S Schopf](#)
To: [J Shukla](#)
Cc: [Dr. Kevin Trenberth](#); [Eugenia Kalnay](#); [Edward Sarachik](#); [Edward W Maibach](#); [Paul A Dirmeyer](#); [Barry Klinger](#); [Andrew Light](#); [David M. Straus](#); [Mike Wallace](#); [Alan Robock](#); [Dr. Bill Lau](#); [Professor T.N. Krishnamurti](#); [Dr. Vasubandhu Misra](#); [Dr. Robert Dickinson](#); [Dr. Michela Biasutti](#); [Mark Cane](#); [Dr. Lisa Goddard](#); [Dr. Alan Betts](#)
Subject: Re: Letter to President and Attorney General
Date: Tuesday, September 22, 2015 10:20:57 AM

I am afraid that it won't matter if you try to explain that the RICO action would be against the industry, not scientists. They have their red-meat narrative and will stick to it. They are probably fund-raising more than anything.

Paul Schopf
Professor, Dept of Atmospheric, Oceanic and Earth Sciences

On Sep 22, 2015, at 10:04 AM, J Shukla <shukla@iges.org> wrote:

Dear Friends,

As Sheldon Whitehouse mentioned in his email to us, this comes with the territory. The response is far more vicious than I had ever thought, but blissfully I do not read web postings (in fact I normally do not click on web links unless a friend tells me to do so). I have received a number of awful voicemails and hate emails (but I have read only emails from Peter Webster). I plan to continue to pursue this matter to its logical end.

I would just like to follow Kevin's suggestion to simply ignore it. A more important question is how do we get far more scientists to support our letter, while at the same time making absolutely clear that we consider healthy skepticism an integral part of creative science, and our letter was directed towards the fossil fuel industry. Somehow, very cleverly, some people have changed the narrative away from the fossil fuel industry and to climate skeptics. Your suggestions are welcome.

Regards,
Shukla

On Sep 21, 2015, at 12:13 PM, Kevin Trenberth
<trenbert@ucar.edu> wrote:

Dear all
FYI
Shukla and his wife are now under major attack, spearheaded by
Roger Pielke Jr

From: michael.mcdonald
To: [Edward W Maibach](mailto:Edward.W.Maibach)
Cc: [Michael Gerrard](mailto:Michael.Gerrard)
Subject: Re: Investigation Finds Exxon Ignored Its Own Early Climate Change Warnings
Date: Tuesday, September 22, 2015 11:58:18 AM

Ed,

I wrote two pieces for the Homeland Security Institute on transformation resilience regarding climate change following Sandy. The first was called "The Resilient Network," which was somewhat sanitized by principals at HSSI and therefore got broad distribution. The second piece went into the need for a shift out of a petrochemical political economy and the need to adopt a sustainable green economy. I was told that that paper would be classified and not see the light of day unless it had a sufficiently senior policy maker champion it. Senator Whitehouse's office has that paper, which needs to be brought up to date. I am thinking that the Republican climate change admission renegades might be useful.

Any comments? Have you been working with the breakaway Republicans on the climate issue?

Mike

Michael D. McDonald, Dr.P.H.

Coordinator
Global Health Response and Resilience Alliance

Chairman
Oviar Global Resilience Systems, Inc.

Executive Director
Health Initiatives Foundation, Inc.

Cell: 202-468-7899

Michael.D.McDonald@mac.com

<http://resiliencesystem.org>

On Sep 22, 2015, at 10:35 AM, Edward W Maibach <emaibach@gmu.edu> wrote:

I don't know Michael, but I hope to see you both that weekend.

All the best,

Ed

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: michael mcdonald <michael.d.mcdonald@mac.com>
Sent: Tuesday, September 22, 2015 8:34 AM
To: Edward W Maibach
Cc: Michael Gerrard
Subject: Investigation Finds Exxon Ignored Its Own Early Climate Change Warnings

Ed,

Thank you for your good work with this letter to the President and the Attorney General. I have also be communicating with Senator Whitehouse's office. I should know after our Friday session in the UN General Assembly, whether or not I will be in West Africa on October 17.

Do you know Michael Gerrard, who leads the Center for Climate Change Law at Columbia University. Given your interactions with President Obama and the Attorney General, you should probably also combine efforts with Michael on addressing the petrochemical companies violation of the RICO laws.

Let's plan toward connecting in New York in the October 17 timeframe and see if Michael might join us for meal and discussion regarding the status of the preparations for the RICO suits against EXXON and other petrochemical companies.

Mike

Michael D. McDonald, Dr.P.H.

Coordinator
Global Health Response and Resilience Alliance

Chairman
Oviar Global Resilience Systems, Inc.

Executive Director
Health Initiatives Foundation, Inc.

Cell: 202-468-7899
Michael.D.McDonald@mac.com
<http://resiliencesystem.org>

On Sep 22, 2015, at 8:04 AM, Edward W Maibach <emaibach@gmu.edu> wrote:

Miguel,

Aaron is in NYC at present -- looking for a place to stay for a few months while he takes a training course and looks for work. I will likely visit the weekend of Oct 17th in an effort to be helpful to him. Will you be around then?

I am very much in the middle of the Exxon issue at present:

<http://www.iges.org/letter/LetterPresidentAG.pdf>

All the best,

Ed

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: [Michela Biasutti](#)
To: [Kevin Trenberth](#)
Cc: [Edward W Maibach](#); [J Shukla](#); [Professor Barry Klinger](#); [Mike Wallace](#); [Dr. Ben Kirtman](#); [Dr. Robert Dickinson](#); [Mark Cane](#); [Lisa Goddard](#); [wmisra@fsu.edu](#); [sarachik.es@gmail.com](#)
Subject: Re: Another important request
Date: Saturday, October 03, 2015 12:31:20 PM

I concur with Kevin. The IGES issues are decoupled from the original letter supporting Whitehouse, and individual scientists who might have misinterpreted our intentions are best addressed in private conversation when they are in good faith. The rest is a lost cause. Best to let what we can die down.

If the original letter does get reposted, it should indeed indicate that affiliations are for identification only.

best,
mic

On Oct 3, 2015, at 11:27 AM, Kevin Trenberth <trenberth@ucar.edu> wrote:

Hi again

I was on travel all last week in the UK, I am back briefly for 1 day. So I apologize for my brief reaction. Let me elaborate on why I stated that I did not like the letter. Who is this letter to? I have received dozens of nasty emails from various people about our original letter, and there are commentaries from people like Judy Curry and Peter Webster. You won't change the minds of any of those. This letter just adds fuel to the fire. It likely sets off another round of these nasty emails.

Several of the sentiments expressed in the letter are actually fine in the right context, but you should not be backing off or apologizing. The question is what to do with this and how to reach the few in the general public who care enough to even notice? If you think some of the emailers are genuinely misled, then by all means respond individually. In the past I have done this and one quickly finds out whether they were indeed led astray or whether they are true deniers. There are some in the first camp but most are not. So the issue is who are you releasing this statement to? Or how do you reach the ones who matter? Versus inflaming and revitalizing the denier web sites all over again.

The IGES stuff is a side issue and does not belong here. At the very least, please do NOT apologize: remove the last sentence in para 3. You seem to be trying to back off and downplay this, and I would prefer that tone to be removed.

We need a friendly web site to post stuff like this and the original letter that seeks to clarify intent.

Best
Kevin

On 10/2/15 5:18 PM, Edward W Maibach wrote:

Dear fellow letter signers,

Shukla and I have drafted the attached statement with the aim of setting the record straight on a number of important misunderstandings associated with our original letter.

We intend to release this statement early next week, although the exact mechanism is TBD.

Please review the draft and reply to Shukla and me with your assent to be listed.

Thank you,

Ed Maibach

Edward Maibach, MPH, PhD
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George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: Edward W Maibach

Sent: Friday, October 2, 2015 7:15 PM
To: J Shukla
Cc: Professor Barry Klinger; Mike Wallace; Dr. Ben Kirtman; Dr. Kevin Trenberth; Dr. Robert Dickinson; Dr. Michela Biasutti; Dr. Mark Cane; Dr. Lisa Goddard; vmisra@fsu.edu
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Regarding the letter's proposal of a RICO investigation, though, neither the White House Office nor the Office of Science and Technology Policy determines or directs the Department of Justice's prosecutorial or investigative decisions.

I and my colleagues here do very much value views from the wider scientific community on reducing the risk of climate change, and we look forward to continuing to find ways to work together to address this critical issue.

Sincerely,

<Mail Attachment.jpeg>
JOHN P. HOLDREN, PhD
Assistant to the President for Science and Technology
Director, Office of Science and Technology Policy
Co-Chair, President's Council of Advisors on Science and Technology
Executive Office of the President of the United States

E-mail: jholdren@ostp.eop.gov
Assistant: Billie_S_McGrane@ostp.eop.gov, 202-456-6064
Web: <http://www.ostp.gov>

From: J Shukla [mailto:shukla@iges.org]
Sent: Monday, September 14, 2015 11:18 AM
To: Holdren, John P.; McLaughlin, Pat
Cc: Dr. Edward Maibach; Paul Dirmeyer; Professor Barry Klinger; Dr. Paul Schopf; Dr. David M. Straus; Edward Sarachik; Mike Wallace; Alan Robock; Professor Eugenia Kalnay; Dr. Ben Kirtman; Dr. Bill Lau; Dr. Kevin Trenberth; Professor T.N. Krishnamurti; Dr. Vasubandhu Misra; Dr. Robert Dickinson; Dr. Michela Biasutti; Dr. Mark Cane; Dr. Lisa Goddard; Dr. Alan Betts; Sheldon Whitehouse; Joseph Majkut; Lara Quint
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We will be grateful if you can please bring this letter to the attention of the President. Thank you.

Regards,
J. Shukla

University Professor, George Mason University
President, Institute of Global Environment & Society
Research Hall, Room 105
George Mason University, MSN: 2B3
[4400 University Drive](http://www.iges.org)
[Fairfax, VA 22030 USA](http://www.iges.org)

Tel: [703-993-5700](tel:703-993-5700)
E-mail: shukla@iges.org
><http://www.iges.org/><

On Sep 9, 2015, at 4:11 PM, J Shukla <shukla@iges.org> wrote:

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Regards,
Shukla

<Letter to Pres, AG, Holdren_Final.docx>

--
Kevin E Trenberth
Distinguished Senior Scientist
Climate Analysis Section
National Center for Atmospheric Research
PO Box 3000
Boulder, CO 80307, USA
ph 303 497 1318
fax 303 497 1333
email trenbert@ucar.edu

From: [Mark Cane](#)
To: [Edward W Maibach](#)
Cc: [J Shukla](#); [Professor Barry Klinger](#); [Mike Wallace](#); [Kirtman Ben](#); [Dr. Kevin Trenberth](#); [Dr. Robert Dickinson](#); [Biasutti Michela](#); [Goddard Lisa](#); vmisra@fsu.edu
Subject: Re: Another important request
Date: Saturday, October 03, 2015 1:26:33 PM

I do not agree with this letter.

More to the point, I am sure that any such attempt to make things better, clarify, etc will backfire. It will provide a new opportunity for the climate doubters to launch a new round of blogs, attacks, etc.

Disraeli, who was a far better politician than any of us, said "Never apologize, never explain." His advice should be followed.

Please take my name off this letter or any other. Please take me off this email list.

Mark

On Oct 2, 2015, at 7:18 PM, Edward W Maibach <emaibach@gmu.edu> wrote:

Dear fellow letter signers,

Shukla and I have drafted the attached statement with the aim of setting the record straight on a number of important misunderstandings associated with our original letter.

We intend to release this statement early next week, although the exact mechanism is TBD.

Please review the draft and reply to Shukla and me with your assent to be listed.

Thank you,

Ed Maibach

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: Edward W Maibach
Sent: Friday, October 2, 2015 7:15 PM

To: J Shukla

Cc: Professor Barry Klinger; Mike Wallace; Dr. Ben Kirtman; Dr. Kevin Trenberth; Dr. Robert Dickinson; Dr. Michela Biasutti; Dr. Mark Cane; Dr. Lisa Goddard;
vmisra@fsu.edu

Subject: An important request

Dear fellow letter signers.

Shukla and I respectfully request that you send us your private email address.

If you prefer to leave it in a voice message, call me at 703-993-1587.

Thank you,

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: Holdren, John P. <John_P_Holdren@ostp.eop.gov>

Sent: Wednesday, September 30, 2015 8:01 PM

To: J Shukla

Cc: Edward W Maibach; Paul A Dirmeyer; Professor Barry Klinger; Paul S Schopf; David M. Straus; Edward Sarachik; Mike Wallace; Alan Robock; Professor Eugenia Kalnay; Dr. Ben Kirtman; Dr. Bill Lau; Dr. Kevin Trenberth; Professor T.N. Krishnamurti; Dr. Vasubandhu Misra; Dr. Robert Dickinson; Dr. Michela Biasutti; Dr. Mark Cane; Dr. Lisa Goddard; Dr. Alan Betts; Sheldon Whitehouse; Joseph Majkut; Lara Quint

Subject: RE: Letter to President, AG, and OSTP Director

Dear Professor Shukla,

Thank you for your email and letter of a couple of weeks ago. I apologize for my delay in responding. These two weeks have been even more demanding than usual here.

As you know, the Administration shares the concern expressed in the letter about the seriousness of the threat posed by climate change. The President has made addressing that threat a top priority, and, as you also know, it has long been a top priority of mine.

Regarding the letter's proposal of a RICO investigation, though, neither the

White House Office nor the Office of Science and Technology Policy determines or directs the Department of Justice's prosecutorial or investigative decisions.

I and my colleagues here do very much value views from the wider scientific community on reducing the risk of climate change, and we look forward to continuing to find ways to work together to address this critical issue.

Sincerely,

<image001.jpg>

JOHN P. HOLDREN, PhD

Assistant to the President for Science and Technology
Director, Office of Science and Technology Policy
Co-Chair, President's Council of Advisors on Science and Technology
Executive Office of the President of the United States

E-mail: jholdren@ostp.eop.gov

Assistant: Billie_S_McGrane@ostp.eop.gov, 202-456-6064

Web: <http://www.ostp.gov>

From: J Shukla [<mailto:shukla@iges.org>]

Sent: Monday, September 14, 2015 11:18 AM

To: Holdren, John P.; McLaughlin, Pat

Cc: Dr. Edward Maibach; Paul Dirmeyer; Professor Barry Klinger; Dr. Paul Schopf; Dr. David M. Straus; Edward Sarachik; Mike Wallace; Alan Robock; Professor Eugenia Kalnay; Dr. Ben Kirtman; Dr. Bill Lau; Dr. Kevin Trenberth; Professor T.N. Krishnamurti; Dr. Vasubandhu Misra; Dr. Robert Dickinson; Dr. Michela Biasutti; Dr. Mark Cane; Dr. Lisa Goddard; Dr. Alan Betts; Sheldon Whitehouse; Joseph Majkut; Lara Quint

Subject: Letter to President, AG, and OSTP Director

Dear Dr. Holdren,

It has been a long time since I have had email correspondence with you. I do hope this email will reach your office.

Please find enclosed a letter to the President, the Attorney General, and you, reiterating the position of an overwhelming majority of climate scientists about the potentially serious adverse effects of human-induced climate change. The letter also supports Senator Whitehouse's proposal that the Department of Justice begin a RICO investigation of the fossil-fuel industry, who according to Senator Whitehouse, have knowingly deceived the American people about the risks of climate change. The letter has been endorsed by a number of distinguished scientists whose names and affiliations are provided at the end of the letter. We will be grateful if you can please bring this letter to the attention of the President. Thank you.

Regards,
J. Shukla

University Professor, George Mason University
President, Institute of Global Environment & Society
Research Hall, Room 105
George Mason University, MSN: 2B3
4400 University Drive
Fairfax, VA 22030 USA

Tel: 703-993-5700
E-mail: shukla@iges.org
>http://www.iges.org/<

On Sep 9, 2015, at 4:11 PM, J Shukla <shukla@iges.org> wrote:

Dear Friends,

Please find enclosed a copy of the final letter. Thank you for your support.

Regards,
Shukla

<Letter to Pres, AG, Holdren_Final.docx>

<Additional letter v2.docx>

MarkA. Cane
G. Unger Vetlesen Professor of Earth and Climate Sciences
Lamont-Doherty Earth Observatory of Columbia University
61 Route 9W
Palisades, NY 10964-8000

mcane@ldeo.columbia.edu Secretary: Virginia DiBlasi
845 365 8344 (phone) 845365 8667
845 365 8736 (fax) virginia@ldeo.columbia.edu
http://www.ldeo.columbia.edu/research/ocean-climate-physics

Department of Earth and Environmental Science http://eesc.columbia.edu/
Department of Applied Physics and Applied Math
Founder, Master of Arts Program in Climate and Society:
http://www.columbia.edu/cu/climatesociety/

From: [Elizabeth I Woodley](#)
To: [Jagadish Shukla](#); [Paul A Dirmeyer](#); [Edward W Maibach](#); [Barry A Klinger](#); [Paul S Schopf](#); [David M. Straus](#)
Cc: [Edwin K Schneider](#)
Subject: RE: FOIA Request for E-mails
Date: Monday, October 05, 2015 10:42:23 AM

Good morning all,

I have received estimates from Professors Schopf, Maibach, and Dirmeyer, but not yet from Professors Shukla, Straus, or Klinger. Please send them to me as soon as possible.

I have also consulted with Tom Moncure, the University Counsel, and he advises that when you estimate, you should make a reasonable estimate, as if you are in court, under oath. State employees can be held individually civilly liable for knowing violations of the Virginia FOIA statute. He also advises that outside recipients of emails may disclose emails as well, and if they disclose something that we did not, but should have, that could be used as evidence that we did not fully respond to the request.

Tom also believes that we may receive more FOIA requests for this same information, so he advises that you search for and produce the emails right away and do not wait for me to receive the deposit. That way you can gather them at once and be done.

If you have any questions, please contact me.

Thank you,

Elizabeth

Elizabeth Woodley, J.D.
FOIA Compliance Officer
George Mason University
Compliance, Diversity, and Ethics
Phone: (703) 993-5115

From: Elizabeth I Woodley
Sent: Tuesday, September 29, 2015 2:28 PM
To: [Jagadish Shukla](#); [Paul A Dirmeyer](#); [Edward W Maibach](#); [Barry A Klinger](#); [Paul S Schopf](#); [David M. Straus](#)
Cc: [Edwin K Schneider](#)
Subject: FOIA Request for E-mails

Good afternoon Professors Shukla, Dirmeyer, Maibach, Klinger, Schopf, and Straus,

My name is Elizabeth Woodley. I am George Mason University's Freedom of Information Act Compliance Officer. I wanted to let you know that I have received a FOIA request for e-mail

communications which you may have sent or received from your Mason e-mail address in your capacity as Mason employees from June 1, 2015 to the present which include the keywords "RICO, racketeer, racketeering, DOJ, prosecute, or prosecution".

The FOIA statute covers records which were created "in the course of public business", in your capacity as Mason employees. Good questions to ask yourself to help determine whether a record was created in the transaction of public business are: "Was I paid by George Mason to create this document?" and "Does the document relate to the duties listed in my job description?"

Outside of some narrowly-defined exemptions, all public records are subject to FOIA. Exemptions include: private information, personnel records, student information, and proprietary information.

If you believe you may possess responsive documents, please let me know and send me an estimate of the cost to produce the documents. Please estimate the amount of time you (or another Mason employee as your designee) would spend responding to this request (searching for documents and reviewing them for possible exemptions). Please also tell me your (or your designee's) hourly rate, so that I may charge the requester for your time. Hourly rate is calculated by dividing base salary (without benefits) by 2080 for 12-month employees or 1560 for 9-month employees.

Please do not begin responding to the request until you hear from me. If the cost estimate is high enough I will require the requester to pay a deposit before we begin the response.

Please let me know if you have any questions about this request. I am available by e-mail or phone-my direct line is 703-993-5115. For more information, Mason's FOIA Policy is available here: http://universitypolicy.gmu.edu/policies/responding-to-virginia-freedom-of-information-act-foia-requests-for-records/?_ga=1.13439028.201496376.1363277436

Thank you,

Elizabeth

Elizabeth Woodley, J.D.
FOIA Compliance Officer
George Mason University
Compliance, Diversity, and Ethics
Phone: (703) 993-5115

From: [Neil Wolfe](#)
To: [Barry A Klinger](#); [Amrita Shukla](#); [Edward W Maibach](#); pdirmeyer@gmu.edu; [Paul S Schopf](#)
Subject: Re: Your recent letter to the POTUS and US Attorney General- Interesting article
Date: Tuesday, October 06, 2015 8:16:54 AM

Hello Gentleman- I wanted to forward this to you in case you hadn't already seen it. Looks like accountability time- now I clearly see your motives. Good luck with the Congressional inquisition- looks as if you will need it- especially Mr. Shukla.

<http://www.breitbart.com/big-government/2015/10/02/climate-alarmist-caught-largest-science-scandal-u-s-history/>

Regards, Neil Wolfe

On Sep 19, 2015, at 9:23 AM, Neil Wolfe wrote:

I recently read your letter to the President and the US Attorney General encouraging that they use RICO laws to prosecute scientist that disagree with your viewpoints regarding global climate change. I cannot tell you how offensive I find it that one group of scientists would attempt to use anti-racketeering laws to silence other scientists who disagree with your assertions. My first impression is that only a group who concedes they do not have the concrete scientific evidence to refute the assertions of an opposing group would suggest the use of such Gestapo tactics against others in their field. Is that where you think 'science' should go? Are you so naive and consumed with your 'cause' that you fail to see the slippery slope this could send us down? You should be ashamed of yourselves as your calls for prosecution of opposing scientists are strongly reminiscent of the sort of book burning and fear tactics imposed by the German Nazis in the 1930s and 40s.

If you feel so compelled to call for RICO investigations you should first investigate the financial incentives behind the carbon exchange markets that Al Gore and his crew of frauds established in order to capitalize on their unproven assertions that global warming is indeed real and indeed man made- always follow the \$\$\$\$\$. And the money is exactly what the massive fraud that Gore attempted to perpetrate was always about. It's been proven in several instances that many so called 'scientists' who supported the notion that human activity, particularly that related to fossil fuels, was the primary cause of climate change here n Earth had submitted patently falsified data in order to support their assertions. <http://www.forbes.com/sites/jamestaylor/2011/11/23/climategate-2-0-new-e-mails-rock-the-global-warming-debate/> . It would appear as if in 2010 Gore and company's carbon exchange scheme collapsed as any fraudulent scheme eventually will. I guess the majority of humanity is wrong for not buying into this one?

This article clearly spells out that Gore and friends true motivation was FINANCIAL- they stood to get rich on cap and trade markets- fortunately their scam didn't pan out. <http://www.forbes.com/sites/larrybell/2013/11/03/blood->

[and-gore-making-a-killing-on-anti-carbon-investment-hype/](#)

I'm very curious to know if any of you have any personal investments in any carbon tax/cap and trade related firms, exchanges, or hedge funds? I would greatly appreciate a specific reply from each of you regarding any financial stake you may have and if any investments you have made personally would be enhanced/improved if the whole idea of man made global warming were to become a widely accepted belief- which of course it currently is not. I eagerly await a reply from each of you regarding this issue and would also appreciate you Ccing everyone in the thread as to your answer to my inquiry. Understand that under the circumstances if you refuse to disclose your potential financial gains regarding the whole global warming/climate change issue a reasonable person would be led to believe that you indeed do stand to gain financially from man made global warming/climate change become a widely accepted belief. I would also be curious to know if any of you have ever been even offered the opportunity to purchase shares or options to purchase shares in any carbon exchange markets, hedge funds, or companies that stand to benefit from a carbon tax/cap and trade scenario.

One other point I'd like to make- Why several years ago did the vilifying term 'global warming denier' seem to be morphed, by you and your fellow believers, into 'climate change deniers' instead? Was this an admission that the data indeed did not support the assertion that the planet was warming? I have followed this issue for years and with the evidence I had seen was never convinced that global warming was occurring nor that if it was indeed occurring that it was due to human created CO2 emissions. It would have been fair and accurate to refer to a person with my belief as a 'global warming denier'- that I freely accept however there then seemed to be a well orchestrated effort by your side of the issue to then take this very same group of folks like me that did not support your global warming assertions and then label us 'climate change deniers'. How absurd and frankly patently dishonest to characterize people like me who refused to buy into your politically and financially motivated scheme of global warming as people that deny the climate of the Earth is ever changing. Of course the climate is changing- as it always has and always will for as long as it exists. When your movement started using this demeaning and inaccurate phrase to describe people such as myself it became painfully clear that your movement at it's core was dishonest as well as downright nasty and vindictive. For the record- I DO NOT DENY THAT THE CLIMATE IS EVER CHANGING NOR HAVE I EVER NOR DO I SUSPECT I EVER WILL- I think I speak for millions of others you have so wrongly labeled as 'climate change deniers'.

Correct me if I'm wrong but I also seem to recall many of your ilk, years ago, asserting that by this time, the year 2015 Manhattan and other waterfront cities would start experiencing massive flooding due to glaciers melting? Last I checked we haven't seen any such thing occur or perhaps I have overlooked the mass flooding of a major metropolis due to glacier melting? The mass of Glaciers on the planet as of late appear to be GROWING not SHRINKING.

<http://www.dailymail.co.uk/sciencetech/article-2171434/Satellite-study-Asian-mountains-glaciers-NOT-melting--actually-gaining-new-ice.html>

<http://wattsupwiththat.com/2013/10/22/nasa-announces-new-record-growth-of->

antarctic-sea-ice-extent/ I will be the first to acknowledge that our planet is ever changing including glacier melting and formation- against this has ebbed and flowed since the formation of our climate and will continue to do so as long as Earth's climate exists (assuming new technologies aren't implemented that would stabilize what would otherwise be naturally occurring change).

I would also like to make it clear that I stand in strong opposition to the continued extensive use of fossil fuels to meet human energy needs. Alternative energy technologies (some of which still remain suppressed) do indeed exist that could make the use of fossil fuels virtually obsolete overnight. Of course those business interests that have made \$trillions\$ in profits from fossil fuel usage have done everything in their power to keep petroleum preeminent on our planet. These business interests are the true enemies of humanity and the planet NOT those of us who refuse to buy into data that has been proven to be fraudulent as well as politically and financially motivated. If you truly care about the planet and the well being of all its creatures I suggest you focus your efforts on uncovering big oil's extensive efforts to suppress alternative energies and demand that your government, who is in possession of such technologies, disclose them immediately and allocate whatever resources are required to disseminate this technology for human use as rapidly and efficiently as possible. Or you can instead choose to spend your time attempting to use Gestapo like tactics to those who disagree with your assertions- do you realize how UnAmerican and Unscientific your call for RICO investigations really is?

Climate change is not unique to Earth- as a matter of fact all of the other planets (as well as their satellites) within our solar system are also undergoing changes- many far more dramatic than one could assert are occurring here on Earth. Well what is it that all of the planets in our solar system have in common? It's our sun of course. There is where you will find the answers that will explain climate changes here on Earth as well as those occurring on the other heavenly bodies within our solar system. You will also find that increased solar activities such as CMEs and X flares are having a significant impact on increased seismic activity on our planet. Real scientists seek real answers using REAL SCIENCE. I have no idea as to the personal integrity of any of you as I have never had the pleasure (or possibly displeasure) of meeting any of you. I will extend to you the benefit of the doubt that ignorance and subjectivity as opposed to dishonesty is the driving force behind your positions. I understand that there has been immense pressure exerted upon your industry that can easily ruin one's career if they show unwillingness to play ball. If you research NASA observations, data, imagery over the past decade or so you will see for yourselves the undeniable truth that significant climate change is occurring on other heavenly bodies throughout our solar system. It's really not at all difficult to see and once that fact is revealed I think only a fool would argue that the driving force behind any changes in Earth's climate is due to human activity. This of course does not change my position that fossil fuels need to be made obsolete and their widespread use has indeed been very harmful to our environment in many different ways.

Please do not expect NASA to openly endorse the reality that climate change is occurring throughout the solar system. If they were going to acknowledge that they would have done so already. Unfortunately NASA has been significantly

corrupted and I believe more often suppresses the truth as opposed to bringing it forward. Fortunately it isn't so easy NASA to hide raw data and imagery (although they will attempt to engage in that from time to time as well). The clear evidence is there for all to see but one must be able to draw their own conclusion because NASA has unfortunately proven itself to be like many other government entities- deceptive, agenda driven and ultimately controlled by unsavory individuals who feel zero obligation to disclose scientific truths to the masses.

I eagerly await your responses- particularly regarding any personal financial stake that any of you may have (or once had) in the carbon exchange scheme perpetrated by Al Gore and company.

Regards,

Neil Wolfe, Alexandria Virginia.

From: [Elizabeth I Woodley](#)
To: [Jagadish Shukla](#); [Paul A Dirmeyer](#); [Edward W Maibach](#); [Barry A Klinger](#); [Paul S Schopf](#); [David M. Straus](#)
Cc: [Edwin K Schneider](#)
Subject: RE: FOIA Request for E-mails
Date: Wednesday, October 07, 2015 9:57:14 AM

Good morning all,

I have just heard back from the requester and he has limited his request to only Professor Shukla's and Professor Maibach's records.

Professors Dirmeyer, Klinger, Schopf, and Straus, thank you for your estimates. You do not need to take any further action on this FOIA request. (However, I want to let you know that University Counsel thinks we may receive additional FOIA requests for similar information.)

Professor Shukla and Professor Maibach, please begin your FOIA response, and as you go through the emails, flag any information you believe to be private information, personnel information, student information, proprietary research information, or confidential donor information. I will review the flagged information and decide whether it qualifies for an exemption. Again, the request was for e-mail communications which you may have sent or received from your Mason e-mail address in your capacity as Mason employees from June 1, 2015 to the present which include the keywords "RICO, racketeer, racketeering, DoJ, prosecute, or prosecution". Remember that our response may be challenged in court, that we will have to explain any exemptions we asserted, and that state employees face personal civil liability for willful violations of the FOIA statute. I would like to receive your responses before Wednesday, October 21.

Again, please let me know if you have any questions!

Thank you all,

Elizabeth

From: Elizabeth I Woodley
Sent: Monday, October 05, 2015 10:42 AM
To: [Jagadish Shukla](#); [Paul A Dirmeyer](#); [Edward W Maibach](#); [Barry A Klinger](#); [Paul S Schopf](#); [David M. Straus](#)
Cc: [Edwin K Schneider](#)
Subject: RE: FOIA Request for E-mails

Good morning all,

I have received estimates from Professors Schopf, Maibach, and Dirmeyer, but not yet from Professors Shukla, Straus, or Klinger. Please send them to me as soon as possible.

I have also consulted with Tom Moncure, the University Counsel, and he advises that when you estimate, you should make a reasonable estimate, as if you are in court, under oath. State employees can be held individually civilly liable for knowing violations of the Virginia FOIA statute.

He also advises that outside recipients of emails may disclose emails as well, and if they disclose something that we did not, but should have, that could be used as evidence that we did not fully respond to the request.

Tom also believes that we may receive more FOIA requests for this same information, so he advises that you search for and produce the emails right away and do not wait for me to receive the deposit. That way you can gather them at once and be done.

If you have any questions, please contact me.

Thank you,

Elizabeth

Elizabeth Woodley, J.D.
FOIA Compliance Officer
George Mason University
Compliance, Diversity, and Ethics
Phone: (703) 993-5115

From: Elizabeth I Woodley
Sent: Tuesday, September 29, 2015 2:28 PM
To: Jagadish Shukla; Paul A Dirmeyer; Edward W Maibach; Barry A Klinger; Paul S Schopf; David M. Straus
Cc: Edwin K Schneider
Subject: FOIA Request for E-mails

Good afternoon Professors Shukla, Dirmeyer, Maibach, Klinger, Schopf, and Straus,

My name is Elizabeth Woodley. I am George Mason University's Freedom of Information Act Compliance Officer. I wanted to let you know that I have received a FOIA request for e-mail communications which you may have sent or received from your Mason e-mail address in your capacity as Mason employees from June 1, 2015 to the present which include the keywords "RICO, racketeer, racketeering, DoJ, prosecute, or prosecution".

The FOIA statute covers records which were created "in the course of public business", in your capacity as Mason employees. Good questions to ask yourself to help determine whether a record was created in the transaction of public business are: "Was I paid by George Mason to create this document?" and "Does the document relate to the duties listed in my job description?"

Outside of some narrowly-defined exemptions, all public records are subject to FOIA. Exemptions include: private information, personnel records, student information, and proprietary information.

If you believe you may possess responsive documents, please let me know and send me an

estimate of the cost to produce the documents. Please estimate the amount of time you (or another Mason employee as your designee) would spend responding to this request (searching for documents and reviewing them for possible exemptions). Please also tell me your (or your designee's) hourly rate, so that I may charge the requester for your time. Hourly rate is calculated by dividing base salary (without benefits) by 2080 for 12-month employees or 1560 for 9-month employees.

Please do not begin responding to the request until you hear from me. If the cost estimate is high enough I will require the requester to pay a deposit before we begin the response.

Please let me know if you have any questions about this request. I am available by e-mail or phone- my direct line is 703-993-5115. For more information, Mason's FOIA Policy is available here: http://universitypolicy.gmu.edu/policies/responding-to-virginia-freedom-of-information-act-foia-requests-for-records/?_ga=1.13439028.201496376.1363277436

Thank you,

Elizabeth

Elizabeth Woodley, J.D.
FOIA Compliance Officer
George Mason University
Compliance, Diversity, and Ethics
Phone: (703) 993-5115

From: [Brad Johnson](#)
To: [Edward W Maibach](#)
Subject: Help spread the word: Prosecute Exxon
Date: Wednesday, October 07, 2015 6:35:22 PM



Hi, Edward --

Thank you for signing the petition calling on Attorney General Loretta Lynch to launch a RICO investigation of ExxonMobil's climate deception. With your help, we've already been mentioned by *Daily Kos*, *Crooks and Liars*, *Inside Climate News*, and the *Guardian*. Prominent climate scientists and climate activists have signed, and Credo Action has joined forces with us.

Now the fossil-funded GOP is fighting back. **Rep. Lamar Smith (R-TX), the climate denier running the House Science Committee, has launched an investigation - not of Exxon Mobil and its decades-long warfare against climate science - but of one of the climate scientists who called for a RICO investigation of the fossil fuel industry.** This act of intimidation was spurred by operatives at CFACT and CEI -- two organizations that are part of the Exxon denial network. As is Rep. Smith, who has received at least \$630,597 in campaign contributions from the oil & gas industry, \$24,320 of which from Exxon Mobil.

We're getting notice, but's critical that we get 5000 signatures before we deliver the petition to AG Lynch. If we get signatures from enough states, we can even reach out to state Attorneys General to act.

With your help, we can reach our goal! **Can you please share this link with five of your friends right now:**

http://www.climatehawksvote.com/prosecute_exxon

Thank you for taking a stand against Exxon's decades of deliberate climate destruction.

yours,

Brad Johnson

The latest news:

"Climate Scientist Faces Backlash for Urging Investigation of Fossil Fuel Companies", *InsideClimate News*

<http://insideclimatenews.org/news/07102015/climate-scientist-shukla-backlash-RICO-investigation-fossil-fuel-companies-lamar-smith-congress>

Our petition:

Newly revealed documents show that Exxon's own scientists were aware of and studying the dangerous impacts of greenhouse gases in the 1970s and 1980s -- until Exxon's leadership decided to shut down the research and promote climate denial instead, in order to protect the company's unfathomably large profits.

The United States Department of Justice has the power to prosecute Exxon's deliberate deception under the Racketeer Influenced and Corrupt Organizations (RICO) Act - just as the DOJ did to the tobacco industry for knowingly lying about the dangers of cigarette smoking.

Tell U.S. Attorney General Loretta Lynch:

Launch a RICO prosecution of Exxon and its fellow fossil-fuel companies for deliberate and malicious climate deception.

http://www.climatehawksvote.com/prosecute_exxon

Climate Hawks Vote · United States

This email was sent to emailbach@gmu.edu. To stop receiving emails, [click here](#).

You can also keep up with Brad Johnson on [Twitter](#).

Created with [NationBuilder](#), software for leaders.

From: [Peter Frumhoff](#)
To: [Edward W Maibach](#)
Subject: following up
Date: Friday, October 09, 2015 2:54:44 PM

Hi Ed

I will be in DC Oct 22-23, do you have a window during that stretch to meet up?

Sorry to see the outrageous response to your letter.

Let's talk.

Peter

From: Edward W Maibach [mailto:emaibach@gmu.edu]
Sent: Friday, July 31, 2015 3:01 PM
To: Peter Frumhoff
Cc: Nancy Cole; Alden Meyer; Aaron Huertas; Jagadish Shukla
Subject: Re: Senator Whitehouse's call for a RICO investigation of the fossil fuel industry

Hi Peter,

Thanks for closing the loop with me so quickly.

Shukla has been consulting with lawyers so it is possible that -- with their input -- we too may decide that Senator Whitehouse's proposal is not viable. We'll let you know what we decide to do.

Regardless, our real intent is to rally the climate science community around useful proposals -- focused on solutions, and on removal of barriers. Please keep us in the loop on your plans to promote accountability in the fossil fuel industry, as we would like to be of service. I would be delighted to get involved in assessing (and helping to shape) public opinion on this issue. I am confident that a concerted "truth" campaign can generate public indignation over the deceptions sponsored by the fossil fuel industry.

BTW: My dear friend Rob Gould -- former GM of Porter Novelli's DC office, and one of the creators of the highly successful "truth" teen anti-tobacco campaign -- would surely enjoy brainstorming with us about how to mount a similar trust campaign aimed at fossil fuel companies.

All the best,

Ed

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

e o

From: Peter Frumhoff <PFrumhoff@ucsusa.org>
Sent: Friday, July 31, 2015 1:03 PM
To: Edward W Maibach
Cc: Nancy Cole; Alden Meyer; Aaron Huertas
Subject: FW: Senator Whitehouse's call for a RICO investigation of the fossil fuel industry

Hi Ed,

I'm following up on the scientists letter proposal that you shared with Nancy and Alden earlier this week to let you know that (1) it prompted a lot of discussion among our staff, including with UCS president Ken Kimmell and (2) after taking a close look, we've decided to not pursue this opportunity with you.

Here's why: In reaching out to climate scientists to sign on, we feel that we'd need to give them some firmer grounding for believing that a federal investigation under the RICO statute is warranted - enough so that they'd be able to explain their rationale for signing on to reporters and others. As you know, deception/disinformation isn't itself a basis for criminal prosecution under RICO. We don't think that Sen Whitehouse's call gives enough of a basis for scientists to sign on to this as a solid approach at this point.

Just so you know, we're also in the process of exploring other state-based approaches to holding fossil fuel companies legally accountable - we think there'll likely be a strong basis for encouraging state (e.g. AG) action forward and, in that context, opportunities for climate scientists to weigh in. It would be interesting - and perhaps very useful - to consider how calls for legal accountability will play out in the court of public opinion in different states/with different subsets of the American public - something perhaps we could work with you all on as this unfolds.

So, I am sorry to decline this particular opportunity. Thanks for proposing this and please keep us in the loop on how this plays out.

Thanks, Ed.

All best,

Peter

Peter C. Frumhoff Ph.D.
Director of Science and Policy
Chief Scientist, Climate Campaign
Union of Concerned Scientists
Cambridge MA
617.301.8035
@peterfrumhoff

The Union of Concerned Scientists puts rigorous, independent science to work to solve our planet's most pressing problems. Joining with citizens across the country, we combine technical analysis and effective advocacy to create innovative, practical solutions for a healthy, safe, and sustainable future.

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From: Edward W Maibach [<mailto:emaibach@gnu.edu>]
Sent: Monday, July 27, 2015 10:36 AM
To: Nancy Cole
Cc: Aaron Huertas; Alden Meyer
Subject: Fw: Senator Whitehouse's call for a RICO investigation of the fossil fuel industry

Hi Alden and Nancy,

Jagdish Shukla -- Mason's most senior climate scientist -- and I are planning on sending a letter to the POTUS and AG (with a cc to our members of Congress) to encourage them to act on Senator Whitehouse's proposal. We can easily get a couple of dozen additional climate scientists to co-sign (with a cc to all of their members of Congress too).

With a bit of extra work -- and this is why I am writing you -- perhaps we could get at least one climate scientist from all 435 congressional districts to co-sign the letter, which would allow us to cc every member of Congress (and would become a big media story).

Can UCS help us with this?

A draft of the letter is attached (although Shukla is going to make a few small edits this

morning).

All the best,

Ed

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

Dear Dr. Holdren,

It has been a long time since I have had email correspondence with you. I do hope this email will reach your office.

Please find enclosed a letter to the President, the Attorney General, and you, reiterating the position of an overwhelming majority of climate scientists about the potentially serious adverse effects of human-induced climate change. The letter also supports Senator Whitehouse's proposal that the Department of Justice begin a RICO investigation of the fossil-fuel industry, who according to Senator Whitehouse, have knowingly deceived the American people about the risks of climate change. The letter has been endorsed by a number of distinguished scientists whose names and affiliations are provided at the end of the letter. We will be grateful if you can please bring this letter to the attention of the President. Thank you.

Regards,
J. Shukla

University Professor, George Mason University
President, Institute of Global Environment & Society
Research Hall, Room 105
George Mason University, MSN: 2B3
4400 University Drive
Fairfax, VA 22030 USA

Tel: 703-993-5700
E-mail: shukla@iges.org
>http://www.iges.org/<

On Sep 9, 2015, at 4:11 PM, J Shukla <shukla@iges.org> wrote:

Dear Friends,

Please find enclosed a copy of the final letter. Thank you for your support.

Regards,
Shukla

<Letter to Pres, AG, Holdren_Final.docx>

From: Benjamin Kirtman
To: Lisa Goddard; Mark Cane
Cc: Edward W Maibach; Jagdish Shukla; Professor Barry Klinger; Mike Wallace; Kevin Trenberth; Dr. Robert Dickinson; Biasutti Michela; vmisra@fsu.edu
Subject: RE: Another important request
Date: Saturday, October 03, 2015 8:41:40 PM

I have to agree with Lisa, Mark and Kevin on this. I see no need to be part of any additional letters. Ben

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: Lisa Goddard <goddard@iri.columbia.edu>
Date: 10/03/2015 7:44 PM (GMT-05:00)
To: Mark Cane <mcane01@gmail.com>
Cc: Edward W Maibach <emaibach@gmu.edu>, Jagdish Shukla <shukia@iges.org>, Professor Barry Klinger <klinger@cola.iges.org>, Mike Wallace <wallacem@uw.edu>, Benjamin Kirtman <bkirtman@rsmas.miami.edu>, Kevin Trenberth <trenbert@ucar.edu>, "Dr. Robert Dickinson" <robedt@jsg.utexas.edu>, Biasutti Michela <mbiasutti@gmail.com>, vmisra@fsu.edu
Subject: Re: Another important request

I agree with Mark and similar comments by the others.
I think the first letter was a worthwhile statement, but don't feel the need to be part of additional explanations.

Best,
Lisa

On Oct 3, 2015, at 1:26 PM, Mark Cane <mcane01@gmail.com> wrote:

I do not agree with this letter.
More to the point, I am sure that any such attempt to make things better, clarify, etc will backfire. It will provide a new opportunity for the climate doubters to launch a new round of blogs, attacks, etc.
Disraeli, who was a far better politician than any of us, said "Never apologize, never explain." His advice should be followed.
Please take my name off this letter or any other. Please take me off this email list.
Mark

On Oct 2, 2015, at 7:18 PM, Edward W Maibach <emaibach@gmu.edu> wrote:

Dear fellow letter signers,

Shukla and I have drafted the attached statement with the aim of setting the record straight on a number of important misunderstandings associated with our original letter.

We intend to release this statement early next week, although the exact mechanism is TBD.

Please review the draft and reply to Shukla and me with your assent to be listed.

Thank you,

Ed Maibach

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: Edward W Maibach
Sent: Friday, October 2, 2015 7:15 PM
To: J Shukla
Cc: Professor Barry Klinger; Mike Wallace; Dr. Ben Kirtman; Dr. Kevin Trenberth; Dr. Robert Dickinson; Dr. Michela Biasutti; Dr. Mark Cane; Dr. Lisa Goddard; vmisra@fsu.edu
Subject: An important request

Dear fellow letter signers.

Shukla and I respectfully request that you send us your private email address.

If you prefer to leave it in a voice message, call me at 703-993-1587.

Thank you,

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: Holdren, John P. <John_P._Holdren@ostp.eop.gov>

Sent: Wednesday, September 30, 2015 8:01 PM

To: J Shukla

Cc: Edward W Maibach; Paul A Dirmeyer; Professor Barry Klinger; Paul S Schopf; David M. Straus; Edward Sarachik; Mike Wallace; Alan Robock; Professor Eugenia Kalnay; Dr. Ben Kirtman; Dr. Bill Lau; Dr. Kevin Trenberth; Professor T.N. Krishnamurti; Dr. Vasubandhu Misra; Dr. Robert Dickinson; Dr. Michela Biasutti; Dr. Mark Cane; Dr. Lisa Goddard; Dr. Alan Betts; Sheldon Whitehouse; Joseph Majkut; Lara Quint

Subject: RE: Letter to President, AG, and OSTP Director

Dear Professor Shukla,

Thank you for your email and letter of a couple of weeks ago. I apologize for my delay in responding. These two weeks have been even more demanding than usual here.

As you know, the Administration shares the concern expressed in the letter about the seriousness of the threat posed by climate change. The President has made addressing that threat a top priority, and, as you also know, it has long been a top priority of mine.

Regarding the letter's proposal of a RICO investigation, though, neither the White House Office nor the Office of Science and Technology Policy determines or directs the Department of Justice's prosecutorial or investigative decisions.

I and my colleagues here do very much value views from the wider scientific community on reducing the risk of climate change, and we look forward to continuing to find ways to work together to address this critical issue.

Sincerely,

<image001.jpg>

JOHN P. HOLDREN, PhD
Assistant to the President for Science and Technology
Director, Office of Science and Technology Policy
Co-Chair, President's Council of Advisors on Science and Technology
Executive Office of the President of the United States

E-mail: jholdren@ostp.eop.gov

Assistant: Billie_S_McGrane@ostp.eop.gov, 202-456-6064

Web: <http://www.ostp.gov>

From: J Shukla [<mailto:shukla@iges.org>]

Sent: Monday, September 14, 2015 11:18 AM

To: Holdren, John P.; McLaughlin, Pat

Cc: Dr. Edward Maibach; Paul Dirmeyer; Professor Barry Klinger; Dr. Paul Schopf; Dr. David M. Straus; Edward Sarachik; Mike Wallace; Alan Robock; Professor Eugenia Kalnay; Dr. Ben Kirtman; Dr. Bill Lau; Dr. Kevin Trenberth; Professor T.N. Krishnamurti; Dr. Vasubandhu Misra; Dr. Robert Dickinson; Dr. Michela Biasutti; Dr. Mark Cane; Dr. Lisa Goddard; Dr. Alan Betts; Sheldon Whitehouse; Joseph Majkut; Lara Quint

Subject: Letter to President, AG, and OSTP Director

Dear Dr. Holdren,

It has been a long time since I have had email correspondence with you. I do hope this email will reach your office. Please find enclosed a letter to the President, the Attorney General, and you, reiterating the position of an overwhelming majority of climate scientists about the potentially serious adverse effects of human-induced climate change. The letter also supports Senator Whitehouse's proposal that the Department of Justice begin a RICO investigation of the fossil-fuel industry, who according to Senator Whitehouse, have knowingly deceived the American people about the risks of climate change. The letter has been endorsed by a number of distinguished scientists whose names and affiliations are provided at

the end of the letter.
We will be grateful if you can please bring this letter to the attention of the President. Thank you.

Regards,
J. Shukla

University Professor, George Mason University
President, Institute of Global Environment & Society
Research Hall, Room 105
George Mason University, MSN: 2B3
4400 University Drive
Fairfax, VA 22030 USA

Tel: 703-993-5700
E-mail: shukla@iges.org
><http://www.iges.org/><

On Sep 9, 2015, at 4:11 PM, J Shukla <shukla@iges.org> wrote:

Dear Friends,

Please find enclosed a copy of the final letter. Thank you for your support.

Regards,
Shukla

<Letter to Pres, AG, Holdren_Final.docx>

<Additional letter v2.docx>

Mark A. Cane
G. Unger Vetlesen Professor of Earth and Climate Sciences
Lamont-Doherty Earth Observatory of Columbia University
61 Route 9W
Palisades, NY 10964-8000

mcane@ldeo.columbia.edu Secretary: Virginia DiBlasi
845 365 8344 (phone) 845 365 8667
845 365 8736 (fax) virginia@ldeo.columbia.edu
<http://www.ldeo.columbia.edu/research/ocean-climate-physics>

Department of Earth and Environmental Science <http://eesc.columbia.edu/>
Department of Applied Physics and Applied Math
Founder, Master of Arts Program in Climate and Society
<http://www.columbia.edu/cu/climatesociety/>

From: E&E Publishing
To: Edward W Maibach
Subject: June 16 -- Greenwire is ready
Date: Tuesday, June 16, 2015 1:24:57 PM

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AN E&E PUBLISHING SERVICE

GREENWIRE — Tue., June 16, 2015

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1. ENDANGERED SPECIES:

Hard questions presage challenges to federal grouse plans

The Obama administration is promoting final federal greater sage grouse protection plans as powerful conservation tools that won't stifle "sustainable development and traditional uses of the land" across 50 million acres in 10 Western states. But ranchers, energy developers and others affected by those plans aren't so sure. Their concerns almost certainly foreshadow administrative protests and legal challenges.

TOP STORIES

2. PUBLIC LANDS:

Utah official who led canyon protest launches nonprofit

3. APPROPRIATIONS:

House panel clashes on spending, policy provisions of Interior-EPA bill

4. OIL AND GAS:

Keeping export ban would spur big drop in U.S. production -- Hamm

CONGRESS

5. DOE:

Wyden threatens to block nominee over Hanford

6. TRANSPORTATION:

Senate Dems press for long-term bill

POLITICS

7. FEDERAL AGENCIES:

Poll finds low confidence in government

8. CAMPAIGN 2016:

Trump brings many promises into GOP presidential race

9. BIOFUELS:

Iowa lawmakers want RFS hearing in their state

NATURAL RESOURCES

10. OCEANS:

Navy starts Alaska war games, reviving species concerns

11. ENDANGERED SPECIES:

FWS proposes delisting extinct Eastern cougar

12. FISHERIES:

Grunting cod could save species

13. FISHERIES:

Cold winter leads to scarce crabs in Md.

14. WILDLIFE:

Study pinpoints illegal trafficking hubs

15. OCEANS:

Sea Shepherd founder blames Canadian P.M. for withholding passport

LAW

16. COAL:

Landowner dispute prompts change in Ky. mining rules

17. ENDANGERED SPECIES:

Greens threaten to sue N.J. over 'fish killer' power plant

18. NATURAL GAS:

Court upholds FERC-approved rates for Wyo. pipeline

19. PEOPLE:

Former DOJ litigator switches firms

20. DROUGHT:

Nudists accused of stealing water to get through dry streak

ENERGY

21. COAL:

Critics take new shot at highly touted export terminal

22. DEFENSE:

Fort Hood commits to solar, wind projects

23. NUCLEAR POWER:

Advanced reactors attract \$1.3B in investment -- report

24. GULF OF MEXICO:

Storm threatens Texas, refiners

25. ELECTRICITY:

Biomass plant struggles to stay online despite utility projections

26. OIL AND GAS:

Price collapse 'pothole' doesn't hinder diversified Houston

FEDERAL AGENCIES

27. CHEMICAL SAFETY:

CSB's Engler gains executive authority with private vote

28. TRIBES:

Indian Affairs Bureau at fault for sluggish tribal energy sector -- GAO

29. WHITE HOUSE:

Chief information officer orders post-hack 'cybersecurity sprint'

WASTES & HAZARDOUS SUBSTANCES

30. PESTICIDES:

Fetal exposure to DDT greatly increases breast cancer risk -- study

31. PESTICIDES:

Enviros allege conflicts of interest on U.N. expert panel

32. PESTICIDES:

Medical marijuana in Ore. tests positive for restricted chemicals

33. SOLID WASTE:

Ga. 'automotive recycler' draws tourists with nature's help

STATES

34. NORTH CAROLINA:

Experts dub beach town's shark kill plan 'just plain stupid'

INTERNATIONAL

35. NORTH KOREA:

Worst drought in 100 years threatens rice crop

36. AUSTRALIA:

Queensland halts massive land-clearing project to assess impact

37. NETHERLANDS:

Exterminator gasses geese to control population around airport

38. GEORGIA:

Officials account for all lions, tigers in zoo flooding

39. NEW ZEALAND:

Climate change to blame in dog's death -- owner

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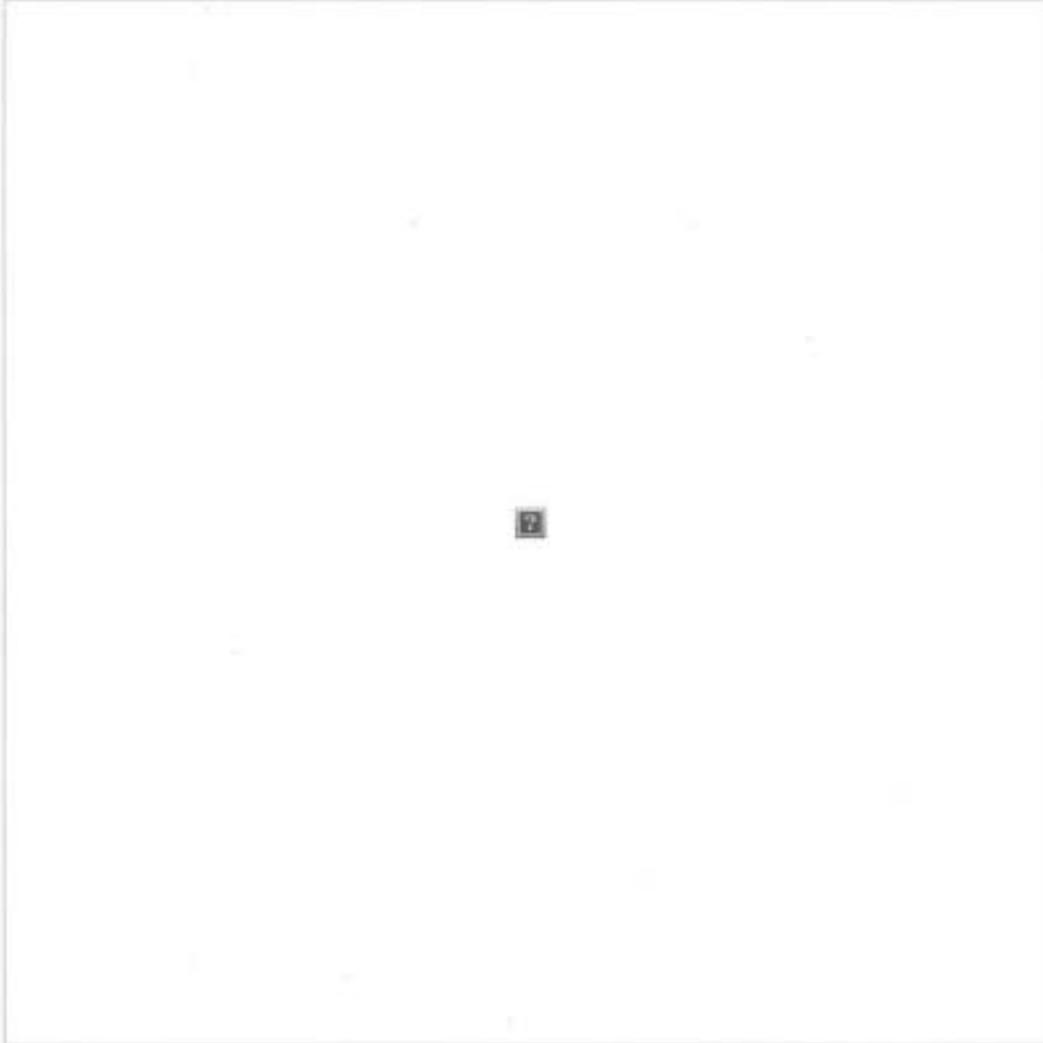
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From: [Lori Sanders](#)
To: [Edward W. Maibach](#)
Subject: Join us for a discussion of how conservatives should think about climate change
Date: Monday, June 29, 2015 10:26:13 AM

You're invited to a great event

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Climate of Confusion:
How Should Conservatives Think About Climate Change?

"Denier." "Anti-science." "Shills for the oil industry." Whether it's Sen. Whitehouse threatening to prosecute those who express skepticism or the president himself blatantly maligning conservatives in congress who disagree with his forthcoming regulatory nightmare, the left continually trumpets the notion that conservatives refuse to confront the issue of climate change.

Fortunately, that's simply not true. Though our solutions may not be the preferred

regulatory morass of the left, conservatives and libertarians are grappling with the issue and trying to find solutions that unleash the power of the market to solve this problem.

In the summer issue of National Affairs, five leading thinkers contributed four essays to the debate, applying conservative principles to the scientific and political challenges presented by our changing climate. Join the R Street Institute and National Affairs to hear from the authors and learn how the right should address climate change to ensure a better outcome for our economy and our environment.

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Rayburn HOB
Gold Room - 2168

WHEN

Monday, July 6
6:00 PM

RSVP

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From: Alex Bozmoski
To: Edward W Maibach
Subject: Re: Fw: Join us for a discussion of how conservatives should think about climate change
Date: Monday, June 29, 2015 10:54:28 AM

I think so!

On Mon, Jun 29, 2015 at 9:51 AM, Edward W Maibach <emaibach@gmu.edu> wrote:

Should I attend?

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: Lori Sanders <lsanders@rstreet.org> on behalf of Lori Sanders
<lsanders@rstreet.org>

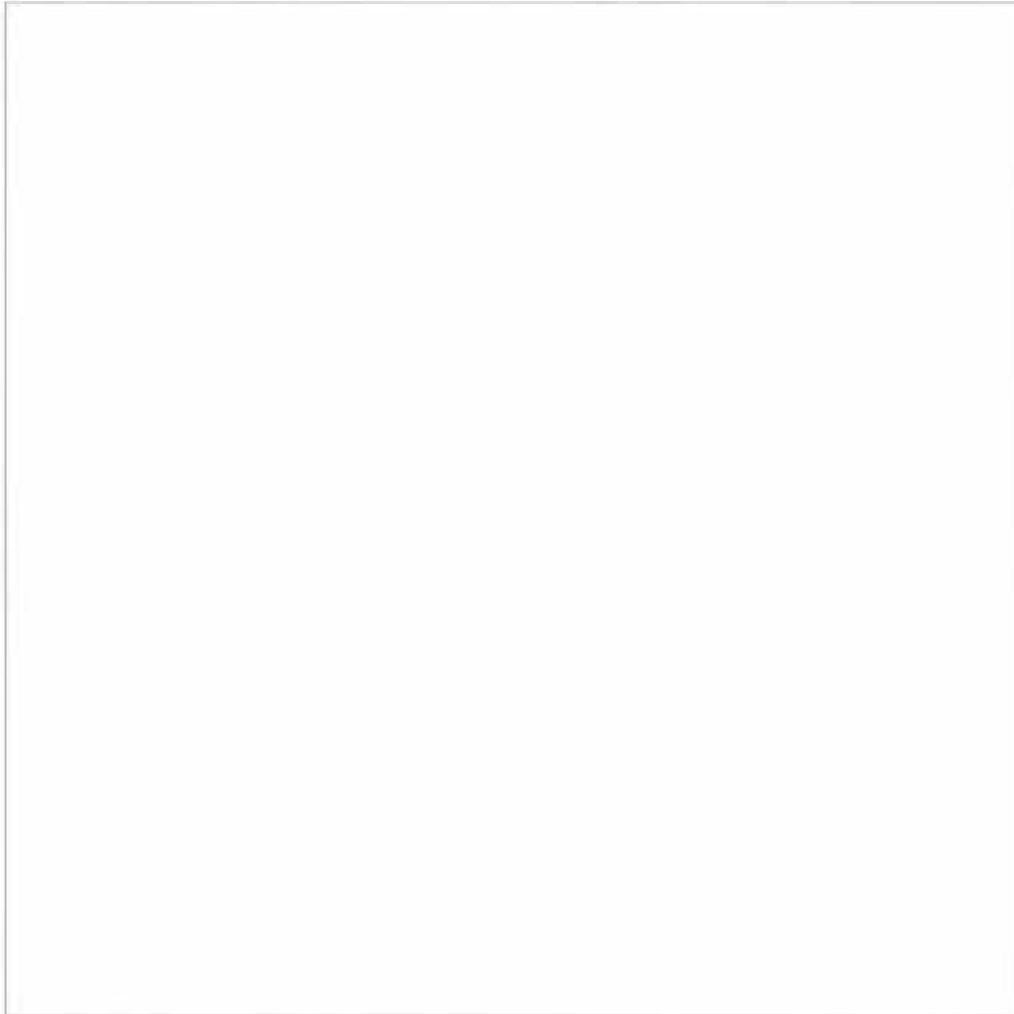
Sent: Monday, June 29, 2015 10:26 AM

To: Edward W Maibach

Subject: Join us for a discussion of how conservatives should think about climate change

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To: Edward W Maibach
Subject: July 2 -- Greenwire is ready
Date: Thursday, July 02, 2015 1:34:02 PM

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GREENWIRE — Thu., July 2, 2015

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1. GULF SPILL:

BP agrees to 'game changer' \$18.7B settlement with states

The \$18.7 billion settlement agreement announced this morning for the 2010 Deepwater Horizon oil spill promises to set off an unprecedented effort to repair the Gulf of Mexico's marshes, fisheries and deep sea corals, but it will be, at best, only a first step toward restoring the long-ailing ecosystem, the region's environmentalists say.

TOP STORIES

2. ENDANGERED SPECIES:

New FWS polar bear plan calls for cutting greenhouse gases

3. CLIMATE:

EPA cuts heat-trapping refrigerants and coolants

4. NATIONAL PARKS:

NPS weighs wilderness plan for embattled South Fla. preserve

CONGRESS

5. HOUSE:

Energy, Interior-EPA approps, reg reform on tap for July

POLITICS

6. CAMPAIGN 2016:

O'Malley expands energy agenda on swing through Iowa

7. CAMPAIGN 2016:

Grassley scrutinizing Clinton's uranium ties

8. WHITE HOUSE:

Enviros urge Obama to order disclosure of contractors' political spending

9. ENERGY POLICY:

Young Americans oppose offshore drilling, nuclear power -- survey

NATURAL RESOURCES

10. ENDANGERED SPECIES:

BLM gets more than 200 protests of grouse protection plans

11. FISHERIES:

New monitoring rule for bycatch displeases fishermen and enviros

12. TEXAS:

State park system still reeling from May deluge

13. COASTAL EROSION:

Waves gobbling up northern Alaska at breakneck rate -- study

LAW

14. CLIMATE:

Okla. challenges Clean Power Plan in new venue

15. FEDERAL AGENCIES:

Infamous GSA conference planner gets 3 months in prison

16. RAIL:

Amtrak seeks to consolidate injury lawsuits from derailment

17. BUSINESS:

DOJ moves to block sale of GE appliance division to Electrolux

CLIMATE CHANGE

18. ELECTRICITY:

Marijuana industry may strain Colo. on Clean Power Plan compliance

ENERGY

19. NUCLEAR:

NRC restarts review of Diablo Canyon license renewal

20. HYDRAULIC FRACTURING:

Calif. finalizes toughest-in-nation regs

BUSINESS

21. COAL:

Embattled Alpha expands natural gas holdings

TRANSPORTATION

22. TRANSPORT:

Thousands evacuate as derailed train spews toxic fumes

AIR AND WATER

23. DROUGHT:

Urban water use in Calif. dropped 29% in May

24. WATER POLLUTION:

EPA orders Nev. city to fix violations

CHEMICALS

25. CHEMICALS:

EPA to cancel 'widely used' pesticide at hospitals, food prep areas

STATES

26. WISCONSIN:

Walker signs bill banning microbeads

27. WASHINGTON:

Lawmakers send gas tax bill to governor

28. NORTH CAROLINA:

State sees 7th shark attack in 3 weeks

29. CALIFORNIA:

Dolphin bodyslams boating woman

INTERNATIONAL

30. CUBA:

Conservationists fret over environmental degradation as relations thaw

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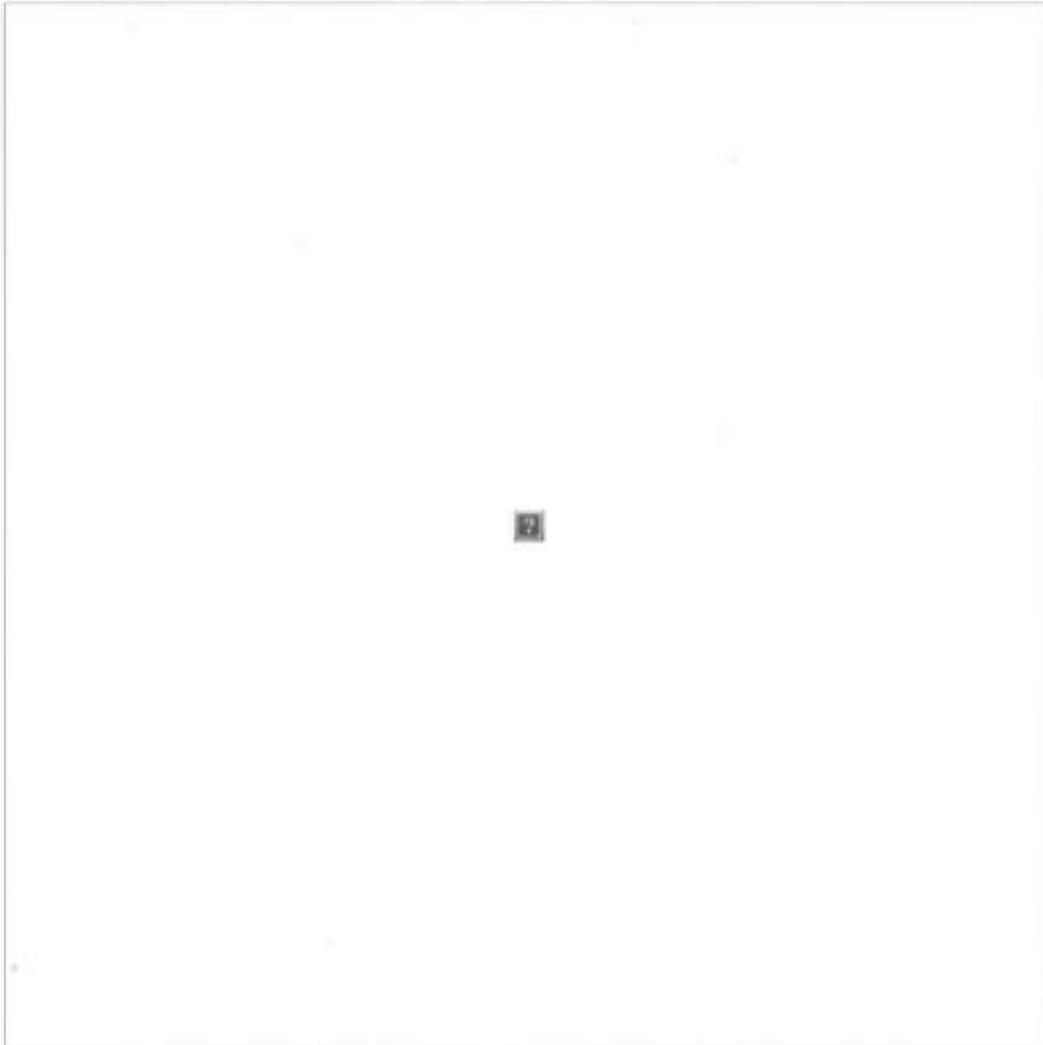
Phone: 202-628-6500 Fax: 202-737-5299

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From: [Lori Sanders](#)
To: [Edward W Maibach](#)
Subject: Join us TONIGHT for a discussion of how conservatives should think about climate change
Date: Monday, July 06, 2015 11:10:44 AM

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From: J Shukla
To: Edward W Malbach
Subject: Letter to Senator Sheldon Whitehouse
Date: Monday, July 20, 2015 5:13:47 PM
Attachments: [Senator Sheldon Whitehouse Op Ed.docx](#)
[ATT00001.htm](#)

Dear Ed,

Are you, like me, puzzled as to why in spite of such overwhelming scientific evidence showing the influence of human activities on the Earth's climate during the past 50-100 years, a significant fraction of the US society remains skeptical? Please see the attached Op-Ed in the Washington Post, and text of a speech Senator Sheldon Whitehouse made on the floor of the US Senate on May 6, 2015.

http://www.washingtonpost.com/opinions/the-fossil-fuel-industrys-campaign-to-mislead-the-american-people/2015/05/29/04a2c448-0574-11e5-8bda-c7b4e9a8f7ac_story.html

<http://www.whitehouse.senate.gov/news/speeches/time-to-wake-up-climate-denial-recalls-tobacco-racketeering->

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Regards,
Shukla

President, Institute of Global Environment & Society
University Professor, George Mason University

WASHINGTON POST, May 29, 2015

The fossil-fuel industry's campaign to mislead the American people

By Sheldon Whitehouse May 29

Sheldon Whitehouse, a Democrat, represents Rhode Island in the Senate.

Fossil fuel companies and their allies are funding a massive and sophisticated campaign to mislead the American people about the environmental harm caused by carbon pollution.

Their activities are often compared to those of Big Tobacco denying the health dangers of smoking. Big Tobacco's denial scheme was ultimately found by a federal judge to have amounted to a racketeering enterprise.

The Big Tobacco playbook looked something like this: (1) pay scientists to produce studies defending your product; (2) develop an intricate web of PR experts and front groups to spread doubt about the real science; (3) relentlessly attack your opponents.

Thankfully, the government had a playbook, too: the Racketeer Influenced and Corrupt Organizations Act, or RICO. In 1999, the Justice Department filed a civil RICO lawsuit against the major tobacco companies and their associated industry groups, alleging that the companies "engaged in and executed — and continue to engage in and execute — a massive 50-year scheme to defraud the public, including consumers of cigarettes, in violation of RICO."

Tobacco spent millions of dollars and years of litigation fighting the government. But finally, through the discovery process, government lawyers were able to peel back the layers of deceit and denial and see what the tobacco companies really knew all along about cigarettes.

In 2006, Judge Gladys Kessler of the U.S. District Court for the District of Columbia decided that the tobacco companies' fraudulent campaign amounted to a racketeering enterprise. According to the court: "Defendants coordinated significant aspects of their public relations, scientific, legal, and marketing activity in furtherance of a shared objective — to . . . maximize industry profits by preserving and expanding the market for cigarettes through a scheme to deceive the public."

The parallels between what the tobacco industry did and what the fossil fuel industry is doing now are striking.

In the case of fossil fuels, just as with tobacco, the industry joined together in a common enterprise and coordinated strategy. In 1998, the Clinton administration was building

support for international climate action under the Kyoto Protocol. The fossil fuel industry, its trade associations and the conservative policy institutes that often do the industry's dirty work met at the Washington office of the American Petroleum Institute. A memo from that meeting that was leaked to the New York Times documented their plans for a multimillion-dollar public relations campaign to undermine climate science and to raise "questions among those (e.g. Congress) who chart the future U.S. course on global climate change."

The shape of the fossil fuel industry's denial operation has been documented by, among others, Drexel University professor Robert Brulle. In a 2013 paper published in the journal Climatic Change, Brulle described a complex network of organizations and funding that appears designed to obscure the fossil fuel industry's fingerprints. To quote directly from Brulle's report, it was "a deliberate and organized effort to misdirect the public discussion and distort the public's understanding of climate." That sounds a lot like Kessler's findings in the tobacco racketeering case.

The coordinated tactics of the climate denial network, Brulle's report states, "span a wide range of activities, including political lobbying, contributions to political candidates, and a large number of communication and media efforts that aim at undermining climate science." Compare that again to the findings in the tobacco case.

The tobacco industry was proved to have conducted research that showed the direct opposite of what the industry stated publicly — namely, that tobacco use had serious health effects. Civil discovery would reveal whether and to what extent the fossil fuel industry has crossed this same line. We do know that it has funded research that — to its benefit — directly contradicts the vast majority of peer-reviewed climate science. One scientist who consistently published papers downplaying the role of carbon emissions in climate change, Willie Soon, reportedly received more than half of his funding from oil and electric utility interests: more than \$1.2 million.

To be clear: I don't know whether the fossil fuel industry and its allies engaged in the same kind of racketeering activity as the tobacco industry. We don't have enough information to make that conclusion. Perhaps it's all smoke and no fire. But there's an awful lot of smoke.

From: [J Shukla](#)
To: [Edward W Maibach](#)
Cc: [J Shukla](#)
Subject: Re: Letter to Senator Sheldon Whitehouse
Date: Tuesday, July 21, 2015 6:45:49 AM

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I count on your advice.

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From: "Edward W Maibach" <emaibach@gmu.edu>

To: "J Shukla" <shukla@iges.org>

Sent: Tuesday, July 21, 2015 6:35:38 AM

Subject: Re: Letter to Senator Sheldon Whitehouse

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All the best,

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Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

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University Professor, George Mason University

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To: Edward W Maibach
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Date: Friday, July 24, 2015 3:04:20 PM

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From: [Edward W Maibach](#)
To: [J Shukla](#); [Edward W Maibach](#)
Subject: Re: Letter to Senator Sheldon Whitehouse
Date: Saturday, July 25, 2015 7:27:59 AM

Hi Shukla,

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My inclination is to write a group letter. We can encourage other climate scientists -- in as many states and Congressional districts as possible -- to co-sign the letter. This will make it very easy for other scientists to participate.

The letter would be addressed to the President and the Attorney General -- given that they are the "deciders" on this decision -- and we would cc the Senators and Representatives of every co-signer.

If we can find one co-signer in every one of the nation's 435 Congressional districts, we will end up sending the letter to every member of Congress -- which would be spectacular. The letter will get lots of media attention.

We might be wise to ask one of the large science-based environmental advocacy to help us with this project. Union of Concerned Scientists would be a natural. I have excellent connections there. Environmental Defense would be good too, given that Eric Pooley is their director of communication, and he wrote a book about the dirty tricks of the fossil fuel industry that we can cite in the letter. Would you object to my asking for their help?

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Date: Saturday, July 25, 2015 9:39:02 AM

Fantastic Ed. Please ask whoever you consider appropriate. Just cc me.
I am also contacting some attorneys.

I am so excited to move forward.
BTW, my student assistant Colin Nackerman who has worked with your group is available to help us.
He is a dedicated activist.

Looking forward to receiving a draft of the group letter.

Regards,
Shukla

University Professor, George Mason University
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Research Hall, Room 105
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[4400 University Drive](#)
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http://www.washingtonpost.com/opinions/the-fossil-fuel-industrys-campaign-to-mislead-the-american-people/2015/05/29/04a2c448-0574-11e5-8bda-c7b4e9a8f7ac_story.html

<http://www.whitehouse.senate.gov/news/speeches/time-to-wake-up-climate-denial-recalls-tobacco-racketeering>

According to Senator Whitehouse, the fossil-fuel industry has launched a massive and sophisticated campaign to mislead the American people about the science of global warming and its harmful effects on the people. He asserts that the fossil-fuel industry is doing what big tobacco did to deny the health dangers of smoking. Senator Whitehouse is proposing that the Department of Justice of the US government begin the inquiry to file a civil suit against the fossil-fuel industry, just like the Department of Justice did against the big tobacco companies more than 15 years ago.

I believe that human-induced climate change is already affecting our planet and our societies, and will do major harm to our future generations. Therefore, I wholeheartedly support Senator Whitehouse's proposal to begin such an investigation. I plan to write to Senator Whitehouse reiterating a strong agreement among the scientific community that climate change is real, it is happening now, it is human-induced, and that we support his proposal.

I am writing to you to ask you if you are able and willing to join me in sending a letter of support to Senator Whitehouse. Thank you for your consideration.

Regards,

Shukla

President, Institute of Global Environment & Society

University Professor, George Mason University

From: J Shukla
To: Edward W Maibach
Subject: Re: Letter to Senator Sheldon Whitehouse
Date: Monday, July 27, 2015 6:05:07 AM

Dear Ed,

This is a great letter. References to the articles and books adds intellectual weight to the letter. Some of my fellow climate scientists had suggested earlier that as climate scientists, we should should say something about the overwhelming scientific evidence of human caused climate change. They would also like to see a draft.

After I go to GMU today, I will make some minor revisions to your letter and share it with GMU scientists.

Please go ahead and contact UCS and EDF. Today I also plan to contact the legal assistant of Senator Whitehouse.

Regards,
Shukla

On Jul 25, 2015, at 10:12 AM, Edward W Maibach <emaibach@gmu.edu> wrote:

Here is my draft. I will await your reply before contacting UCS and EDF.

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: Shukla <shukla@iges.org>
Sent: Saturday, July 25, 2015 9:38 AM
To: Edward W Maibach
Subject: Re: Letter to Senator Sheldon Whitehouse

Fantastic Ed. Please ask whoever you consider appropriate. Just cc me.
I am also contacting some attorneys.

I am so excited to move forward.

BTW, my student assistant Colin Nackerman who has worked with your group is available to help us.

He is a dedicated activist.

Looking forward to receiving a draft of the

From: [Aaron Huertas](#)
To: [Edward W Maibach](#)
Subject: Automatic reply: Senator Whitehouse's call for a RICO investigation of the fossil fuel industry
Date: Monday, July 27, 2015 8:34:26 AM

I'm out of the office until Monday, August 3. If you're trying to reach someone on our communications team, please call our main line at 202-331-5420. You can also see contact info for my colleagues on the right side of this page: <http://www.ucsusa.org/press/2015#.VahdOvIViko>

Thanks,
Aaron Huertas

From: [Nancy Cole](#)
To: [Edward W Maibach](#)
Cc: [Aaron Huertas](#); [Alden Meyer](#)
Subject: RE: Senator Whitehouse's call for a RICO investigation of the fossil fuel industry
Date: Monday, July 27, 2015 10:48:40 AM

Ed, great to hear from you, and thanks for sharing this intriguing idea.

As you may know, we have entered the "fossil energy company accountability" arena ourselves and recently released a compilation report detailing some of the most egregious examples of corporate deception on this issue. < www.ucsusa.org/stopdeception >

The sign-on letter is an interesting idea. Let me discuss with a couple of my colleagues here and get back to you shortly.

Hope you are well!

Nancy

Nancy S. Cole
Director of Campaigns
Climate and Energy Program
Union of Concerned Scientists
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Cambridge, MA 02138-3780
617.301.8034 (phone)
617.864.9405 (fax)
ncole@ucsusa.org

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From: Edward W Maibach [<mailto:emaibach@gmu.edu>]
Sent: Monday, July 27, 2015 10:36 AM
To: Nancy Cole
Cc: Aaron Huertas; Alden Meyer
Subject: Fw: Senator Whitehouse's call for a RICO investigation of the fossil fuel industry

Hi Alden and Nancy,

Jagadish Shukla -- Mason's most senior climate scientist -- and I are planning on sending a letter to the POTUS and AG (with a cc to our members of Congress) to encourage them to act on Senator Whitehouse's proposal. We can easily get a couple of dozen additional climate scientists to co-sign (with a cc to all of their members of Congress too).

With a bit of extra work -- and this is why I am writing you -- perhaps we could get at least one climate scientist from all 435 congressional districts to co-sign the letter, which would allow us to cc every member of Congress (and would become a big media story).

Can UCS help us with this?

A draft of the letter is attached (although Shukla is going to make a few small edits this morning).

All the best,

Ed

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: [J.Shukla](#)
To: [Edward W Maibach](#)
Subject: Re: Letter to Senator Sheldon Whitehouse - Telephone Call?
Date: Monday, July 27, 2015 11:38:24 AM
Attachments: [Letter to President & AG.docx](#)
[ATT00001.htm](#)

Thanks Ed. Please find attached the revised letter with minor edits as per your suggestion. I would like to first send it to some of my fellow Climate Dynamics faculty who were the first to respond enthusiastically (Klinger, Schopf, Straus) to get their feedback.

Is there a good time today that I could give you a call just for a few minutes? If yes, please text me on my cell (240-472-0547) what time I should call you. If not, here are some of the questions I would like to discuss with you.

1. Should we wait to get consent of a large number of scientists and send a single letter jointly? Or should we send the first batch of letters from GMU faculty (BTW, Andrew Light said he will be willing to join) and then contact scientists in other institutions and attach our letter as an example?
2. The letter as you have drafted is cc'd to our Representatives and Senators. I was thinking that we should also send a shorter letter directly addressed to individual Senators and Congressmen attaching our letter to the President and AG. What do you think?

Regards,
Shukla

Dear President Obama and Attorney General Lynch,

Based on evidence, more than 97% of climate scientists are convinced that human-induced climate change is happening. As climate scientists, we are exceedingly concerned that America's response to climate change – indeed, the world's response to climate change – is currently insufficient to prevent serious and potentially lasting harm to human health and well-being, and to the resources on which all people depend – including agriculture, livestock, biodiversity, safe water supplies, clean air, forests, and eco-systems. These and other serious risks, including rising sea levels and increasing ocean salinity – and potential response strategies – are detailed in the Third National Climate Assessment (2014), *Climate Change Impacts in the United States*. Human civilization emerged and thrived over the past ten thousand years in large measure due to the stability of the earth's climate during that period. We are now at high risk of seriously destabilizing the earth's climate – largely as a result of our continued reliance on fossil fuels – the consequences of which would be grave for hundreds or thousands of years to come. We urge you to use all tools available to you to escalate America's response – and the global community's response – to climate change, so that Americans and all other people around the world, especially the world's poorest people, are not needlessly and irreparably harmed for many generations to come.

One such tool – recently proposed by Senator Sheldon Whitehouse – is a RICO (Racketeer Influenced and Corrupt Organizations Act) investigation of corporations and other organizations that have knowingly deceived the American people about the risks of climate change, as a means to forestall America's response to climate change. We are familiar with the actions of these organizations – which have been extensively chronicled in peer-reviewed academic research (Brulle, 2013) and in several recent books: *Doubt is their Product* (Michaels, 2008), *Climate Cover-Up* (Hoggan & Littlemore, 2009), *Merchants of Doubt* (Oreskes & Conway, 2010), *The Climate War* (Pooley, 2010) – in large part because they have sought to undermine our efforts to conduct scientific research on the risks of climate change. We strongly endorse Senator Whitehouse's call for a RICO investigation.

A RICO investigation (1999 to 2006) played an important role in stopping the tobacco industry from continuing to deceive the American people about the dangers of smoking – to smokers and everyone else who is exposed to tobacco smoke, including unborn children. If corporations in the fossil fuel industry and their supports are guilty of the misdeeds that have been documented in books and journals articles, it is imperative that these misdeeds be stopped as soon as possible so that America – and the world – can get on with the critically important business of finding effective ways to restabilize the earth's climate, before even more lasting damage is done.

Sincerely,

Your pals

Cc:

Senator Barbara Mikulski

Senator Ben Cardin
Representative John Delaney

From: [Jean Sideris](#)
To: [Edward W Maibach](#)
Subject: RE: Senator Whitehouse's call for a RICO investigation of the fossil fuel industry
Date: Wednesday, July 29, 2015 2:50:17 PM

Hi Ed-

Nancy forwarded this on. Great idea and thanks for reaching out to us! We are reviewing the letter internally and will get you a response soon, just need to run it through the traps on our end. Few questions for you. What's your timing? If we had some suggested edits to the letter would you be open to it? I'll be in touch as soon as I can get you a definite response.

Best,

Jean Sideris
Climate Campaign Manager
Climate and Energy Program
Union of Concerned Scientists
Cambridge, MA
617.301.8032
jsideris@ucsusa.org

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| Join the conversation on our [blog](#) or follow us on [Facebook](#) and [Twitter](#).

From: Edward W Maibach [<mailto:emaibach@gmu.edu>]
Sent: Monday, July 27, 2015 10:36 AM
To: Nancy Cole
Cc: Aaron Huertas; Alden Meyer
Subject: Fw: Senator Whitehouse's call for a RICO investigation of the fossil fuel industry

Hi Alden and Nancy,

Jagadish Shukla -- Mason's most senior climate scientist -- and I are planning on sending a letter to the POTUS and AG (with a cc to our members of Congress) to encourage them to act on Senator Whitehouse's proposal. We can easily get a couple of dozen additional climate scientists to co-sign (with a cc to all of their members of Congress too).

With a bit of extra work -- and this is why I am writing you -- perhaps we could get at least one climate scientist from all 435 congressional districts to co-sign the letter, which would allow us to cc every member of Congress (and would become a big media story).

Can UCS help us with this?

A draft of the letter is attached (although Shukla is going to make a few small edits this morning).

All the best,

Ed

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: [Alex Bozmoski](#)
To: [Edward W Maibach](#)
Subject: Re: editorial assistance needed
Date: Wednesday, July 29, 2015 4:48:14 PM

Ed, I'd delete the civilization claim...civilization didn't thrive "due to" stability. Maybe it wasn't prevented by instability. But that's different. Don't turn climate into God.

Other than that, it's just an impossible topic to not scream hard-core left. You're talking about prosecuting conservatives. At the AEI event, even R Street was making a big (and public) fuss about how ridiculous it is for Whitehouse to ask for cooperation while he's threatening RICO.

Sorry to not be sunnier :-)

alex

On Wed, Jul 29, 2015 at 2:25 PM, Edward W Maibach <emaibach@gmu.edu> wrote:

Hi Alex,

Please review the attached letter. I'm hoping you will highlight any language that screams "liberal drivel" and suggest ways of incorporating language that resonate with conservative values, such as accountability.

Thanks,

Ed

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: [Emily Therese Cloyd](#)
To: [Susi Moser](#); [Edward W Maibach](#); [Julie Maldonado](#); [Tingqiao Chen](#)
Cc: [Glynis Lough](#)
Subject: Re: final version of paper submitted to Climatic Change
Date: Tuesday, June 09, 2015 10:11:41 AM
Attachments: [CLIM-S-15-00472.pdf](#)

We were slightly over the word limit, so Susi and I did a few revisions to the main manuscript and abstract. Please see attached. (Same caveat as before - supplementary materials, including supplementary graphics, do not appear in the PDF, but they are submitted.)

Emily Therese Cloyd
Public Participation and Engagement Coordinator
National Climate Assessment

US Global Change Research Program
1717 Pennsylvania Ave. NW, Suite 250
Washington, DC 20006

202.419.3484 (p)
202.286.9642 (m)
ecloyd@usgcrp.gov

The Third National Climate Assessment is available from <http://nca2014.globalchange.gov>



On Fri, Jun 5, 2015 at 1:29 PM, Emily Therese Cloyd <ecloyd@usgcrp.gov> wrote:

Thank you all for your hard work on the engagement and communication paper for Climatic Change. I've attached a PDF of the submission. However, due to some vagaries of the Climatic Change submission site, it didn't pull the text from the supplementary materials into the PDF it generated - but they did make it through. I've attached those as Word docs.

Emily

Emily Therese Cloyd
Public Participation and Engagement Coordinator
National Climate Assessment

US Global Change Research Program
1717 Pennsylvania Ave. NW, Suite 250
Washington, DC 20006

[202.419.3484](tel:2024193484) (p)
[202.286.9642](tel:2022869642) (m)
ecloyd@usgcrp.gov

The Third National Climate Assessment is available from <http://nca2014.globalchange.gov>



From: [Edward W Maibach](#)
To: [Jean Sideris](#)
Cc: [Edward W Maibach](#)
Subject: Re: Senator Whitehouse's call for a RICO investigation of the fossil fuel industry
Date: Wednesday, July 29, 2015 4:54:05 PM

Hi Jean,

One of my E&EI/republicEN colleagues suggested:

Ed, I'd delete the civilization claim...civilization didn't thrive "due to" stability. Maybe it wasn't prevented by instability. But that's different. Don't turn climate into God.

I suspect that is good counsel.

All the best,

Ed

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: Edward W Maibach
Sent: Wednesday, July 29, 2015 3:15 PM
To: Jean Sideris
Subject: Re: Senator Whitehouse's call for a RICO investigation of the fossil fuel industry

Hi Jean,

Thanks for getting back to me.

Shukla has forwarded the current draft to several dozen of his closest climate science associates around the country to see if they are willing to sign on. If getting additional signatures is something UCS can help us with, then we can take whatever amount of time is necessary to get signatories in every possible Congressional district. If we are left to our own devices -- i.e., if we don't have coordination assistance from UCS -- we will likely aim a bit lower and get the letter out the door a bit faster. Personally, I would love to get a clean sweep...at least one signature from every Congressional district, because I think that would attract considerable media attention.

Shukla and I are open to suggested edits. I too was planning on making an edit or two - to add more language about "accountability" which is a strong conservative value.

All the best,

Ed

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: Jean Sideris <JSideris@ucsusa.org>
Sent: Wednesday, July 29, 2015 2:50 PM
To: Edward W Maibach
Subject: RE: Senator Whitehouse's call for a RICO investigation of the fossil fuel industry

Hi Ed-

Nancy forwarded this on. Great idea and thanks for reaching out to us! We are reviewing the letter internally and will get you a response soon, just need to run it through the traps on our end. Few questions for you. What's your timing? If we had some suggested edits to the letter would you be open to it? I'll be in touch as soon as I can get you a definite response.

Best,

Jean Sideris
Climate Campaign Manager
Climate and Energy Program
Union of Concerned Scientists
Cambridge, MA
617.301.8032
jsideris@ucsusa.org

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From: Edward W Maibach [<mailto:emaibach@gmu.edu>]

Sent: Monday, July 27, 2015 10:36 AM
To: Nancy Cole
Cc: Aaron Huertas; Alden Meyer
Subject: Fw: Senator Whitehouse's call for a RICO investigation of the fossil fuel industry

Hi Alden and Nancy,

Jagadish Shukla -- Mason's most senior climate scientist -- and I are planning on sending a letter to the POTUS and AG (with a cc to our members of Congress) to encourage them to act on Senator Whitehouse's proposal. We can easily get a couple of dozen additional climate scientists to co-sign (with a cc to all of their members of Congress too).

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Can UCS help us with this?

A draft of the letter is attached (although Shukla is going to make a few small edits this morning).

All the best,

Ed

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: E&E Publishing
To: Edward W Maibach
Subject: July 30 -- E&E Daily is ready
Date: Thursday, July 30, 2015 7:52:19 AM

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E&E DAILY — Thu., July 30, 2015

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1. CALIFORNIA:

Feinstein, Boxer need Murkowski's help to move drought measure

The California drought measure unveiled yesterday by the state's two Democratic senators served as their bid in a political gamble where a Republican now holds the most important cards.

TOP STORIES

2. CLIMATE:

GOP leaders shift subtly on warming as Democrats talk boldly

3. ENERGY POLICY:

Will climate spell trouble for Senate bill?

4. CLIMATE:

Whitfield lauds changes, says GOP still aims to kill power rule

ON THE HILL

5. BIOTECH:

Gwyneth Paltrow expected on Hill to promote GMO labeling

6. TRANSPORTATION:

Congress set to avert summer funding crisis today

7. COAL:

Top lawmakers press the corps on proposed terminal

IN THE HOUSE

8. CLIMATE:

Algae Caucus leaders unveil bipartisan carbon reuse bill

9. RENEWABLE ENERGY:

House members seek hearing on bipartisan revenue bill

10. FISHERIES:

Bipartisan bill would set 'boat-to-plate' tracking regs

11. OIL AND GAS:

House Dems introduce another bill to reduce methane waste

12. SCIENCE:

Rep. Smith pushes stand-alone bill for 'national interest' grants

13. ENDANGERED SPECIES:

EPA no-show means no answers at hearing on climate rule

14. WATER POLLUTION:

GOP lawmakers press for stream rule extension

15. ENERGY MARKETS:

CFTC budget won't budge until agency is reauthorized -- Rep. Conaway

IN THE SENATE

16. NOMINATIONS:

Senate panel clears picks for chemical board, highway agency

17. TRIBES:

Senate panel aims to fix 'outdated' land policies

E&ETV'S ONPOINT

18. AIR POLLUTION:

Former DOJ environment official Lorenzen dissects D.C. Circuit's CSAPR ruling

UPCOMING HEARINGS AND MARKUPS

19. CALENDAR:

Activity for July 27 - August 2, 2015

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From: E&E Publishing
To: Edward W. Maibach
Subject: July 30 -- E&ENews PM is ready
Date: Thursday, July 30, 2015 4:28:33 PM

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E&ENEWS PM — Thu., July 30, 2015

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1. ARCTIC:

Bridge-dangling activists block Shell drilling vessel

Greenpeace activists hanging by ropes from an Oregon bridge claim to have blocked Royal Dutch Shell PLC's ice-breaking vessel from returning to the Arctic, possibly delaying the company's search for oil.

THIS AFTERNOON'S STORIES

2. WATER POLICY:

No need for manual or guidance for new rule -- Obama admin

3. WILDLIFE:

FWS can't find hunter who killed Cecil the lion

4. TRANSPORTATION:

Senate sends short-term extension to Obama's desk

5. CLIMATE:

Anti-regulatory group prepares for EPA plan with new website

6. EARTHQUAKES:

West Coast early warning system injected with funding

7. CAMPAIGN 2016:

Swing-state voters warm to candidates promoting renewables

8. CAMPAIGN 2016:

Fla.'s Rep. Miller forgoes Senate run

9. CAMPAIGN 2016:

Club for Growth backs Rep. Stutzman in Ind. Senate race

10. NRC:

Whistleblower recalls release of report on threats to S.C. plant

E&ETV'S ONPOINT

11. AIR POLLUTION:

Former DOJ attorney Lorenzen dissects D.C. Circuit's cross-state ruling

UPCOMING HEARINGS AND MARKUPS

12. CALENDAR:

Activity for July 27 - August 2, 2015

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From: [Peter Frumhoff](#)
To: [Edward W Maibach](#)
Cc: [Nancy Cole](#); [Alden Meyer](#); [Aaron Huertas](#)
Subject: FW: Senator Whitehouse's call for a RICO investigation of the fossil fuel industry
Date: Friday, July 31, 2015 1:03:54 PM
Importance: High

Hi Ed,

I'm following up on the scientists letter proposal that you shared with Nancy and Alden earlier this week to let you know that (1) it prompted a lot of discussion among our staff, including with UCS president Ken Kimmell and (2) after taking a close look, we've decided to not pursue this opportunity with you.

Here's why: In reaching out to climate scientists to sign on, we feel that we'd need to give them some firmer grounding for believing that a federal investigation under the RICO statute is warranted - enough so that they'd be able to explain their rationale for signing on to reporters and others. As you know, deception/disinformation isn't itself a basis for criminal prosecution under RICO. We don't think that Sen Whitehouse's call gives enough of a basis for scientists to sign on to this as a solid approach at this point.

Just so you know, we're also in the process of exploring other state-based approaches to holding fossil fuel companies legally accountable - we think there'll likely be a strong basis for encouraging state (e.g. AG) action forward and, in that context, opportunities for climate scientists to weigh in. It would be interesting - and perhaps very useful - to consider how calls for legal accountability will play out in the court of public opinion in different states/with different subsets of the American public - something perhaps we could work with you all on as this unfolds.

So, I am sorry to decline this particular opportunity. Thanks for proposing this and please keep us in the loop on how this plays out.

Thanks, Ed.

All best,

Peter

Peter C. Frumhoff Ph.D.
Director of Science and Policy
Chief Scientist, Climate Campaign
Union of Concerned Scientists
Cambridge MA
617.301.8035
@peterfrumhoff

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From: Edward W Maibach [<mailto:emaibach@gmu.edu>]

Sent: Monday, July 27, 2015 10:36 AM

To: Nancy Cole

Cc: Aaron Huertas; Alden Meyer

Subject: Fw: Senator Whitehouse's call for a RICO investigation of the fossil fuel industry

Hi Alden and Nancy,

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Can UCS help us with this?

A draft of the letter is attached (although Shukla is going to make a few small edits this morning).

All the best,

Ed

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: [Peter Frumhoff](#)
To: [Edward W Maibach](#)
Subject: of possible interest
Date: Friday, July 31, 2015 1:08:17 PM
Attachments: [Frumhoff Heede Oreskes Climate Responsibilities 2015.pdf](#)

Attached is a new paper in Climatic Change making the case for holding companies accountable.

Look forward to crossing paths soon,

All best,

Peter

The climate responsibilities of industrial carbon producers

Peter C. Frumhoff¹ · Richard Heede² · Naomi Oreskes^{2,3}

Received: 25 December 2014 / Accepted: 8 July 2015

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Abstract Responsibility for climate change lies at the heart of societal debate over actions to address it. The United Nations Framework Convention on Climate Change established the principle of “common but differentiated responsibilities” among nations, suggesting that industrialized nations that had produced the greatest share of historic emissions bore particular responsibility for preventing dangerous interference with the climate system. But climate responsibilities can be attributed in other ways as well. Here, we explore the conceptual territory of responsibility. We consider the distinctive responsibilities of the major investor-owned producers of fossil fuels, assessing the actions these companies took and could have taken to act upon the scientific evidence of climate change. We conclude that major investor-owned fossil energy companies carry significant responsibility for climate change. It is still possible for these companies to effectively contribute to a solution. Significant progress in reducing emissions and limiting climate change could be achieved if companies 1) unequivocally communicate to the public, shareholders, and policymakers the climate risks resulting from continued use of their products, and therefore the need for restrictions on greenhouse gas emissions consistent with the 2 °C global temperature target; 2) firmly reject contrary claims by industry trade associations and lobbying groups; and, 3) accelerate their transition to the production of low-carbon energy. Evidence from history strongly suggests that a heightened societal focus on their climate responsibilities will be needed to hasten such a transition.

Electronic supplementary material The online version of this article (doi:10.1007/s10584-015-1472-5) contains supplementary material, which is available to authorized users.

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1 Introduction

As the impacts of anthropogenic climate change have become increasingly evident (IPCC 2014), the issue of responsibility for these impacts has come to the fore. The concept of responsibility is central to the United Nations Framework Convention on Climate Change (UNFCCC), adopted at the Rio Earth Summit in 1992. Parties to that convention agreed that the industrialized nations—which had produced the lion’s share of greenhouse gas emissions—should take the lead in combating climate change “on the basis of equity and in accordance with their common but differentiated responsibilities” (United Nations 1992).

The concept of “differentiated” responsibility signaled the recognition both that industrialized (Annex I) nations had produced most of the emissions, and that their wealth was intimately linked to the economic activities that produced those emissions (Shue 1999). The Kyoto Protocol thus focused attention on emission cuts by Annex I nations.

This focus was consistent with the general ethical principle, as well as the common sense of daily life, that responsibility for a problem is assumed to fall on those who create it, particularly if they do so knowingly (Rawls 1971). Definitions of responsibility become intricate as people have divergent interpretations of what exactly the problem is, how to assess its costs, how to identify the responsible party or parties (particularly if many individuals or groups contributed), how fully they apprehended the consequences of their actions, and whether reasonable alternative actions were available to them. In the context of climate change, several competing views have been put forward about the allocation of responsibilities. The Brazilian Proposal, for example, analyzed by the UNFCCC Subsidiary Body for Scientific and Technical Advice (SBSTA), suggested that the burden of addressing climate change should be apportioned on the basis of cumulative historic emissions (Rive et al. 2006), rather than annual ones, because it is the former that drive global climate change. Differing allocation schemes dramatically alter the ranking of the most responsible nations (Fig. 1a–d).

The nation-state framework for climate policymaking via the UNFCCC and scientific assessment via the IPCC has tended to obscure other ways at looking at the question of climate responsibility. One option is to focus on individuals. Noting that nations with similar total emissions (e.g., USA and China) may have very different *per capita* emissions (Baer et al. 2000), some commentators have proposed the concept of equal *per capita* allocation over time, with convergence toward a common per capita emission rate (Höhne et al. 2006). Others have suggested that the wealthiest individuals in the world, regardless of nationality, should bear a larger share of the burden (Chakravarty et al. 2009).

Another option is to focus on industry. Recent lawsuits have drawn attention to the responsibilities of major emitting industries, particularly in transportation and electric power generation (Osofsky 2012). Shareholder resolutions and calls for institutional and individual divestment from the primary producers of coal, oil, and natural gas are giving rise to growing public discourse on the climate responsibilities of these fossil fuels companies (Lubber 2012; Oreskes 2013; Rockefeller Brothers Fund 2014).

This paper focuses on the distinctive responsibilities of the investor-owned fossil fuel producers. First, we explore the conceptual territory of responsibility and the historical evidence that social change has resulted when notions of corporate responsibility have shifted in response to changing social values. We then present empirical evidence for the role of specific fossil fuel corporations, including many of the 90 largest industrial carbon producers whose products are responsible for nearly two-thirds of all known industrial greenhouse gas emissions since 1751 (Heede 2014). We emphasize that more than half of all industrial

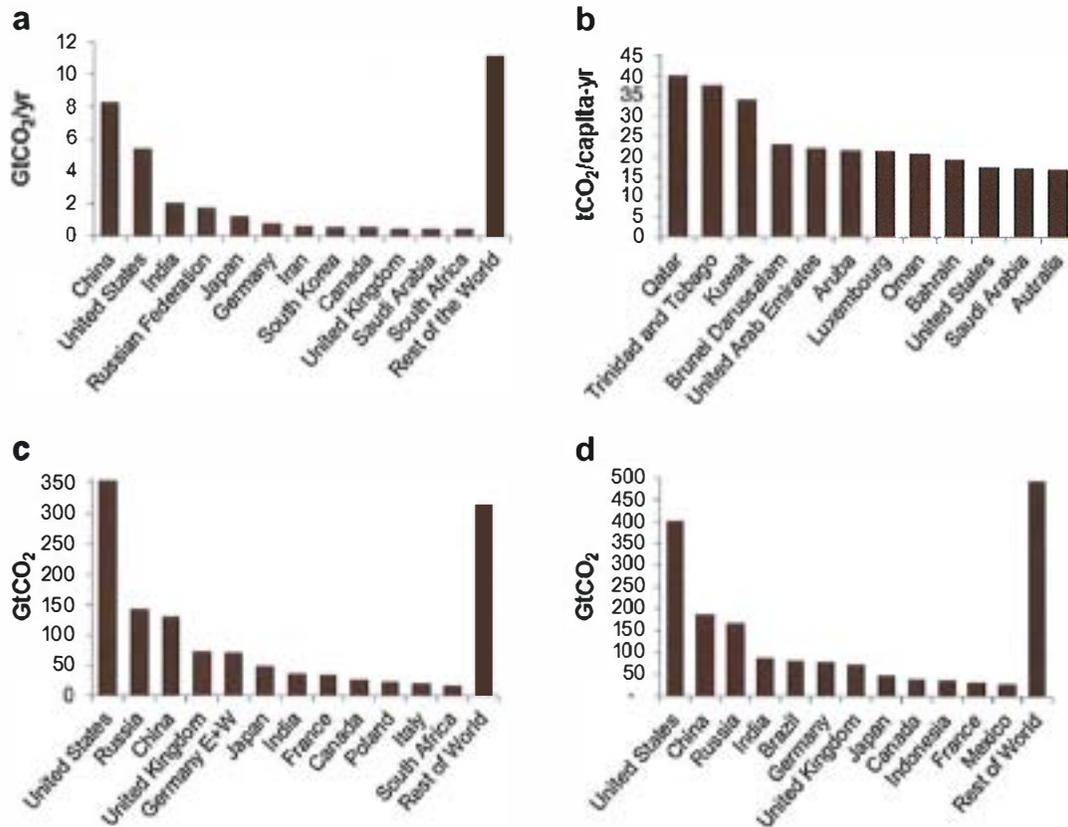


Fig. 1 Under allocation schemes based on current annual CO₂ emissions from fossil fuels and cement production, China leads the pack, followed by the U.S. and India (a). Analysis of current per capita emissions brings small oil-producing states into the top tier (b). Analysis based on historic emissions (without land use changes) places the U.S. first, followed the USSR/Russia, China and Germany (c). Including historic land use changes brings Brazil and Indonesia into the top tier (d). (Boden et al. 2013; Matthews et al. 2014)

emissions of carbon dioxide have occurred since 1988: after the establishment of the IPCC, after leading scientists had stated publicly that anthropogenic climate change was underway, and after a vigorous and visible public discussion of its causes and risks had begun.

We highlight producers for five reasons. First, a relatively small number of corporations have produced the fossil energy that has contributed a large proportion of the total historic emissions that drive disruptive climate change. Second, as major corporations with a high level of internal scientific and technical expertise, they were aware of and in a position to understand the available scientific data. Third, an alternative was available to them: they could have adjusted their business models to anticipate policies motivating a transition to low-carbon energy by substantially investing in low-carbon energy technologies, constructively engaging in policy design, and taking other steps to reduce the adverse impact of their products. But they did not. Even today, they continue to explore for new and increasingly more carbon-polluting sources of fossil fuels, encouraging the expanded use of the products that they know to be responsible for disruptive climate change. Fourth, fossil fuel producers, particularly in the United States but also in Australia, Canada, and the United Kingdom, have sought to discredit and disparage the scientific evidence, and to deny, diminish, or discount the reality and significance of climate change as a problem (Gelbspan 2005; Ward 2006; Oreskes and Conway 2010). Many companies lobbied to prevent policies that would encourage the

transition to low-carbon energy and continue to do so today, including through the influential industry trade associations on whose boards of directors many of the largest companies sit (Wieners 2014).

Finally, we focus on producers because there has been strikingly little attention paid in academic and policy spheres to their climate responsibilities. Society at large has been unaware of, or perhaps unwilling to confront, this issue. This paper seeks to open up the question of their responsibilities to academic and policy analysis.

2 What is responsibility?

The concept of responsibility is central to the question of obligation to act. One familiar notion of responsibility involves damages: individuals and groups can sue for damages if they believe another party has injured them. But there are many other ways in which society holds both individuals and institutions accountable for the consequences of their actions. In the private sector, shareholders may divest from a corporation that has engaged in inappropriate business practices or behavior; consumers may decline to buy products. When parties are found responsible for engaging in illegal activities, they may be subject to governmental sanction, through restrictions on the sale or marketing of harmful products, civil fines, or criminal penalties. Ultimately, if consumers, regulators, legislatures, shareholders, or the public at large disapprove sufficiently of an activity, it may become impossible for a firm to remain in business, or at least to continue business as usual.

Changing notions of corporate responsibility have played an important role in social change (Gunningham et al. 2004). The most well-documented example involves tobacco. For decades, the tobacco industry argued—with considerable success—that responsibility for the ills of smoking rested with the smoker: individuals made a choice to smoke, and any resulting illness was their responsibility. However, as the evidence of the harms of tobacco became known, this argument was increasingly rejected by a society that concluded that manufacturing a product that killed people, even if legal, was morally problematic. In 1995 the U.S. Department of Justice concluded that the industry was legally culpable for knowingly spreading disinformation, bringing charges against the industry under the Racketeer Influenced and Corrupt Organizations (RICO) act (Eubanks and Glantz 2012).

The story of tobacco is not unique: history is replete with examples of products and activities that were once accepted but later rejected. Often this shift has hinged on scientific knowledge. Asbestos for example, was a legal product, viewed by many as a miracle material that saved lives. But when the scientific evidence became clear that asbestos caused asbestosis and mesothelioma, both its primary producers and the manufacturers of products containing it found themselves facing tens of thousands of lawsuits (Bowker 2003; Michaels 2008). Plaintiffs won many suits, particularly if their exposure occurred after the scientific evidence of the risks was established (Castleman 2005). The fact that asbestos was a legal product did not absolve corporations of their responsibility to protect workers and consumers from its adverse effects. A parallel story has been told about lead. While lead in paint was a legal product, companies have nevertheless been held liable for the damage it has caused (Markowitz and Rosner 2013).

Changing notions of corporate responsibility within civil society gain traction through shareholder resolutions, consumer boycotts, protests, lawsuits, and media (including social media) and divestment campaigns; these, in turn, can drive changes in regulation

(Gunningham et al 2004). Corporations engaged in mining, pulp and paper manufacturing and the marketing of soy, beef and palm oil have responded to such pressures to go beyond compliance with legal standards for environmental and social sustainability (Gunningham et al. 2004; Prno and Slocombe 2012; Nepstad et al. 2014). In effect, these companies have recognized that they must have a social license to operate.

Turning to fossil fuels, some producers acknowledge that their ability to conduct business also requires a social license. Royal Dutch Shell, for example, has recently affirmed that “*real or perceived failures of governance or regulatory compliance could harm our reputation. This could impact our licence to operate, damage our brand, harm our ability to secure new resources and limit our ability to access the capital market.*” Shell has also claimed to embrace the principle of sustainable development, which, they suggest “*is a licence to operate imperative*” (Royal Dutch Shell plc 2010, 2014). Shell implicitly acknowledges that the fiduciary requirement of returning value to shareholders does not absolve corporations of broader ethical responsibilities. History affirms that conclusion. A corporation’s ability to return value to shareholders is influenced by, and in the long run depends upon, social license.

3 Quantifying the responsibility of industrial carbon producers

An enormous quantity of emissions can be traced to a relatively small number of fossil fuel producers. Heede (2014) analyzed historic production records of the ninety largest producers of coal, oil, and natural gas, as well as cement, from 1854 to 2010, calculating the carbon content of their marketed fuels (subtracting for non-energy uses), process CO₂ from cement manufacturing, CO₂ from direct flaring, venting, and fuel use, and fugitive or vented methane. Of total emissions of industrial CO₂ and methane from 1751 to 2010, 63 % were traced to 83 of the world’s largest producers of coal, oil and natural gas, and seven largest manufacturers of cement. That is to say, only 90 entities have produced all the fossil energy and cement responsible for 63 % of the world’s industrial emissions of CO₂ and methane; 29 % of these emissions have been traced to just 20 investor and state-owned companies (Fig. 2).

4 Response of industrial carbon producers to the evidence of anthropogenic climate change

Sustained scientific discussion of anthropogenic climate change can be traced to the 1950s, with a number of reports in the 1960s and 1970s suggesting that it could become a significant social and economic problem (NRC 1979; Oreskes 2004; Fleming 2005). In 1988, climate change went from a prediction to an observation, when NASA scientist James Hansen testified in the U.S. Congress that the human signal in climate change had been detected (Hansen et al. 1988). Hansen’s testimony was reported on the front page of *The New York Times*, which concluded that the “issue of an overheating world had suddenly moved to the forefront of public opinion” (Wilford 1988). Members of the U.S. Congress introduced H.R. 5380, The National Energy Policy Act of 1988, intended to “establish a national energy policy that will quickly reduce the generation of carbon dioxide and [other] trace gases as quickly as is feasible in order to slow the pace and degree of atmospheric warming...to protect the global environment.” Then-Vice President George H.W. Bush ran for president of the United States pledging to combat the “greenhouse effect with the White House effect” (New York Times Editorial

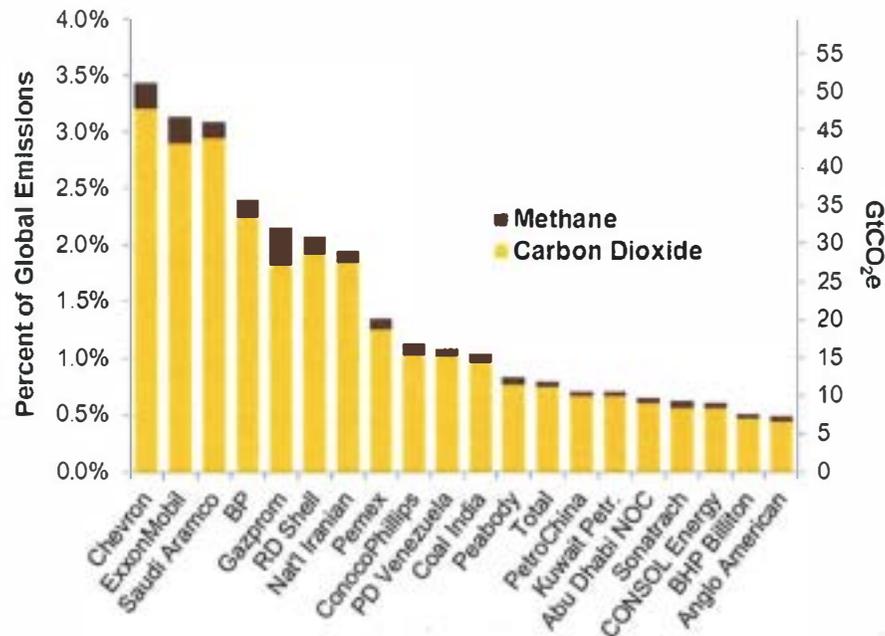


Fig. 2 Cumulative emissions from 1854 to 2010 traced to historic fossil fuel production by the largest investor-owned and state-owned oil, gas, and coal producers, in percent of global industrial CO₂ and methane emissions since 1751. Data source: Heede (2014)

Board 1990). 1988 was also the year in which the world nations joined together to create the Intergovernmental Panel on Climate Change (IPCC) to provide a scientific basis for policy action. Fossil fuel corporations might have begun to take steps to limit the damages their products caused to the global environment.

Instead, leading investor-owned fossil fuel corporations, including ExxonMobil, Shell, and British Petroleum, created the Global Climate Coalition (GCC) to oppose greenhouse gas emission reduction policies. From 1989 to 2002, the GCC led an aggressive lobbying and advertising campaign aimed at achieving these goals by sowing doubt about the integrity of the IPCC and the scientific evidence that heat-trapping emissions from burning fossil fuels drive global warming. They worked successfully to prevent the United States from signing the Kyoto Protocol after it was negotiated in 1997. When the GCC disbanded, they stated that they had achieved their goals (Mooney 2005). A similar pattern of activities was undertaken in the early 1990s by a group known as the “Greening Earth Society,” funded by a consortium of U.S. coal corporations (Oreskes 2010).

An alternative was possible. In 1997, British Petroleum CEO John (later Lord) Browne gave a major speech at Stanford University pledging to move BP to a new business model that went “beyond petroleum.” Invoking the scientific consensus on climate change described in the IPCC Second Assessment report (Houghton et al. 1995), he said:

“[W]e are all citizens of one world, and we must take shared responsibility for its future and for its sustainable development... [T]here is now an effective consensus among the world’s leading scientists and serious and well-informed people outside the scientific community that there is a discernible human influence on the climate and a link between the concentration of carbon dioxide and the increase in temperature. [I]t would be unwise and potentially dangerous to ignore the mounting concern. We in BP... alone

could not resolve the problem. But that does not mean we should do nothing. ... We have a responsibility to act [and] BP accepts that responsibility..." (Browne 1997)

Browne's speech was a major departure from the prevailing industry pattern. The *Los Angeles Times* concluded it was akin to the Liggett Group's acknowledgment earlier that year that smoking caused cancer and heart disease, the first major tobacco company to do so (Gerstenzang 1997). It was met with public praise and anticipation of action. The *Financial Times* reported that "BP's stance sets a higher standard against which to judge other companies' readiness to cooperate with governments to fight climate change" (Allen and Bach 2011).

Following the speech, BP and several other companies took steps in the direction that Browne envisaged (Kolk and Levy 2001). In 1997, BP became the first company to leave the Global Climate Coalition; Shell Oil (U.S.) left the following year. In 1998, BP established an internal cap-and-trade system reducing internal emissions by ten percent over the next 4 years, and began to invest in solar energy, forming BP Solar in 1999. These measures were touted in a major advertising campaign launched in 2000 to rebrand BP as "Beyond Petroleum." Shell and Chevron also made targeted investments in renewable energy, totaling as much as 2.5 % of each company's annual expenditures during the past decade (Juhasz 2013). In 2007, BP, ConocoPhillips, and Shell became charter members of the U.S. Climate Action Partnership (USCAP), a coalition of business and environmental groups seeking to shape U.S. federal legislation to reduce greenhouse gases. In short, alternative paths were possible, and some leading companies took initial steps along them.

Responsible climate action by these companies would have extended these initial steps to broader policies to become diversified energy corporations. This would have included unambiguous acceptance of the available scientific evidence demonstrating the role of fossil fuel production in driving dangerous climate change, encouraging public and corporate support for policies to avoid dangerous climate change; vigorous and sustained investments in low carbon energy technologies in anticipation of such policies; education and training for company employees to understand the reasons for the changes in their business model; and forthright communication with shareholders, banks and insurers, and the general public to explain their shift in company strategy.

Responsible action by the fossil energy companies would also have included vigorous investments to assess the feasibility of carbon capture and storage technologies. The oil industry had the capability to assess and develop CCS based on their experience since the 1970s in CO₂ injection as part of enhanced oil recovery (EOR), and the coal industry had a strong incentive to develop carbon capture and storage technology, perhaps in cooperation with coal-burning utilities—at or near sites of coal-fired power plants. By 1988, recognizing the need to reduce the risks of their products, these industries could have invested in adapting EOR technologies for the purpose of long-term carbon storage. But they did not.

5 What did the industrial carbon producers do instead?

The major investor-owned fossil fuel companies did not follow this path. On the contrary, they took essentially the opposite path, denying the reality of the problem of climate change, working to ensure that fossil fuels would remain central to global energy production and that

emissions would continue unabated. Indeed, *more than half* of all industrial emissions of CO₂ since the Industrial Revolution have been emitted since 1988. (Fig. 3).

Browne's call for corporate responsibility on climate was rejected by the major industrial carbon producers, and ultimately by BP itself. Instead, many of the largest fossil energy companies pursued a business model that coupled doubt-mongering about climate science with political advocacy against carbon regulations and in support of aggressive development of new sources of fossil fuels. Industry lobbying factored heavily in the 2001 rejection of the Kyoto Protocol by the U.S. administration under President George W Bush (Vidal 2005) and in the failure of the U.S. Senate to take up federal climate legislation after a comprehensive cap on emissions passed the U.S. House of Representatives in 2009 (Mackinder 2010; Grandia 2009; Oreskes 2010). In effect, the industry created a self-fulfilling prophecy: The absence of carbon regulation would ensure that fossil fuels would continue to be a good investment, and the companies would maximize profits for their shareholders to the detriment of the world at large by continuing to expand fossil fuel discovery and development.

Between 1988 and 2005, ExxonMobil invested over \$16 million in a network of front groups that spread misleading claims about climate science (leading to strong public condemnation from the British Royal Society: Ward 2006). It also exploited its close relationship with the administration of President George W. Bush to pressure the administration to remove top scientists from leadership roles in the IPCC and the US National Climate Assessment and to promote federal policies driving further reliance on fossil energy (UCS 2007; Brulle 2014). In 2009, Chevron provided transportation for its employees to attend faux "Energy Citizens" rallies organized by the American Petroleum Institute (API), purporting to demonstrate grassroots opposition to climate policies (Grandia 2009). As of 2010, many of the largest fossil energy companies were failing to comply with U.S. Securities and Exchange Commission guidance to disclose to their shareholders the material risks posed to their business by climate change (Coburn et al 2012). Several companies, including Chevron and BP, also ran misleading advertising campaigns highlighting their commitment to renewable energy (Juhasz 2013).

Major fossil fuel companies have maintained leadership roles in influential U.S. trade associations and lobbying groups, including API, American Coal Council, and the American Legislative Exchange Council (ALEC) that continue to cast doubt on climate science and

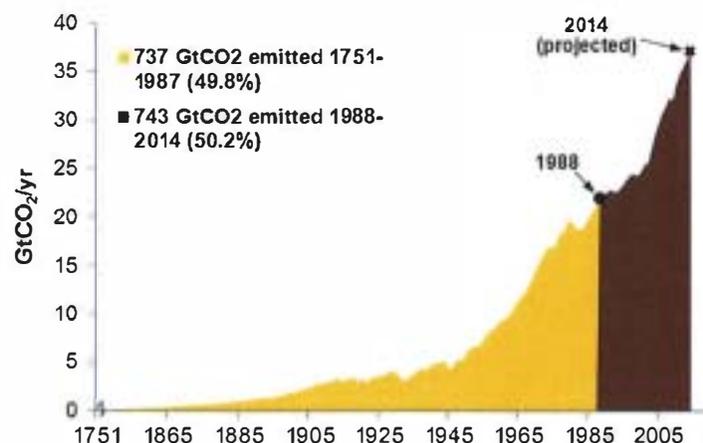


Fig. 3 More than half of global CO₂ emissions (1751–2014) have been released since 1988. Data sources: Boden et al. (2013). Le Quéré et al. (2014)

oppose regulation of greenhouse gas emissions. As of 2012, Chevron, ExxonMobil, BP America, Shell, ConocoPhillips, Total, Anadarko, Occidental, Hess, Devon, Apache, and Marathon all served on the Board of Directors of API (American Petroleum Institute 2012).

In 2011 API brought suit with other parties against the EPA over its authority to regulate greenhouse gases, stating that “EPA professes to be 90 to 99 % certain that ‘anthropogenic emissions of greenhouse gases are primarily responsible for ‘unusually high planetary temperatures’, but the record does not remotely support this level of certainty” (Goldman and Rogerson 2013), a statement that flew in the face of the prevailing scientific consensus (IPCC 2007).

Peabody Energy and ExxonMobil serve on the corporate leadership “Enterprise Council” of ALEC, and Chevron, Shell, and ConocoPhillips are members of ALEC’s Energy, Environment and Agriculture Task Force. This task force is the source of ALEC’s model legislation aimed at repealing renewable energy standards and regional climate policy initiatives in US states. ALEC characterizes climate change on its website as “a historical phenomenon” for which “the debate will continue on the significance of natural and anthropogenic contributions” (American Legislative Exchange Council 2010, 2014; SourceWatch 2014).

Industrial carbon producers have done all this not only to be able to exploit existing reserves of oil, gas, and coal, but also to develop new ones. The depletion of older, accessible forms of oil and gas has led industry to develop new oil fields in technologically difficult and environmentally risky environments such as the deep Gulf of Mexico, the North Sea, and the Arctic. It has also led them to explore for and develop more carbon intensive unconventional fossil resources such as tight oil, with associated increases in emissions from flaring; thermal enhanced oil recovery, with increased emissions associated with producing steam, and oil sands, with increased emissions associated with extraction, upgrading and refining (Brandt et al. 2010). The oil and gas industry has also been dramatically expanding production of natural gas from shales in the United States, Canada, and elsewhere (Council of Canadian Academies 2014).

These activities are consistent with the assumption that there will be no substantial constraints on the production and use of fossil fuels in the near to medium term, and with the determination to ensure that there will be no such constraints.

If the industrial carbon producers had accepted the need for a substantial price or cap on carbon, they would have made different business bets. Instead, they engaged in a set of activities designed to prevent the implementation of any substantial constraint on carbon, and they did so in part by repeatedly misrepresenting the state of scientific knowledge.

6 What are the industrial carbon producers doing now?

Some fossil fuel companies continue today to reject the scientific evidence—to insist that the scientific jury is still out—and that their products represent a good solution to the world’s energy needs. Peabody Energy, for example, declares on its website that “the greatest crisis society confronts is not a future environmental crisis predicted by computer models, but a human crisis today that is fully within our power to resolve ... with coal” (Peabody Energy 2014).

Other companies are turning to climate science to help them design “climate resilient” measures to maintain and even expand production in the face of hazards posed by thawing permafrost, rising seas, changing storm patterns, and acidifying oceans (IPIECA 2013). They

use climate projections to identify new opportunities to exploit fossil resources that are becoming accessible as a result of melting sea ice and other consequences of global warming. Royal Dutch Shell's plans to drill in the Chuckchi Sea, for example, draw explicitly on IPCC projections for a lengthening period of open water in the Arctic (Skuce 2012).

Other companies claim to accept the core findings of climate science and the serious risks associated with continued reliance on their products, while acting in ways that belie that claim. Chevron acknowledges that the use of fossil fuels “is contributing to an increase in greenhouse gases ... in the Earth's atmosphere” and claims to “share the concern of governments and the public about climate change” (Chevron Corporation 2014). ExxonMobil (2014a) unequivocally declares that “rising greenhouse gas emissions pose significant risks to society and ecosystems.” BP (2014) goes even further: “According to the Intergovernmental Panel on Climate Change (IPCC), warming of the climate system is unequivocal, and is in large part due to an increase in greenhouse gas (GHG) emissions from human activities.” Yet, none of these companies has accepted the proposition that accepting the science and understanding the risks of climate change implies the need to change their business plans. On the contrary, they argue that the world needs more fossil fuels rather than less. ExxonMobil (2014b), for example, in its 2014 energy outlook, insists that oil and gas will continue to be our major energy sources for the foreseeable future; the terms “climate change” or “global warming” are nowhere to be found.

BP, Shell, and ExxonMobil have each developed detailed projections of future energy use. While they differ in their particulars, none anticipates a global price or cap or other strict regulatory limit on carbon for decades. On the contrary, these companies plan for a future in which the world will continue to rely on fossil fuels at levels that will lead to highly disruptive climate impacts. In *Energy Outlook: 2035*, BP envisions that global CO₂ emissions from energy use will continue to grow on average by 1.1 % per year, bringing emissions in 2035 to nearly double levels of 1990 and temperatures towards or above 4 °C by the end of the century, by their own admission “well above the path recommended by scientists...” (BP 2014). Shell explicitly acknowledges that the energy futures they envision will have highly disruptive consequences, “overshoot[ing] the trajectory for a 2 °C goal” (Royal Dutch Shell plc 2013). Yet, knowing this, they continue to bank on a high carbon future (Fig. 4).

Industry projections of future emissions that bring atmospheric carbon dioxide levels to concentrations well in excess of safe limits may turn out to be correct. But if so this will be in no small part because of the intensive efforts that industrial carbon producers have made—and continue to make—to prevent meaningful regulation of their products. The fossil fuel industry is knowingly participating in a pathway by which, in the words of Shell CEO Ben van Beurden, climate change “is just going to happen whether we like it or not” (Mufson 2014). They are actively creating the future that they claim to accept the need to avoid.

7 Conclusion

The analysis presented here suggests that the world's largest investor-owned fossil energy producers bear substantial responsibility for anthropogenic climate change. This is because:

- 1) They have produced a large share of the products responsible for dangerous anthropogenic interference in the climate system;

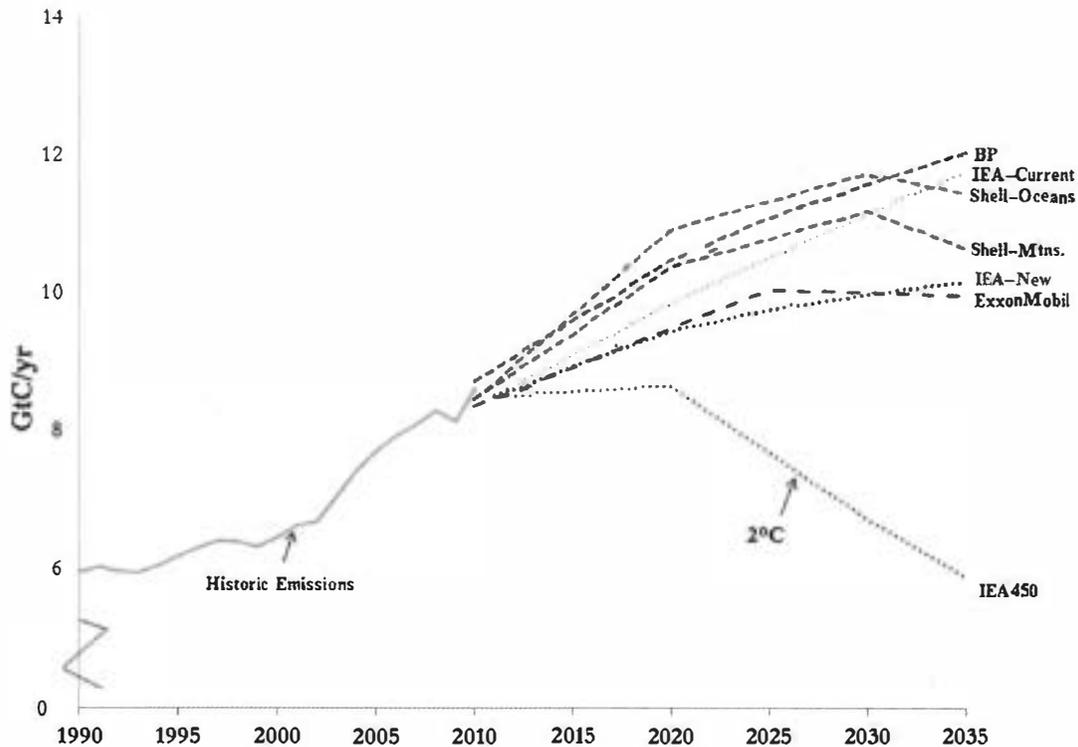


Fig. 4 Historic and projected global CO₂ emissions. Historic emissions from Boden et al (2013). Projected emissions through 2035 from Royal Dutch Shell plc (2013), International Energy Agency (2013), BP (2014) and ExxonMobil (2014a, b). BP, ExxonMobil, and Shell project a continued high reliance on fossil energy, well above the pathway (IEA 450) that would result in a 50 % probability of keeping global temperatures below the 2 °C policy target. Shell’s “Oceans” scenario is one in which energy choices are shaped primarily by market forces, their “Mountains” scenario is one in which government policies play a more dominant role. IEA “current policies” scenario assumes policies and measures in place as of 2013; “new policies” scenario assumes additional policies and measures announced by governments but not fully enacted

- 2) They continued to produce them well after the danger was scientifically established and recognized by international policymakers;
- 3) They have worked systematically to prevent the political action that might have stabilized or reduced GHG emissions, including through unethical practices such as promoting disinformation; and
- 4) While ostensibly acknowledging the threat represented by unabated reliance on fossil fuels, they nevertheless continue to engage in business practices that will lead to their expanded production and use for decades to come.

The major investor-owned fossil energy producers companies have done all of this even while an alternative vision had been articulated and was possible. Through their actions, they have not only invested in, but sought to guarantee, a future that serves the interests of their shareholders, employees, and executives, but threatens the health, well-being and prosperity of virtually everyone else. Their power and influence on the global response to climate change is substantial. The fact that others—governments, emitting industries, and individuals—have responsibilities, too, does not obviate this point.

Much time has been lost since 1988, when an orderly transition to clean energy could and should have begun. Yet, it still may be possible for fossil fuel companies to make a transition

over the next two decades into energy companies that produce clean, low carbon energy at reasonable cost and reasonable profit.

It would be folly to assume that these companies will make such a transition of their own accord or in anticipation of the swift enactment of carbon regulations that they continue to thwart. Rather, evidence from history strongly suggests that a greatly intensified societal focus on their climate responsibilities will be needed to hasten it. Past shareholder actions, divestment campaigns, consumer boycotts of corporate “bad actors,” and litigation have proven effective in changing corporate behavior. Recently, public and shareholder pressure has helped drive BP America’s decision to stop funding the American Legislative Exchange Council (Page 2015), and BP and Royal Dutch Shell’s adoption of shareholder resolutions requiring them to report annually on their low-carbon energy research and development investments and their positions on climate policies (Farrell 2015).

These are modest first steps for companies whose core business model assumes and encourages our long-term reliance on fossil energy. But they are indicative of the potential for heightened civil society engagement to drive further change in company behavior.

We should make clear that these companies operate with a social license, and consider ways to revoke that license for carbon producers who fail to act on their social responsibility.

We should expect, for example, that companies stop supporting disinformation on climate change, including through lobbying groups and trade associations; unequivocally encourage and support state, federal, and international policies consistent with keeping warming below the 2 °C global temperature target; transparently report on and increase their investments in low carbon energy technologies and carbon capture and storage; and fully disclose the financial and physical risks of climate change to their business operations. And we should expect fossil fuel corporations to pay for a share of the harms resulting from the use of their products, both for the damages that have already occurred and the costs of preparing to limit the damages from further, now unavoidable impacts that responsible actions by these companies could have, and should have, helped to avoid.

The world’s essential transition to low carbon energy may hinge upon the scale and success of such efforts.

Acknowledgments We thank Michael MacCracken, Rebecca Henderson, Carroll Muffett, Ken Kimmell, Seth Shulman, Aaron Huertas, Gretchen Goldman, Dann Mitchell and three anonymous reviewers for constructive comments, and Jayne Piepenburg and Jennifer Guido for editorial assistance. Support for this work was provided by grants from the Grantham Foundation for the Protection of the Environment, Wallace Global Fund and Energy Foundation to the Union of Concerned Scientists, and the Wallace Global Fund and Rockefeller Brothers Fund to the Climate Accountability Institute.

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From: Peter Frumhoff
To: Edward W Maibach
Subject: RE: of possible interest
Date: Friday, July 31, 2015 2:57:17 PM

I am – and sent you a separate email with a response to that request.

I'm hoping it came through but if not I can resend.

All best,

Peter

From: Edward W Maibach [mailto:emaibach@gmu.edu]
Sent: Friday, July 31, 2015 2:41 PM
To: Peter Frumhoff
Subject: Re: of possible interest

Hi Peter,

Thanks for sharing this article, and congratulations on its publication.

Are you aware that UCS is considering my request for logistical support on a letter to the POTUS and AG in support of Senator Whitehouse's call for a RICO investigation? My colleague J. Shukla and I hope to get at least one co-signer from the climate science community in every one of the 435 congressional districts so that we can cc the letter to every member of Congress in both houses.

All the best,

Ed

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: Peter Frumhoff <PFrumhoff@ucsusa.org>
Sent: Friday, July 31, 2015 1:08 PM
To: Edward W Maibach
Subject: of possible interest

Attached is a new paper in Climatic Change making the case for holding companies accountable.

Look forward to crossing paths soon,

All best,

Peter

From: E&E Publishing
To: Edward W Maibach
Subject: August 21 -- EnergyWire is ready
Date: Friday, August 21, 2015 7:49:27 AM

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If you haven't checked it out, [E&E's updated Power Plan Hub](#) features revised state goal information, Clean Power Plan fact sheets and summaries of reactions from political leaders, state officials and industry interests. [Go to E&E's Power Plan Hub](#).

ENERGYWIRE — Fri., August 21, 2015

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On Gulf Coast, LNG projects run up against wildlife -- and opposition

Sandwiched between the Bahia Grande wetlands and the Las Palomas Wildlife Management Area at the southern tip of Texas lies the Brownsville Ship Channel, a narrow, 17-mile waterway carrying traffic into and out of the Port of Brownsville.

2. ELECTRICITY:

Solar power crosses threshold, gets cheaper than natural gas

Several large solar power plants under construction in the United States have in the past few months promised to do something that none has done before: offer prices equal to or lesser than that of a natural gas-fired power plant, even as gas is abundant and cheap.

ELECTRICITY

3. CLEAN POWER PLAN:

Texas AG seeks EPA halt of carbon rule as litigation threat looms

4. PEOPLE:

PG&E's chief of federal affairs takes on sustainability role

5. ELECTRICITY:

DOJ raises environmental liability concerns over Texas power company's bankruptcy

6. TECHNOLOGY:

Duke to deploy drones to check solar farms, power lines

OIL AND GAS

7. HYDRAULIC FRACTURING:

Court denies longer leases for N.Y. drillers affected by moratorium

8. OFFSHORE DRILLING:

Oil prices rise as a hurricane takes shape

9. HYDRAULIC FRACTURING:

Md. ramps up seismic monitoring ahead of potential drilling

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From: [J Shukla](#)
To: [Edward W Maibach](#)
Subject: Fwd: Letter to the President and Attorney General
Date: Wednesday, September 02, 2015 5:05:26 PM
Attachments: [Final Version Letter to President & AG.docx](#)
[ATT00001.htm](#)

With attachment.

Letter to President Obama and Attorney General

Dear President Obama and Attorney General Lynch,

Based on evidence, an overwhelming majority of climate scientists are convinced about the potentially serious adverse effects of human-induced climate change on our environment and society. We admire and applaud your efforts to regulate emissions. However, as climate scientists we are exceedingly concerned that America's response to climate change – indeed, the world's response to climate change – is currently insufficient to prevent serious and potentially lasting harm to human health and well-being, and to the resources on which all people depend – including agriculture, livestock, biodiversity, safe water supplies, clean air, forests, and eco-systems. These and other serious risks, including increasing extreme weather events, rising sea levels, and increasing ocean acidity – and potential response strategies – are detailed in the Third National Climate Assessment (2014), *Climate Change Impacts in the United States*. The stability of the Earth's climate over the past ten thousand years contributed to the growth of agriculture and therefore, a thriving human civilization. We are now at high risk of seriously destabilizing the Earth's climate – largely as a result of our continued reliance on fossil fuels – the consequences of which would be grave for hundreds or thousands of years to come. We urge you to use all tools available to you, including confronting those who deliberately mislead and foster disinformation campaigns about climate change to the public so that Americans and all other people around the world, especially the world's poorest people, are not needlessly and irreparably harmed for many generations to come. America's leadership is essential.

One such tool – recently proposed by Senator Sheldon Whitehouse – is a RICO (Racketeer Influenced and Corrupt Organizations Act) investigation of corporations and other organizations that have knowingly deceived the American people about the risks of climate change, as a means to forestall America's response to climate change. We are familiar with the actions of these organizations – which have been extensively chronicled in peer-reviewed academic research (Brulle, 2013) and in several recent books: *Doubt is their Product* (Michaels, 2008), *Climate Cover-Up* (Hoggan & Littlemore, 2009), *Merchants of Doubt* (Oreskes & Conway, 2010), *The Climate War* (Pooley, 2010), and in *The Climate Deception Dossiers* (Union of Concerned Scientists, 2015). We strongly endorse Senator Whitehouse's call for a RICO investigation.

A RICO investigation (1999 to 2006) played an important role in stopping the tobacco industry from continuing to deceive the American people about the dangers of smoking. If corporations in the fossil fuel industry and their supporters are guilty of the misdeeds that have been documented in books and journal articles, it is imperative that these misdeeds be stopped as soon as possible so that America – and the world – can get on with the critically important business of finding effective ways to restabilize the Earth's climate, before even more lasting damage is done.

Sincerely,

Jagadish Shukla, George Mason University, Fairfax, VA

Edward Maibach, George Mason University, Fairfax, VA

Barry Klinger, George Mason University, Fairfax, VA

(continued on page 2)

Letter to President Obama and Attorney General

Andrew Light, George Mason University, Fairfax, VA

Paul Schopf, George Mason University, Fairfax, VA

David Straus, George Mason University, Fairfax, VA

Edward Sarachik, University of Washington, Seattle, WA

Michael Wallace, University of Washington, Seattle, WA

Alan Robock, Rutgers University, New Brunswick, NJ

Eugenia Kalnay, University of Maryland, College Park, MD

William Lau, University of Maryland, College Park, MD

Kevin Trenberth, National Center for Atmospheric Research, Boulder, CO

T.N. Krishnamurti, Florida State University, Tallahassee, FL

Vasu Misra, Florida State University, Tallahassee, FL

Robert Dickinson, University of Austin, Austin, TX

Michela Biasutti, Earth Institute, Columbia University, New York, NY

Mark Cane, Columbia University, New York, NY

Lisa Goddard, Earth Institute, Columbia University, New York, NY

Alan Betts, Atmospheric Research, Pittsford, VT

Cc:

Senator xxx (from your state)

Senator yyy (from your state)

Representative zzz (from your congressional district)

From: [J Shukla](#)
To: [Edward W Maibach](#); [Paul A Dirmeyer](#); [Professor Barry Klinger](#); [Andrew Light](#); [Paul S Schopf](#); [David M. Straus](#); [Edward Sarachik](#); [Mike Wallace](#); [Alan Robock](#); [Professor Eugenia Kalnay](#); [Dr. Bill Lau](#); [Dr. Kevin Trenberth](#); [Professor T.N. Krishnamurti](#); [Dr. Vasubandhu Misra](#); [Dr. Robert Dickinson](#); [Dr. Michela Biasutti](#); [Dr. Mark Cane](#); [Dr. Lisa Goddard](#); [Dr. Alan Betts](#)
Subject: Letter to President and Attorney General
Date: Thursday, September 03, 2015 10:00:19 AM
Attachments: [Final Version Letter to President & AG.docx](#)

Dear Friends,

Thank you for agreeing to be a co-signer of the attached letter to the President and Attorney General. Please find attached a slightly revised version of the letter which will be sent as soon as I have received your final concurrence via email. I also plan to send a separate letter to Senator Whitehouse informing him of our letter to the President and Attorney General.

It is not necessary for you to send me a signed letter, please just send me an email confirming your agreement. Thank you.

Regards,
Shukla

Letter to President Obama and Attorney General Lynch

September 1, 2015

Dear President Obama and Attorney General Lynch,

Based on evidence, an overwhelming majority of climate scientists are convinced about the potentially serious adverse effects of human-induced climate change on our environment and society. We admire and applaud your efforts to regulate emissions. However, as climate scientists we are exceedingly concerned that America's response to climate change – indeed, the world's response to climate change – is currently insufficient to prevent serious and potentially lasting harm to human health and well-being, and to the resources on which all people depend – including agriculture, livestock, biodiversity, safe water supplies, clean air, forests, and ecosystems. These and other serious risks, including increasing extreme weather events, rising sea levels, and increasing ocean acidity – and potential response strategies – are detailed in the Third National Climate Assessment (2014), *Climate Change Impacts in the United States*. The stability of the Earth's climate over the past ten thousand years contributed to the growth of agriculture and therefore, a thriving human civilization. We are now at high risk of seriously destabilizing the Earth's climate – largely as a result of our continued reliance on fossil fuels – the consequences of which would be grave for hundreds or thousands of years to come. We urge you to use all tools available to you, including confronting those who deliberately mislead and foster disinformation campaigns about climate change to the public so that Americans and all other people around the world, especially the world's poorest people, are not needlessly and irreparably harmed for many generations to come. America's leadership is essential.

One such tool – recently proposed by Senator Sheldon Whitehouse – is a RICO (Racketeer Influenced and Corrupt Organizations Act) investigation of corporations and other organizations that have knowingly deceived the American people about the risks of climate change, as a means to forestall America's response to climate change. We are familiar with the actions of these organizations – which have been extensively chronicled in peer-reviewed academic research (Brulle, 2013) and in several recent books: *Doubt is their Product* (Michaels, 2008); *Climate Cover-Up* (Hoggan & Littlemore, 2009), *Merchants of Doubt* (Oreskes & Conway, 2010), *The Climate War* (Pooley, 2010), and in *The Climate Deception Dossiers* (Union of Concerned Scientists, 2015). We strongly endorse Senator Whitehouse's call for a RICO investigation.

A RICO investigation (1999 to 2006) played an important role in stopping the tobacco industry from continuing to deceive the American people about the dangers of smoking. If corporations in the fossil fuel industry and their supporters are guilty of the misdeeds that have been documented in books and journal articles, it is imperative that these misdeeds be stopped as soon as possible so that America – and the world – can get on with the critically important business of finding effective ways to restabilize the Earth's climate, before even more lasting damage is done.

Sincerely,

Jagadish Shukla, George Mason University, Fairfax, VA

Edward Maibach, George Mason University, Fairfax, VA

Paul Dirmeyer, George Mason University, Fairfax, VA

(continued on page 2)

Letter to President Obama and Attorney General Lynch

Barry Klinger, George Mason University, Fairfax, VA

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Mark Cane, Columbia University, New York, NY

Lisa Goddard, Earth Institute, Columbia University, New York, NY

Alan Betts, Atmospheric Research, Pittsford, VT

From: [Cane Mark](#)
To: [J Shukla](#)
Cc: [Edward W. Maibach](#); [Paul A Dirmeyer](#); [Professor Barry Klinger](#); [Andrew Light](#); [Paul S. Schopf](#); [David M. Straus](#); [Edward Sarachik](#); [Mike Wallace](#); [Robock Alan](#); [Kalnay Eugenia](#); [Dr. Bill Lau](#); [Dr. Kevin Trenberth](#); [Professor T.N. Krishnamurti](#); [Dr. Vasubandhu Misra](#); [Dr. Robert Dickinson](#); [Biasutti Michela](#); [Goddard Lisa](#); [Dr. Alan Betts](#)
Subject: Re: Letter to President and Attorney General
Date: Thursday, September 03, 2015 12:10:38 PM
Attachments: [Final Version Letter to President & AG.docx](#)
[ATT00001.htm](#)

Dear Shukla,

You have my endorsement of this letter and any other version involving further wordsmithing. I agree with most of Kevin's suggestions. I have attached an edited version that cuts from the first paragraph a good bit of what Obama et al already know. I also put in greater acknowledgement of what the Administration is already doing. You can take this or leave these changes, but they are busy people and have heard the message and get it. The RICO part is the new thing.

I agree with Kevin to send it to Obama, Lynch, Holdren, and cc Whitehouse.

Thanks for doing this,
Mark

Letter to President Obama and Attorney General Lynch

September 1, 2015

Dear President Obama and Attorney General Lynch,

~~Based-As you know, on evidence,~~ an overwhelming majority of climate scientists are convinced about the potentially serious adverse effects of human-induced climate change on our environment and society. We admire and applaud your efforts to regulate emissions and the other steps you have taken and are taking. ~~However~~ Nonetheless, as climate scientists we are exceedingly concerned that America's response to climate change – indeed, the world's response to climate change – is ~~currently~~ insufficient to prevent serious and potentially lasting harm to human health and well-being, and to the resources on which all people depend – including agriculture, livestock, biodiversity, safe water supplies, clean air, forests, and eco-systems. These and other serious risks, including increasing extreme weather events, rising sea levels, and increasing ocean acidity – and potential response strategies – are detailed in the Third National Climate Assessment (2014), *Climate Change Impacts in the United States*. ~~The stability of the Earth's climate over the past ten thousand years contributed to the growth of agriculture and therefore, a thriving human civilization. We are now at high risk of seriously destabilizing the Earth's climate—largely as a result of our continued reliance on fossil fuels—the consequences of which would be grave for hundreds or thousands of years to come. We urge you to use all tools available to you, including confronting those who deliberately mislead and foster disinformation campaigns about climate change to the public so that Americans and all other people around the world, especially the world's poorest people, are not needlessly and irreparably harmed for many generations to come. America's leadership is essential.~~

We appreciate that you are making aggressive and imaginative use of the limited tools available to you in the face of a recalcitrant Congress. One ~~such~~ additional tool – recently proposed by Senator Sheldon Whitehouse – is a RICO (Racketeer Influenced and Corrupt Organizations Act) investigation of corporations and other organizations that have knowingly deceived the American people about the risks of climate change, as a means to forestall America's response to climate change. ~~We are familiar with the~~ The actions of these organizations—~~which~~ have been extensively ~~chronicled~~ documented in peer-reviewed academic research (Brulle, 2013) and in ~~several~~ recent books including: *Doubt is their Product* (Michaels, 2008), *Climate Cover-Up* (Hoggan & Littlemore, 2009), *Merchants of Doubt* (Oreskes & Conway, 2010), *The Climate War* (Pooley, 2010), and in *The Climate Deception Dossiers* (Union of Concerned Scientists, 2015). We strongly endorse Senator Whitehouse's call for a RICO investigation.

The methods of these organizations are quite similar to those used earlier by the tobacco industry. A RICO investigation (1999 to 2006) played an important role in stopping the tobacco industry from continuing to deceive the American people about the dangers of smoking. If corporations in the fossil fuel industry and their supporters are guilty of the misdeeds that have been documented in books and journal articles, it is imperative that these misdeeds be stopped as soon as possible so that America—and the world—can get on with the critically important business of finding effective ways to restabilize the Earth's climate, before even more lasting damage is done.

Sincerely,

Jagadish Shukla, George Mason University, Fairfax, VA

Letter to President Obama and Attorney General Lynch

Edward Maibach, George Mason University, Fairfax, VA

Paul Dirmeyer, George Mason University, Fairfax, VA

(continued on page 2)

Barry Klinger, George Mason University, Fairfax, VA

Andrew Light, George Mason University, Fairfax, VA

Paul Schopf, George Mason University, Fairfax, VA

David Straus, George Mason University, Fairfax, VA

Edward Sarachik, University of Washington, Seattle, WA

Michael Wallace, University of Washington, Seattle, WA

Alan Robock, Rutgers University, New Brunswick, NJ

Eugenia Kalnay, University of Maryland, College Park, MD

William Lau, University of Maryland, College Park, MD

Kevin Trenberth, National Center for Atmospheric Research, Boulder, CO

T.N. Krishnamurti, Florida State University, Tallahassee, FL

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Michela Biasutti, Earth Institute, Columbia University, New York, NY

Mark Cane, Columbia University, New York, NY

Lisa Goddard, Earth Institute, Columbia University, New York, NY

Alan Betts, Atmospheric Research, Pittsford, VT

From: Eugenia Kalnay
To: Cane Mark
Cc: J Shukla; Edward W Maibach; Paul A Dirmeyer; Professor Barry Klinger; Andrew Light; Paul S Schopf; David M. Straus; Edward Sarachik; Mike Wallace; Robock Alan; Eugenia E. Kalnay; William K.M. Lau; Dr. Kevin Trenberth; Professor T.N. Krishnamurti; Dr. Vasubandhu Misra; Dr. Robert Dickinson; Biasutti Michela; Goddard Lisa; Dr. Alan Betts
Subject: Re: Letter to President and Attorney General
Date: Thursday, September 03, 2015 1:03:48 PM
Attachments: Final_Version_Letter to President & AG-MC-EK.docx

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Thank you very much for doing this!

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<http://www.sciencedirect.com/science/article/pii/S0921800914000615>

(HANDY model)

<http://www.aosc.umd.edu/~ekalnay/Population-WCRP-Kalnay3.pdf>

(15min talk at WCRP on the Human System and Climate Change)

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Distinguished University Professor
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3431 CSS, College Park, MD 20742-2425
W: 301-405-5370/5391 Fax: 301-314-9482

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<Final_Version_Letter to President & AG.docx>

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Letter to President Obama and Attorney General Lynch

September 1, 2015

Dear President Obama and Attorney General Lynch,

~~Based As you know, on evidence,~~ an overwhelming majority of climate scientists are convinced about the potentially serious adverse effects of human-induced climate change on our environment and society. We ~~admire and~~ applaud your ~~efforts to regulate emissions and the other steps you~~ have taken and are taking. ~~However~~ Nonetheless, as climate scientists we are exceedingly concerned that America's response to climate change – indeed, the world's response to climate change – is ~~currently~~ insufficient to prevent serious and potentially lasting harm to human health and well-being, and to the resources on which all people depend – including agriculture, livestock, biodiversity, safe water supplies, clean air, forests, and eco-systems. These and other serious risks, including increasing extreme weather events, rising sea levels, and increasing ocean acidity – and potential response strategies – are detailed in the Third National Climate Assessment (2014), *Climate Change Impacts in the United States*. ~~The stability of the Earth's climate over the past ten thousand years contributed to the growth of agriculture and therefore, a thriving human civilization. We are now at high risk of seriously destabilizing the Earth's climate—largely as a result of our continued reliance on fossil fuels—the consequences of which would be grave for hundreds or thousands of years to come. We urge you to use all tools available to you, including confronting those who deliberately mislead and foster disinformation campaigns about climate change to the public so that Americans and all other people around the world, especially the world's poorest people, are not needlessly and irreparably harmed for many generations to come. America's leadership is essential.~~

Comment [EK1]: He just gave permission to Shell to explore for oil in the Arctic

Comment [EK2]: I would leave this paragraph in: we need this climate view.

Comment [EK3]:

~~We appreciate that you are making aggressive and imaginative use of the limited tools available to you in the face of a recalcitrant Congress. One such additional tool – recently proposed by Senator Sheldon Whitehouse – is a RICO (Racketeer Influenced and Corrupt Organizations Act) investigation of corporations and other organizations that have knowingly deceived the American people about the risks of climate change, as a means to forestall America's response to climate change. We are familiar with the~~ The actions of these organizations—~~which~~ have been extensively ~~chronicled~~ documented in peer-reviewed academic research (Brulle, 2013) and in several recent books including: *Doubt is their Product* (Michaels, 2008), *Climate Cover-Up* (Hoggan & Littlemore, 2009), *Merchants of Doubt* (Oreskes & Conway, 2010), *The Climate War* (Pooley, 2010), and in *The Climate Deception Dossiers* (Union of Concerned Scientists, 2015). We strongly endorse Senator Whitehouse's call for a RICO investigation.

~~The methods of these organizations are quite similar to those used earlier by the tobacco industry. A RICO investigation (1999 to 2006) played an important role in stopping the tobacco industry from continuing to deceive the American people about the dangers of smoking. If corporations in the fossil fuel industry and their supporters are guilty of the misdeeds that have been documented in books and journal articles, it is imperative that these misdeeds be stopped as soon as possible so that America—and the world—can get on with the critically important business of finding effective ways to restabilize the Earth's climate, before even more lasting damage is done.~~

Sincerely,

Jagadish Shukla, George Mason University, Fairfax, VA

Letter to President Obama and Attorney General Lynch

Edward Maibach, George Mason University, Fairfax, VA

Paul Dirmeyer, George Mason University, Fairfax, VA

(continued on page 2)

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Subject: Re: Letter to President and Attorney General
Date: Thursday, September 03, 2015 2:00:16 PM

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Shukla

<Final_Version_Letter to President & AG.docx>

Mark A. Cane
G. Unger Vetlesen Professor of Earth and Climate Sciences
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mcane@ldeo.columbia.edu Secretary: Virginia DiBlasi
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From: Kevin Trenberth
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Subject: Re: Letter to President and Attorney General
Date: Thursday, September 03, 2015 2:01:13 PM

Maybe it should be Johnson and Johnson? from their web page:<http://www.jnj.com/caring/citizenship-sustainability>

Our mission is to help people live longer, healthier and happier lives. Our Credo defines our responsibilities to: the patients and consumers we serve, our employees, the communities in which we live and work, and to our shareholders. Our citizenship and sustainability practices are an important part of those responsibilities, and we take this work very seriously.

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Kevin E Trenberth
Distinguished Senior Scientist
Climate Analysis Section
National Center for Atmospheric Research
PO Box 3000
Boulder, CO 80307, USA

ph 303 497 1318
fax 303 497 1333
email trenbert@ucar.edu

From: Cane Mark
To: Kevin Trenberth
Cc: Eugenia Kalnay; J Shukla; Edward W Maibach; Paul A Dirmeyer; Professor Barry Klinger; Andrew Light; Paul S Schopf; David M. Straus; Edward Sarachik; Mike Wallace; Robock Alan; William K.M. Lau; Professor T.N. Krishnamurti; Dr. Vasubandhu Misra; Dr. Robert Dickinson; Biasutti Michela; Goddard Lisa; Dr. Alan Betts
Subject: Re: Letter to President and Attorney General
Date: Thursday, September 03, 2015 2:18:52 PM

On Sep 3, 2015, at 2:01 PM, Kevin Trenberth <trenbert@ucar.edu> wrote:

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Fair enough. And we will not mention the school of historians who attribute many agricultural advances to Holocene climate crises.

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From: [Edward Sarachik](#)
To: [J Shukla](#)
Cc: [Edward W Maibach](#); [Paul A Dirmeyer](#); [Professor Barry Klinger](#); [Andrew Light](#); [Paul S Schopf](#); [David M. Straus](#); [Mike Wallace](#); [Alan Robock](#); [Professor Eugenia Kalnay](#); [Dr. Bill Lau](#); [Dr. Kevin Trenberth](#); [Professor T.N. Krishnamurti](#); [Dr. Vasubandhu Misra](#); [Dr. Robert Dickinson](#); [Dr. Michela Biasutti](#); [Dr. Mark Cane](#); [Dr. Lisa Goddard](#); [Dr. Alan Betts](#)
Subject: Re: Letter to President and Attorney General
Date: Thursday, September 03, 2015 2:40:15 PM

Dear Shukla: I am happy to be a co-signer in whatever form the letter will eventually take. Question: Does the RICO law only apply to organizations or are individuals also liable? Cheers..ed

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Edward S. Sarachik
CIG/UW
3737 Brooklyn Ave.
Box 355674
Seattle, WA 98195-5674
Phone 206-285-5221

From: J Shukla
To: [Edward W. Maibach](#); [Paul A. Dirmeyer](#); [Professor Barry Klinger](#); [Paul S. Schopf](#); [David M. Straus](#); [Edward Sarachik](#); [Mike Wallace](#); [Alan Robock](#); [Professor Eugenia Kalnay](#); [Ben Kirtman](#); [Dr. Bill Lau](#); [Dr. Kevin Trenberth](#); [Professor T.N. Krishnamurti](#); [Dr. Vasubandhu Misra](#); [Dr. Robert Dickinson](#); [Dr. Michela Biasutti](#); [Dr. Mark Cane](#); [Dr. Lisa Goddard](#); [Dr. Alan Betts](#)
Subject: Final Letter to President, AG, and OSTP Director
Date: Wednesday, September 09, 2015 4:19:02 PM
Attachments: [Letter to Pres. AG, Holdren_Final.docx](#)

Dear Friends,

Please find enclosed a copy of the final letter. Thank you for your support.

Regards,
Shukla

Letter to President Obama, Attorney General Lynch, and OSTP Director Holdren

September 1, 2015

Dear President Obama, Attorney General Lynch, and OSTP Director Holdren,

As you know, an overwhelming majority of climate scientists are convinced about the potentially serious adverse effects of human-induced climate change on human health, agriculture, and biodiversity. We applaud your efforts to regulate emissions and the other steps you are taking. Nonetheless, as climate scientists we are exceedingly concerned that America's response to climate change – indeed, the world's response to climate change – is insufficient. The risks posed by climate change, including increasing extreme weather events, rising sea levels, and increasing ocean acidity – and potential strategies for addressing them – are detailed in the Third National Climate Assessment (2014), *Climate Change Impacts in the United States*. The stability of the Earth's climate over the past ten thousand years contributed to the growth of agriculture and therefore, a thriving human civilization. We are now at high risk of seriously destabilizing the Earth's climate and irreparably harming people around the world, especially the world's poorest people.

We appreciate that you are making aggressive and imaginative use of the limited tools available to you in the face of a recalcitrant Congress. One additional tool – recently proposed by Senator Sheldon Whitehouse – is a RICO (Racketeer Influenced and Corrupt Organizations Act) investigation of corporations and other organizations that have knowingly deceived the American people about the risks of climate change, as a means to forestall America's response to climate change. The actions of these organizations have been extensively documented in peer-reviewed academic research (Brulle, 2013) and in recent books including: *Doubt is their Product* (Michaels, 2008), *Climate Cover-Up* (Hoggan & Littlemore, 2009), *Merchants of Doubt* (Oreskes & Conway, 2010), *The Climate War* (Pooley, 2010), and in *The Climate Deception Dossiers* (Union of Concerned Scientists, 2015). We strongly endorse Senator Whitehouse's call for a RICO investigation.

The methods of these organizations are quite similar to those used earlier by the tobacco industry. A RICO investigation (1999 to 2006) played an important role in stopping the tobacco industry from continuing to deceive the American people about the dangers of smoking. If corporations in the fossil fuel industry and their supporters are guilty of the misdeeds that have been documented in books and journal articles, it is imperative that these misdeeds be stopped as soon as possible so that America and the world can get on with the critically important business of finding effective ways to restabilize the Earth's climate, before even more lasting damage is done.

Sincerely,

Jagadish Shukla, George Mason University, Fairfax, VA

Edward Maibach, George Mason University, Fairfax, VA

Paul Dirmeyer, George Mason University, Fairfax, VA

Barry Klinger, George Mason University, Fairfax, VA

Paul Schopf, George Mason University, Fairfax, VA

(continued on page 2)

Letter to President Obama, Attorney General Lynch, and OSTP Director Holdren

David Straus, George Mason University, Fairfax, VA

Edward Sarachik, University of Washington, Seattle, WA

Michael Wallace, University of Washington, Seattle, WA

Alan Robock, Rutgers University, New Brunswick, NJ

Eugenia Kalnay, University of Maryland, College Park, MD

William Lau, University of Maryland, College Park, MD

Kevin Trenberth, National Center for Atmospheric Research, Boulder, CO

T.N. Krishnamurti, Florida State University, Tallahassee, FL

Vasu Misra, Florida State University, Tallahassee, FL

Ben Kirtman, University of Miami, Miami, FL

Robert Dickinson, University of Texas, Austin, TX

Michela Biasutti, Earth Institute, Columbia University, New York, NY

Mark Cane, Columbia University, New York, NY

Lisa Goddard, Earth Institute, Columbia University, New York, NY

Alan Betts, Atmospheric Research, Pittsford, VT

From: E&E Publishing
To: Edward W Maibach
Subject: September 11 -- Greenwire is ready
Date: Friday, September 11, 2015 1:33:33 PM

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AN E&E PUBLISHING SERVICE

GREENWIRE — Fri., September 11, 2015

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Study finds severe blazes less common in today's forests

3. FEDERAL AGENCIES:

Employment, whistleblower complaints rise sharply -- report

4. ENDANGERED SPECIES:

Habitat fixes, captive breeding rescue 'Peter Cottontail'

CONGRESS

5. CLEAN POWER PLAN:

House panel scrutinizes rule's health benefits

6. WATER POLLUTION:

Government failing to assess mine contamination -- GAO

POLITICS

7. WATER POLLUTION:

Mine owner accuses EPA of lying about Colo. spill

8. EPA:

Union officials brace for shutdown

NATURAL RESOURCES

9. WILDFIRES:

Calif. blaze threatens towns, giant sequoias

10. SCIENCE:

Massive USGS stream study targets future droughts

11. WEATHER:

Strong El Niño all but guaranteed -- NWS

LAW

12. WATER POLICY:

States renew legal efforts to block WOTUS

13. HYDRAULIC FRACTURING:

1st of 2 Texas fracking ban lawsuits dismissed

CLIMATE CHANGE

14. BUSINESS:

Shell leaves British climate lobby over Arctic drilling

15. POLITICS:

Calif. university system sells off coal, oil sands stock

16. ADVOCACY:

Tutu climate change petition heating up

ENERGY

17. OIL:

Prices could hit \$20 a barrel -- analysts

18. NUCLEAR:

San Onofre owner asks to keep settlement deal

19. COAL:

States oppose Patriot reorganization over enviro concerns

AIR AND WATER

20. AIR POLLUTION:

Northeastern regulators gird for tighter ozone standard

21. OFFSHORE DRILLING:

Worker response blamed in 2013 Gulf blowout -- Interior

22. AIR POLLUTION:

Houston-area plant accused of excess SO2 pollution

STATES

23. CALIFORNIA:

Chunk of ice from sky crashes through garage roof

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24. OIL:

***E&E Daily's* Northey talks politics, momentum on export bill**

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From: J Shukla
To: [John P. Holdren@ostp.eop.gov](mailto:John.P.Holdren@ostp.eop.gov); [Patricia M. McLaughlin@ostp.eop.gov](mailto:Patricia.M.McLaughlin@ostp.eop.gov)
Cc: [Edward W Maibach](#); [Paul A Dirmeyer](#); [Professor Barry Klinger](#); [Paul S Schopf](#); [David M. Straus](#); [Edward Sarachik](#); [Mike Wallace](#); [Alan Robock](#); [Professor Eugenia Kalnay](#); [Dr. Ben Kirtman](#); [Dr. Bill Lau](#); [Dr. Kevin Trenberth](#); [Professor T.N. Krishnamurti](#); [Dr. Vasubandhu Misra](#); [Dr. Robert Dickinson](#); [Dr. Michela Biasutti](#); [Dr. Mark Cane](#); [Dr. Lisa Goddard](#); [Dr. Alan Betts](#); [Sheldon Whitehouse](#); [Joseph Majkut](#); [Lara Quint](#)
Subject: Letter to President, AG, and OSTP Director
Date: Monday, September 14, 2015 11:18:52 AM
Attachments: [Letter to Pres, AG, Holdren_Final.docx](#)
[ATT00001.htm](#)

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It has been a long time since I have had email correspondence with you. I do hope this email will reach your office.

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J. Shukla

University Professor, George Mason University
President, Institute of Global Environment & Society
Research Hall, Room 105
George Mason University, MSN: 2B3
[4400 University Drive](#)
[Fairfax, VA 22030 USA](#)

Tel: [703-993-5700](tel:703-993-5700)
E-mail: shukla@iges.org
<http://www.iges.org/>

Letter to President Obama, Attorney General Lynch, and OSTP Director Holdren

September 1, 2015

Dear President Obama, Attorney General Lynch, and OSTP Director Holdren,

As you know, an overwhelming majority of climate scientists are convinced about the potentially serious adverse effects of human-induced climate change on human health, agriculture, and biodiversity. We applaud your efforts to regulate emissions and the other steps you are taking. Nonetheless, as climate scientists we are exceedingly concerned that America's response to climate change – indeed, the world's response to climate change – is insufficient. The risks posed by climate change, including increasing extreme weather events, rising sea levels, and increasing ocean acidity – and potential strategies for addressing them – are detailed in the Third National Climate Assessment (2014), *Climate Change Impacts in the United States*. The stability of the Earth's climate over the past ten thousand years contributed to the growth of agriculture and therefore, a thriving human civilization. We are now at high risk of seriously destabilizing the Earth's climate and irreparably harming people around the world, especially the world's poorest people.

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(continued on page 2)

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David Straus, George Mason University, Fairfax, VA

Edward Sarachik, University of Washington, Seattle, WA

Michael Wallace, University of Washington, Seattle, WA

Alan Robock, Rutgers University, New Brunswick, NJ

Eugenia Kalnay, University of Maryland, College Park, MD

William Lau, University of Maryland, College Park, MD

Kevin Trenberth, National Center for Atmospheric Research, Boulder, CO

T.N. Krishnamurti, Florida State University, Tallahassee, FL

Vasu Misra, Florida State University, Tallahassee, FL

Ben Kirtman, University of Miami, Miami, FL

Robert Dickinson, University of Texas, Austin, TX

Michela Biasutti, Earth Institute, Columbia University, New York, NY

Mark Cane, Columbia University, New York, NY

Lisa Goddard, Earth Institute, Columbia University, New York, NY

Alan Betts, Atmospheric Research, Pittsford, VT

From: [Eugenia Kalnay](#)
To: [J Shukla](#)
Cc: [Edward W Maibach](#); [Paul A Dirmeyer](#); [Professor Barry Klinger](#); [Paul S Schopf](#); [David M. Straus](#); [Edward Sarachik](#); [Mike Wallace](#); [Alan Robock](#); [Eugenia E. Kalnay](#); [Dr. Ben Kirtman](#); [William K.M. Lau](#); [Dr. Kevin Trenberth](#); [Professor T.N. Krishnamurti](#); [Dr. Vasubandhu Misra](#); [Dr. Robert Dickinson](#); [Dr. Michela Biasutti](#); [Dr. Mark Cane](#); [Dr. Lisa Goddard](#); [Dr. Alan Betts](#)
Subject: Re: Letter to President, AG, and OSTP Director
Date: Monday, September 14, 2015 12:10:26 PM

Dear Shukla:
Wow!
Great email and great letter!
(and great idea!)
Thanks for doing this!
Eugenia

--
<http://www.sciencedirect.com/science/article/pii/S0921800914000615>
(HANDY model)
<http://www.aosc.umd.edu/~ekalnay/Population-WCRP-Kalnay3.pdf>
(15min talk at WCRP on the Human System and Climate Change)

--
Eugenia Kalnay
Distinguished University Professor
Dept of Atmospheric and Oceanic Science
University of Maryland
3431 CSS, College Park, MD 20742-2425
W: [301-405-5370](tel:301-405-5370)/5391 Fax:[301-314-9482](tel:301-314-9482)

On Mon, Sep 14, 2015 at 11:18 AM, J Shukla <shukla@iges.org> wrote:

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Regards,
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University Professor, George Mason University
President, Institute of Global Environment & Society

Research Hall, Room 105
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4400 University Drive
Fairfax, VA 22030 USA

Tel: [703-993-5700](tel:703-993-5700)
E-mail: shukla@iges.org
<http://www.iges.org/>

On Sep 9, 2015, at 4:11 PM, J Shukla <shukla@iges.org> wrote:

Dear Friends,

Please find enclosed a copy of the final letter. Thank you for your support.

Regards,
Shukla

<Letter to Pres, AG, Holdren_Final.docx>

From: Cane Mark
To: J Shukla
Cc: John P. Holdren@ostp.eop.gov; Patricia M. McLaughlin@ostp.eop.gov; Edward W. Malbach; Paul A. Dirmeyer; Professor Barry Klinger; Paul S. Schoof; David M. Straus; Edward Sarachik; Mike Wallace; Robock Alan; Kalnay, Eugenia; Kirtman Ben; Dr. Bill Lau; Dr. Kevin Trenberth; Professor T.N. Krishnamurti; Dr. Vasubandhu Misra; Dr. Robert Dickinson; Biasutti Michela; Goddard Lisa; Dr. Alan Betts; Sheldon Whitehouse; Joseph Malkut; Lara Quint
Subject: Re: Letter to President, AG, and OSTP Director
Date: Thursday, September 17, 2015 11:40:11 AM

In case you missed this initial article on Exxon:

<http://insideclimatenews.org/news/15092015/frontline-video>

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[Fairfax, VA 22030 USA](http://www.iges.org/)

Tel: [703-993-5700](tel:703-993-5700)
E-mail: shukla@iges.org
<http://www.iges.org/>

<Letter to Pres, AG, Holdren_Final.docx>

On Sep 9, 2015, at 4:11 PM, J Shukla <shukla@iges.org> wrote:

Dear Friends,

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Regards,
Shukla

<Letter to Pres, AG, Holdren_Final.docx>

Mark A. Cane
G. Unger Vetlesen Professor of Earth and Climate Sciences
Lamont-Doherty Earth Observatory of Columbia University
61 Route 9W
Palisades, NY 10964-8000

mcane@ldeo.columbia.edu Secretary: Virginia DiBlasi
845 365 8344 (phone) 845 365 8667
845 365 8736 (fax) virginia@ldeo.columbia.edu
<http://www.ldeo.columbia.edu/research/ocean-climate-physics>

Department of Earth and Environmental Science <http://eesc.columbia.edu/>
Department of Applied Physics and Applied Math
Founder, Master of Arts Program in Climate and Society:
<http://www.columbia.edu/cu/climatesociety/>

From: Kevin Trenberth
To: Cane Mark; J Shukla
Cc: John P. Holdren@ostp.eop.gov; Patricia M. McLaughlin@ostp.eop.gov; Edward W Malbach; Paul A Dirmeyer; Professor Barry Klinger; Paul S Schopf; David M. Sbraus; Edward Sarachik; Mike Wallace; Robock Alan; Kalnay Eugenia; Kirtman Ben; Dr. Bill Lau; Professor T.N. Krishnamurti; Dr. Vasubandhu Misra; Dr. Robert Dickinson; Biasutti Michela; Goddard Lisa; Dr. Alan Betts; Sheldon Whitehouse; Joseph Majkut; Lara Quint
Subject: Re: Letter to President, AG, and OSTP Director
Date: Thursday, September 17, 2015 11:45:52 AM

From Climate Nexus:

Documenting Dangers, Doing Nothing: Exxon supported scientists conducted pioneering research into fossil fuels' role in climate change back in the 1970s. But when scientists warned management that addressing climate issues through policy change could affect their profitability, Exxon began a decades-long campaign to discredit the research. The second in a multi-part series from InsideClimate News reveals how an early culture of elite scientific exploration was abandoned by a corporate agenda that sought to hide the truth and cover up the potentially catastrophic implications of business-as-usual. (News: [InsideClimate News](#), [The Hill](#), [Newsweek](#), [PBS](#), [Fortune](#)) **Commentary:** [New York Times](#), [Andrew Revkin column](#), [Inverse](#), [Jacqueline Ronson column](#), [Grist](#), [Katie Herzog column](#), [Wired](#), [Sarah Zhang column](#))

On 9/17/15 9:38 AM, Cane Mark wrote:

In case you missed this initial article on Exxon:

<http://insideclimatenews.org/news/15092015/frontline-video>

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Fairfax, VA 22030 USA

Tel: 703-993-5700
E-mail: shukla@iges.org
http://www.iges.org/

<Letter to Pres, AG, Holdren_Final.docx>

On Sep 9, 2015, at 4:11 PM, J Shukla
<shukla@iges.org> wrote:

Dear Friends,

Please find enclosed a copy of the final letter. Thank you
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Regards,
Shukla

<Letter to Pres, AG, Holdren_Final.docx>

Mark A. Cane
G. Unger Vetlesen Professor of Earth and Climate Sciences
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http://www.ldeo.columbia.edu/research/ocean-climate-physics

Department of Earth and Environmental Science http://eesc.columbia.edu/
Department of Applied Physics and Applied Math
Founder, Master of Arts Program in Climate and Society:
http://www.columbia.edu/cu/climatesociety/

--

Kevin E Trenberth
Distinguished Senior Scientist
Climate Analysis Section
National Center for Atmospheric Research
PO Box 3000
Boulder, CO 80307, USA

ph 303 497 1318

fax 303 497 1333

email trenbert@ucar.edu

From: marcmorano@gmail.com on behalf of [Marc Morano](#)
To: [Edward W. Malbach](#)
Subject: Just confirming, did you knowingly sign this RICO climate letter?
Date: Thursday, September 17, 2015 5:01:12 PM

<http://www.climatedepot.com/2015/09/17/twenty-climate-scientists-including-top-un-scientist-call-for-rico-investigation-of-climate-skeptics-in-a-letter-to-obama-argue-skeptics-guilty-of-disinformation-like-tobacco-companies/>

Thanks
Marc Morano

From: Kevin Trenberth
To: Edward W Maibach; Cane Mark; J Shukla
Cc: John P. Holdren@ostp.eop.gov; Patricia M. McLaughlin@ostp.eop.gov; Paul A Dirmeyer; Professor Barry Klinger; Paul S Schopf; David M. Straus; Edward Sarachik; Mike Wallace; Robock Alan; Kalnay Eugenia; Kirtman Ben; Dr. Bill Lau; Professor T.N. Krishnamurti; Dr. Vasubandhu Misra; Dr. Robert Dickinson; Biasutti Michela; Goddard Lisa; Dr. Alan Betts; Sheldon Whitehouse; Joseph Majkut; Lara Quint
Subject: Re: Letter to President, AG, and OSTP Director
Date: Thursday, September 17, 2015 5:21:11 PM

That is the least of it:

Oh, it's particularly bad this time because it's been picked up by

Twitchoy: <http://twitchoy.com/2015/09/17/alarmists-enraged-20-climate-scientists-ask-obama-to-use-the-rico-act-to-go-after-global-warming-skeptics/>

I am getting hate e-mails and phone calls.

Kevin

On 9/17/15 3:19 PM, Edward W Maibach wrote:

From Marc Morano at Climate Depot:

<http://www.climatedepot.com/2015/09/17/twenty-climate-scientists-including-top-un-scientist-call-for-rico-investigation-of-climate-skeptics-in-a-letter-to-obama-argue-skeptics-guilty-of-disinformation-like-tobacco-companies/>



Debate no more! Jailed for scientific dissent?! Twenty climate scientists, including Top UN scientist, call for RICO investigation of climate skeptics in letter to Obama |

Climate Depot

Top UN scientist Dr. Kevin Trenberth and 19 other scientists have become so tired of debating global warming that they are now apparently seeking to jail those who disagree with them. One of the sc...

[Read more...](#)

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8

Fairfax, VA 22030
www.climatechangecommunication.org

From: Kevin Trenberth <trenbert@ucar.edu>
Sent: Thursday, September 17, 2015 11:45 AM
To: Cane Mark; J Shukla
Cc: John_P_Holdren@ostp.eop.gov; Patricia_M_McLaughlin@ostp.eop.gov; Edward W Maibach; Paul A Dirmeyer; Professor Barry Klinger; Paul S Schopf; David M. Straus; Edward Sarachik; Mike Wallace; Robock Alan; Kalnay Eugenia; Kirtman Ben; Dr. Bill Lau; Professor T.N. Krishnamurti; Dr. Vasubandhu Misra; Dr. Robert Dickinson; Biasutti Michela; Goddard Lisa; Dr. Alan Betts; Sheldon Whitehouse; Joseph Majkut; Lara Quint
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Department of Earth and Environmental Science <http://eesc.columbia.edu/>
Department of Applied Physics and Applied Math
Founder, Master of Arts Program in Climate and Society:
<http://www.columbia.edu/cu/climatesociety/>

--

Kevin E Trenberth ph 303
497 1318
Distinguished Senior Scientist fax 303
497 1333
Climate Analysis Section email
trenbert@ucar.edu
National Center for Atmospheric Research
PO Box 3000
Boulder, CO 80307, USA

--

Kevin E Trenberth ph 303 497 1318
Distinguished Senior Scientist fax 303 497 1333
Climate Analysis Section email trenbert@ucar.edu
National Center for Atmospheric Research
PO Box 3000
Boulder, CO 80307, USA

From: Sheldon Whitehouse
To: Kevin Trenberth; Edward W Maibach; Cane Mark; J Shukla
Cc: John_P._Holdren@ostp.eop.gov; Patricia_M._McLaughlin@ostp.eop.gov; Paul A Dirmeyer; Professor Barry Klinger; Paul S Schopf; David M. Straus; Edward Sarachik; Mike Wallace; Robock Alan; Kalnay Eugenia; Kirtman Ben; Dr. Bill Lau; Professor T.N. Krishnamurti; Dr. Vasubandhu Misra; Dr. Robert Dickinson; Biasutti Michela; Goddard Lisa; Dr. Alan Betts; Joseph Majkut; Lara Quint
Subject: Re: Letter to President, AG, and OSTP Director
Date: Thursday, September 17, 2015 5:55:22 PM

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skeptics in letter to Obama | Climate Depot

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Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication
George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: Kevin Trenberth <trenbert@ucar.edu>
Sent: Thursday, September 17, 2015 11:45 AM
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Regards,
J. Shukla

University Professor, George Mason University
President, Institute of Global Environment & Society
Research Hall, Room 105
George Mason University, MSN: 2B3
[4400 University Drive](#)
[Fairfax, VA 22030 USA](#)

Tel: [703-993-5700](tel:703-993-5700)

E-mail: shukla@iges.org
<http://www.iges.org/>

<Letter to Pres, AG, Holdren_Final.docx>

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Please find enclosed a copy of the final
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Shukla

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G. Unger Vetlesen Professor of Earth and Climate Sciences
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mcane@ldeo.columbia.edu Secretary: Virginia DiBlasi
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845 365 8736 (fax) virginia@ldeo.columbia.edu
<http://www.ldeo.columbia.edu/research/ocean-climate-physics>

Department of Earth and Environmental Science <http://eesc.columbia.edu/>
Department of Applied Physics and Applied Math
Founder, Master of Arts Program in Climate and Society:
<http://www.columbia.edu/cu/climatesociety/>

--
Kevin E Trenberth
497 1318

ph 303

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Subject: Re: Letter to President, AG, and OSTP Director
Date: Thursday, September 17, 2015 6:29:21 PM

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I am, unfortunately, a veteran at these sorts of attacks. To those of you on this message, my strong advice is not to take them personally. Think of this as the bad side of politics.
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Cc: Sheldon Whitehouse; Edward W Maibach; Mark Cane; J Shukla; John P Holdren@ostp.eop.gov; Patricia M McLaughlin@ostp.eop.gov; Paul A Dirmeyer; Barry Klinger; David M Straus; Edward Sarachik; Mike Wallace; Robock Alan; Eugenia Kalnay; Ben Kirtman; Dr Bill Lau; Professor T.N. Krishnamurti; Dr. Vasubandhu Misra; Dr. Robert Dickinson; Biasutti Michela; Goddard Lisa; Dr. Alan Betts; Joseph Majkut; Lara Quint
Subject: Re: Letter to President, AG, and OSTP Director
Date: Thursday, September 17, 2015 7:01:29 PM

Thanks for the advice, Kevin.

There are many bad sides of politics.

Paul Schopf
Professor, Dept of Atmospheric, Oceanic and Earth Sciences

On Sep 17, 2015, at 5:58 PM, Kevin Trenberth <trenbert@ucar.edu> wrote:

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Department of Earth and Environmental Science <http://eesc.columbia.edu/>
Department of Applied Physics and Applied Math
Founder, Master of Arts Program in Climate and Society:
<http://www.columbia.edu/eis/climate/soa/>

From: JEFFREY
To: Edward W Maibach
Subject: Perpetrating a Massive Fraud
Date: Friday, September 18, 2015 8:46:58 PM

Dear Mr. Maibach:

How does an individual possessing a BA in Social Psychology, Masters in Public Health and a Doctorate in Communication Research become a scientist? One that also secures a \$3 million research grant to assist weathercasters on how to explain climate change (formally promoted as extreme global warming before it was proved to be a hoax).

A scholar from the land of fruits and nuts majoring in worthless degrees and ending up in the DC area. I know the story---dealt with many like you especially in the DC area---I attended and completed a Georgetown grad program in the past. But very similar to those on the list who signed the September 1, 2015 letter to Barack Obama to promote the implementation of the RICO Act on those that do not support the fraud you espouse.

I see no science in your background--I checked the Communication Research curriculum at Stanford, I did not see anything relating to science---just items that appear to be of a journalistic bent. But in your defense the Science Editor from the New York Times is a history major. Go figure.

With my background in economics/finance, political science, accounting and forensics I might set up my own organization---formulate my own hypothesis and theories based on the evidence---- using my own wealth and provide the facts regarding *natural climate change*. And maybe I could be included in the Most Wanted List from ersatz scientists whining to a community organizer---of which none has ever held a real job in their lives.

Sincerely,

Jeff Hagen
Scottsdale, AZ

From: Egnor, Michael
To: Edward W Maibach
Date: Saturday, September 19, 2015 9:21:42 AM

Dr. Maibach:

I see that you have signed a letter to President Obama demanding criminal prosecution of global warming skeptics.

Your letter is a demand for fascism, plain and simple. By advocating criminal prosecution and imprisonment of your scientific critics, you have violated basic principles of scientific ethics and you are demanding that the government deny academic freedom and constitutional free speech rights of scientists and American citizens.

I am a global warming skeptic, and I insist that any criminal prosecution of skeptics include me as well.

You are a disgrace to the scientific profession.

Michael Egnor, M.D.
Professor of Neurological Surgery
State University of New York at Stony Brook
Stony Brook, New York

This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by e-mail and destroy all copies of the original.

From: [Neil Wolfe](#)
To: [Barry A Klinger](#); [Amrita Shukla](#); [Edward W Maibach](#); pdirmeyer@gmu.edu; [Paul S Schoof](#)
Subject: Your recent letter to the POTUS and US Attorney General
Date: Saturday, September 19, 2015 9:23:51 AM

I recently read your letter to the President and the US Attorney General encouraging that they use RICO laws to prosecute scientist that disagree with your viewpoints regarding global climate change. I cannot tell you how offensive I find it that one group of scientists would attempt to use anti-racketeering laws to silence other scientists who disagree with your assertions. My first impression is that only a group who concedes they do not have the concrete scientific evidence to refute the assertions of an opposing group would suggest the use of such Gestapo tactics against others in their field. Is that where you think 'science' should go? Are you so naive and consumed with your 'cause' that you fail to see the slippery slope this could send us down? You should be ashamed of yourselves as your calls for prosecution of opposing scientists are strongly reminiscent of the sort of book burning and fear tactics imposed by the German Nazis in the 1930s and 40s.

If you feel so compelled to call for RICO investigations you should first investigate the financial incentives behind the carbon exchange markets that Al Gore and his crew of frauds established in order to capitalize on their unproven assertions that global warming is indeed real and indeed man made- always follow the \$\$\$\$\$. And the money is exactly what the massive fraud that Gore attempted to perpetrate was always about. It's been proven in several instances that many so called 'scientists' who supported the notion that human activity, particularly that related to fossil fuels, was the primary cause of climate change here n Earth had submitted patently falsified data in order to support their assertions. <http://www.forbes.com/sites/jamestaylor/2011/11/23/climategate-2-0-new-e-mails-rock-the-global-warming-debate/>. It would appear as if in 2010 Gore and company's carbon exchange scheme collapsed as any fraudulent scheme eventually will. I guess the majority of humanity is wrong for not buying into this one?

This article clearly spells out that Gore and friends true motivation was FINANCIAL- they stood to get rich on cap and trade markets- fortunately their scam didn't pan out. <http://www.forbes.com/sites/larrybell/2013/11/03/blood-and-gore-making-a-killing-on-anti-carbon-investment-hype/>

I'm very curious to know if any of you have any personal investments in any carbon tax/cap and trade related firms, exchanges, or hedge funds? I would greatly appreciate a specific reply from each of you regarding any financial stake you may have and if any investments you have made personally would be enhanced/improved if the whole idea of man made global warming were to become a widely accepted belief- which of course it currently is not. I eagerly await a reply from each of you regarding this issue and would also appreciate you CCing everyone in the thread as to your answer to my inquiry. Understand that under the circumstances if you refuse to disclose your potential financial gains regarding the whole global warming/climate change issue a reasonable person would be led to believe that you indeed do stand to gain financially from man made global warming/climate change become a widely accepted belief. I would also be curious to know if any of you have ever been even offered the opportunity to purchase shares or options to purchase shares in any carbon exchange markets, hedge funds, or companies that stand to benefit from a carbon tax/cap and trade scenario.

One other point I'd like to make- Why several years ago did the vilifying term 'global warming denier' seem to be morphed, by you and your fellow believers, into 'climate change deniers' instead? Was this an admission that the data indeed did not support the assertion that the planet was warming? I have followed this issue for years and with the evidence I had seen was never convinced that global warming was occurring nor that if it was indeed occurring that it was due to human created CO2 emissions. It would have been fair and accurate to refer to a person with my belief as a 'global warming denier'- that I freely accept however there then seemed to be a well orchestrated effort by your side of the issue to then take this very same group of folks like me that did not support your global warming assertions and then label us 'climate change deniers'. How absurd and frankly patently dishonest to characterize people like me who refused to buy into your politically and financially motivated scheme of global warming as people that deny the climate of the Earth is ever changing. Of course the climate is changing- as it always has and always will for as long as it exists. When your movement started using this demeaning and inaccurate phrase to describe people such as myself it became painfully clear that your movement at it's core was dishonest as well as downright nasty and vindictive. For the record- I DO NOT DENY THAT THE CLIMATE IS

EVER CHANGING NOR HAVE I EVER NOR DO I SUSPECT I EVER WILL- I think I speak for millions of others you have so wrongly labeled as 'climate change deniers'.

Correct me if I'm wrong but I also seem to recall many of your ilk, years ago, asserting that by this time, the year 2015 Manhattan and other waterfront cities would start experiencing massive flooding due to glaciers melting? Last I checked we haven't seen any such thing occur or perhaps I have overlooked the mass flooding of a major metropolis due to glacier melting? The mass of Glaciers on the planet as of late appear to be GROWING not SHRINKING. <http://www.dailymail.co.uk/sciencetech/article-2171434/Satellite-study-Asian-mountains-glaciers-NOT-melting-actually-gaining-new-ice.html> <http://wattsupwiththat.com/2013/10/22/nasa-announces-new-record-growth-of-antarctic-sea-ice-extent/> I will be the first to acknowledge that our planet is ever changing including glacier melting and formation- against this has ebbed and flowed since the formation of our climate and will continue to do so as long as Earth's climate exists (assuming new technologies aren't implemented that would stabilize what would otherwise be naturally occurring change).

I would also like to make it clear that I stand in strong opposition to the continued extensive use of fossil fuels to meet human energy needs. Alternative energy technologies (some of which still remain suppressed) do indeed exist that could make the use of fossil fuels virtually obsolete overnight. Of course those business interests that have made \$trillions\$ in profits from fossil fuel usage have done everything in their power to keep petroleum preeminent on our planet. These business interests are the true enemies of humanity and the planet NOT those of us who refuse to buy into data that has been proven to be fraudulent as well as politically and financially motivated. If you truly care about the planet and the well being of all it's creatures I suggest you focus your efforts on uncovering big oil's extensive efforts to suppress alternative energies and demand that your government, who is in possession of such technologies, disclose them immediately and allocate whatever resources are required to disseminate this technology for human use as rapidly and efficiently as possible. Or you can instead choose to spend your time attempting to use Gestapo like tactics to those who disagree with your assertions- do you realize how UnAmerican and Unscientific your call for RICO investigations really is?

Climate change is not unique to Earth- as a matter of fact all of the other planets (as well as their satellites) within our solar system are also undergoing changes- many far more dramatic than one could assert are occurring here on Earth. Well what is it that all of the planets in our solar system have in common? It's our sun of course. There is where you will find the answers that will explain climate changes here on Earth as well as those occurring on the other heavenly bodies within our solar system. You will also find that increased solar activities such as CMEs and X flares are having a significant impact on increased seismic activity on our planet. Real scientists seek real answers using REAL SCIENCE. I have no idea as to the personal integrity of any of you as I have never had the pleasure (or possibly displeasure) of meeting any of you. I will extend to you the benefit of the doubt that ignorance and subjectivity as opposed to dishonesty is the driving force behind your positions. I understand that there has been immense pressure exerted upon your industry that can easily ruin one's career if they show unwillingness to play ball. If you research NASA observations, data, imagery over the past decade or so you will see for yourselves the undeniable truth that significant climate change is occurring on other heavenly bodies throughout our solar system. It's really not at all difficult to see and once that fact is revealed I think only a fool would argue that the driving force behind any changes in Earth's climate is due to human activity. This of course does not change my position that fossil fuels need to be made obsolete and their widespread use has indeed been very harmful to our environment in many different ways.

Please do not expect NASA to openly endorse the reality that climate change is occurring throughout the solar system. If they were going to acknowledge that they would have done so already. Unfortunately NASA has been significantly corrupted and I believe more often suppresses the truth as opposed to bringing it forward. Fortunately it isn't so easy NASA to hide raw data and imagery (although they will attempt to engage in that from time to time as well). The clear evidence is there for all to see but one must be able to draw their own conclusion because NASA has unfortunately proven itself to be like many other government entities- deceptive, agenda driven and ultimately controlled by unsavory individuals who feel zero obligation to disclose scientific truths to the masses.

I eagerly await your responses- particularly regarding any personal financial stake that any of you may have (or once had) in the carbon exchange scheme perpetrated by Al Gore and company.

Regards,

Neil Wolfe, Alexandria Virginia.

From: Barry Klinger
To: Olympia Guy; sarachik@atmos.washington.edu; robock@envsci.rutgers.edu; trenbert@ucar.edu; krishnamurti@fsu.edu; bkatman@srmias.miami.edu; blisutti@ideo.columbia.edu; akbetts@aol.com; Edward W Maibach; pdirmeyer@yahoo.com; Barry A Klinger
Subject: Re: logical fallacies
Date: Saturday, September 19, 2015 12:10:15 AM

Dear Olympia Guy,

I can't resist trying to clarify a few things. I too cringe at the inappropriate use of the term "settled science", but if you read the letter that you are apparently referring to, we do not mention "settled science". You can see my own take on the subject at <http://mason.gmu.edu/~bklinger/Warming/warminghome.html>, "A Skeptic's Guide to Global Warming", which starts with the question "Global Warming: Is the science settled?"

I think Senator Whitehouse has made a good case for a civil RICO suit analogous to a successful one launched against tobacco companies. The point is not to go after scientists stating their opinion but to investigate companies that may be promoting things that they know to be false in order to sell their product. And of course the remedy isn't to throw anyone in jail (as I've seen claimed on the internet already, but I don't think that's even possible in a civil suit like this) or to punish any scientists but to make any companies convicted of wrong-doing change their ways. Most likely any victory, if it got that far, would be largely symbolic.

To use your Galileo analogy, we are trying to see if powerful institutions (in this case, corporations rather than the Church) are entering the debate in order to disseminate "information" which they know to be incorrect. Just as the Church was threatened by new findings that called into question its teachings, some corporations are threatened by findings that call into question the safety of their main product. In contrast, the normal conduct of science, which entails plenty of argument and skepticism, would not be the subject of the RICO suit we have advocated.

By the way, since you are rightly bothered by the persecution of scientists for political reasons, how do you feel about the multiple accusations, subpoenas, and at least one attempt at a fraud prosecution leveled at Michael Mann? In that case, politicians targeted Dr. Mann because his research did not show that the Earth was particularly warm in the middle ages. Do find anything objectionable about this campaign against a scientist, or are you only bothered when the magnifying glass is turned against opponents of the idea that anthropogenic global warming poses risks to humanity?

Yours,
Barry Klinger

On 9/18/2015 7:02 PM, Olympia Guy wrote:

A list of great minds...really? This isn't the same as the tobacco industry where a few scientists were paid by the industry itself. This is about reasonable independent people who are not sold out to left wing ideology who independently look at the evidence and reach their own conclusion. How ironic that today's left wing 'scientists' are the very ones that would seek to persecute anyone who disagreed with them or dare challenge them, similar to the Roman catholic church in the dark ages. "Settled science" right? I challenge you in the name of science to seriously think about how loaded the very term itself "Settled science" is. Who invented such a term? That term itself contradicts science, and its not testable by science. "Settled science" is a 20th century invocation that has no basis in historical science. The term itself is an invention of agenda driven ideologues. Whenever you use that term, you demonstrate your own ineptitude and your own shortcomings and failures as 'scientists' who seek to pursue the truth, rather than a political agenda.

Galileo was a denier in his day too. I wear the badge proudly.
Too bad for you, satellite data is objective.

I'm glad that not everyone in history thought "settled science" (i.e. galileo) meant never question, never challenge, never be skeptical.

You guys sure are brilliant...lets persecute people who are 'deniers'...all of you combined sure have an amazing mass of active brain cells...its genius! I wonder if your combined IQ is greater than 100....hey I have an idea, following your train of thought....lets round up all those deniers and burn them at the stake in the name of "freethought". Sound good? We have a pretty good historical template for what to do with "deniers"...lots of other societies in human history had very effective ways of eradicating them from civilized society- Galileo will testify to that!

May I take just a guess here....every single one of you is a democrat voter, yes? You can admit it. cmon...its ok, you can be honest with me guys. You know what they say...when everyone thinks alike, no one is really thinking.

I challenge you to look at this link, but you probably lack the intellectual fortitude to do so. Just like the millions of barack voters who cannot name the three branches of government, you represent a fine part of the democrat voting base.

[NOAA Massively Ramps Up Their Temperature Fraud Ahead Of Paris](#)



NOAA Massively Ramps Up Their Temperature Fraud A...

As of last year, NOAA didn't show much, if any August warming for almost 20 years. That didn't suit Barack Obama's agenda. so they simply changed the data to make t...

[View on stevengoddard.wor...](#)

Preview by Yahoo

Barry Klinger, Associate Professor and Graduate Coordinator

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Center for Ocean-Land-Atmosphere Studies (COLA),
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<http://mason.gmu.edu/~bklinger>, <http://cos.gmu.edu/aoes>

From: tnaramore@duplinschools.com
To: Edward W Maibach
Subject: Shame on you
Date: Saturday, September 19, 2015 12:38:38 PM

I read your letter to the President's administration concerning using RICO to prosecute dissenting opinion. You are one of the scariest groups in America. I believe you may be credited with authorship of 1983...the Prequel. Who else in history has asked that dissenting opinion be silenced by force? You have joined quite an exclusive list along with Hitler, Mao, PolPot, Mussolini, and many more. Shame on you. You have hardened my resolve to stand up against your proven flawed Orwellian nightmare of a disproved THEORY
Visit us on the web at www.duplinschools.net

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From: [Barry Klinger](#)
To: [Edward W Maibach](#); [Kevin Trenberth](#); [Cane Mark](#); [J Shukla](#)
Cc: [John P. Holdren@ostp.eop.gov](mailto:John_P_Holdren@ostp.eop.gov); [Patricia M. McLaughlin@ostp.eop.gov](mailto:Patricia_M_McLaughlin@ostp.eop.gov); [Paul A Dirmeyer](#); [Paul S Schopf](#); [David M. Straus](#); [Edward Sarachik](#); [Mike Wallace](#); [Robock Alan](#); [Kalnay Eugenia](#); [Kirtman Ben](#); [Dr. Bill Lau](#); [Professor T.N. Krishnamurti](#); [Dr. Vasubandhu Misra](#); [Dr. Robert Dickinson](#); [Biasutti Michela](#); [Goddard Lisa](#); [Dr. Alan Betts](#); [Sheldon Whitehouse](#); [Joseph Majkut](#); [Lara Quint](#)
Subject: Re: Letter to President, AG, and OSTP Director
Date: Saturday, September 19, 2015 1:10:28 PM

Dear RICO Letter signers,

Never happy about other people defining and mischaracterizing my position, I put together a little postscript to the RICO letter. Feedback on what I wrote is welcome.

<http://mason.gmu.edu/~bklinger/rico.html>

-B A K

On 9/17/2015 5:19 PM, Edward W Maibach wrote:

From Marc Morano at Climate Depot:

<http://www.climatedepot.com/2015/09/17/twenty-climate-scientists-including-top-un-scientist-call-for-rico-investigation-of-climate-skeptics-in-a-letter-to-obama-argue-skeptics-guilty-of-disinformation-like-tobacco-companies/>



Debate no more! Jailed for scientific dissent?! Twenty climate scientists, including Top UN scientist, call for RICO investigation of climate skeptics in letter to Obama | Climate Depot

Top UN scientist Dr. Kevin Trenberth and 19 other scientists have become so tired of debating global warming that they are now apparently seeking to jail those who disagree with them. One of the sc...

[Read more...](#)

Edward Maibach, MPH, PhD
University Professor, Department of Communication
Director, Center for Climate Change Communication

George Mason University, MS 6A8
Fairfax, VA 22030
www.climatechangecommunication.org

From: Kevin Trenberth <trenbert@ucar.edu>
Sent: Thursday, September 17, 2015 11:45 AM
To: Cane Mark; J Shukla
Cc: John_P_Holdren@ostp.eop.gov; Patricia_M_McLaughlin@ostp.eop.gov; Edward W Maibach; Paul A Dirmeyer; Professor Barry Klinger; Paul S Schopf; David M. Straus; Edward Sarachik; Mike Wallace; Robock Alan; Kalnay Eugenia; Kirtman Ben; Dr. Bill Lau; Professor T.N. Krishnamurti; Dr. Vasubandhu Misra; Dr. Robert Dickinson; Biasutti Michela; Goddard Lisa; Dr. Alan Betts; Sheldon Whitehouse; Joseph Majkut; Lara Quint
Subject: Re: Letter to President, AG, and OSTP Director

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On 9/17/15 9:38 AM, Cane Mark wrote:

In case you missed this initial article on Exxon:

<http://insideclimatenews.org/news/15092015/frontline-video>

On Sep 14, 2015, at 11:18 AM, J Shukla
<shukla@iges.org> wrote:

Dear Dr. Holdren,

It has been a long time since I have had email

correspondence with you. I do hope this email will reach your office.

Please find enclosed a letter to the President, the Attorney General, and you, reiterating the position of an overwhelming majority of climate scientists about the potentially serious adverse effects of human-induced climate change. The letter also supports Senator Whitehouse's proposal that the Department of Justice begin a RICO investigation of the fossil-fuel industry, who according to Senator Whitehouse, have knowingly deceived the American people about the risks of climate change. The letter has been endorsed by a number of distinguished scientists whose names and affiliations are provided at the end of the letter. We will be grateful if you can please bring this letter to the attention of the President. Thank you.

Regards,
J. Shukla

University Professor, George Mason University
President, Institute of Global Environment & Society
Research Hall, Room 105
George Mason University, MSN: 2B3
4400 University Drive
Fairfax, VA 22030 USA

Tel: 703-993-5700
E-mail: shukla@iges.org
<http://www.iges.org/>

<Letter to Pres, AG, Holdren_Final.docx>

On Sep 9, 2015, at 4:11 PM, J Shukla
<shukla@iges.org> wrote:

Dear Friends,

Please find enclosed a copy of the final

letter. Thank you for your support.

Regards,
Shukla

<Letter to Pres, AG, Holdren_Final.docx>

Mark A. Cane
G. Unger Vetlesen Professor of Earth and Climate Sciences
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Department of Earth and Environmental Science <http://eesc.columbia.edu/>
Department of Applied Physics and Applied Math
Founder, Master of Arts Program in Climate and Society:
<http://www.columbia.edu/cu/climatesociety/>

--

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Distinguished Senior Scientist fax 303
497 1333
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<http://mason.gmu.edu/~bklinger>, <http://cos.gmu.edu/aces>

From: [Alan Robock](#)
To: [Barry Klinger](#); [Edward W. Maibach](#); [Kevin Trenberth](#); [Cane Mark](#); [J Shukla](#)
Cc: [John P. Holdren@ostp.eop.gov](#); [Patricia M. McLaughlin@ostp.eop.gov](#); [Paul A Dirmeyer](#); [Paul S Schopf](#); [David M. Straus](#); [Edward Sarachik](#); [Mike Wallace](#); [Kalnay Eugenia](#); [Kirtman Ben](#); [Dr. Bill Lau](#); [Professor T.N. Krishnamurti](#); [Dr. Vasubandhu Misra](#); [Dr. Robert Dickinson](#); [Biasutti Michela](#); [Goddard Lisa](#); [Dr. Alan Betts](#); [Sheldon Whitehouse](#); [Joseph Majkut](#); [Lara Quint](#)
Subject: Re: Letter to President, AG, and OSTP Director
Date: Saturday, September 19, 2015 2:50:14 PM

Dear Barry,

This is very well said, and I will refer future emailers to this, if I think they would be willing to change their minds about the opinions they express.

Alan Robock

Alan Robock, Distinguished Professor
Editor, Reviews of Geophysics
Department of Environmental Sciences
Rutgers University
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Phone: +1-848-932-5751

Fax: +1-732-932-8644

E-mail: robock@envsci.rutgers.edu

<http://envsci.rutgers.edu/~robock>

<http://twitter.com/AlanRobock>

Watch my 18 min TEDx talk at <http://www.youtube.com/watch?v=qsrEk1oZ-54>

On 9/19/2015 1:07 PM, Barry Klinger wrote:

Dear RICO Letter signers,

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<http://mason.gmu.edu/~bklinger/rico.html>

-B A K

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From: [Phil Brown](#)
To: [David M. Straus](#); [Jagadish Shukla](#); [Paul S. Schopf](#); [pdirmeyer@gmu.edu](#); [Barry A. Klinger](#); [Edward W. Maibach](#); [sarachik@uw.edu](#); [wallace@atmos.washington.edu](#); [robock@envsci.rutgers.edu](#); [ekalnay@atmos.umd.edu](#); [wkmlau@umd.edu](#); [trenbert@ucar.edu](#); [tkrishnamurti@fsu.edu](#); [vmisra@fsu.edu](#); [bkirtman@rsmas.miami.edu](#); [robted@jsq.utexas.edu](#); [biasutti@ldeo.columbia.edu](#); [mcane@ldeo.columbia.edu](#); [goddard@iri.columbia](#); [akbetts@aol.com](#)
Subject: Demand for RICO prosecution of climate "skeptics" and "deniers"
Date: Sunday, September 20, 2015 12:40:07 AM

I always appreciate it when the fools and totalitarians self-identify.

Sincerely,

Phil Brown

From: Cane Mark
To: Barry Klinger
Cc: Edward W Maibach; Kevin Trenberth; J Shukla; John P. Holdren@ostp.eop.gov; Patricia M. McLaughlin@ostp.eop.gov; Paul A Dirmeyer; Paul S Schopf; David M. Straus; Edward Sarachik; Mike Wallace; Robock Alan; Kalnay Eugenia; Kirtman Ben; Dr. Bill Lau; Professor T.N. Krishnamurti; Dr. Vasubandhu Misra; Dr. Robert Dickinson; Biasutti Michela; Goddard Lisa; Dr. Alan Betts; Sheldon Whitehouse; Joseph Majkut; Lara Quint
Subject: Re: Letter to President, AG, and OSTP Director
Date: Sunday, September 20, 2015 12:40:17 PM

Thanks Barry. This is very well done.

I do have misgivings about invoking RICO, which may too easily lead to civil liberty abuses. At the same time, all this outrage from climate doubters would seem legitimate if they had expressed similar outrage when Mike Mann and others were being harassed.
best, mark

On Sep 19, 2015, at 1:07 PM, Barry Klinger <klinger@cola.iges.org> wrote:

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University
President, Institute of Global Environment
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George Mason University, MSN: 2B3
4400 University Drive
Fairfax, VA 22030 USA

Tel: 703-993-5700

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Lamont-Doherty Earth Observatory of Columbia University
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<http://www.ldeo.columbia.edu/research/ocean-climate-physics>

Department of Earth and Environmental Science <http://eesc.columbia.edu/>
Department of Applied Physics and Applied Math
Founder, Master of Arts Program in Climate and Society:
<http://www.columbia.edu/cu/climatesociety/>

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mcane@ldeo.columbia.edu Secretary: Virginia DiBlasi
845 365 8344 (phone) 845365 8667
845 365 8736 (fax) virginia@ldeo.columbia.edu
<http://www.ldeo.columbia.edu/research/ocean-climate-physics>

Department of Earth and Environmental Science <http://eesc.columbia.edu/>
Department of Applied Physics and Applied Math
Founder, Master of Arts Program in Climate and Society:
<http://www.columbia.edu/cu/climatesociety/>

From: [Edward Sarachik](#)
To: [J Shukla](#)
Cc: [Edward W Maibach](#); [Paul A Dirmeyer](#); [Professor Barry Klinger](#); [Andrew Light](#); [Paul S Schopf](#); [David M. Straus](#); [Mike Wallace](#); [Alan Robock](#); [Professor Eugenia Kalnay](#); [Dr. Bill Lau](#); [Dr. Kevin Trenberth](#); [Professor T.N. Krishnamurti](#); [Dr. Vasubandhu Misra](#); [Dr. Robert Dickinson](#); [Dr. Michela Biasutti](#); [Dr. Mark Cane](#); [Dr. Lisa Goddard](#); [Dr. Alan Betts](#)
Subject: Re: Letter to President and Attorney General
Date: Sunday, September 20, 2015 2:50:20 PM

Dear All: I've already received a copy of a letter to the President of my University:

To:

Ana Mari Cauce

Interim President

University of Washington

Dear Ms Cauce;

Are you aware that two of your professors; Edward Sarachik and Michael Wallace, have signed a letter addressed to the President and Attorney General of the United States, urging them to use criminal prosecution in order to oppress and silence scientists with whom these professors disagree?

The letter is attached. You can see that your employees are in fact signatories.

Is this accepted practice at your institution? Do you encourage or condone such methods in the field of scientific debate?

As a taxpayer, I would appreciate an answer - I suspect that federal funds go to these professors for their research - funds that are apparently being misused in order to further a political agenda and to engage in "lawfare" against any who disagree with their views.

This is a weapon aimed at the heart of our open society, and is a blow to freedom of inquiry and debate in science. Destroying the foundation of free scientific speech is a very high price to pay in order to service a dubious, hysterical end-of-the-world theory that is based almost entirely on computer models, and which is apparently falsified by measurement over the past several decades.

I would add also; this attempt to use government coercion to silence dissent implies strongly that these professors know they do not have a winning argument.

I would appreciate your attention to this matter.

I also received an e-mail decrying my persecution of climate deniers. When I pointed out that it was not about individuals but about organizations who know about climate change but are organizing efforts to cast doubt on it I got the following response;

Dr. Sarachik:

I already read your letter. RICO investigations can lead to prosecutions of individuals as well as corporations.

Do you advocate RICO investigations of the organizations associated with the Climategate scientists, who confessed

to scientific misconduct and numerous crimes in their emails? There are as many if not more books and peer-reviewed papers challenging the integrity of climate scientists as there are books and papers challenging the integrity of skeptics.

Do you advocate RICO investigation of all parties in the global warming debate, or only prosecution of your opponents?

If you included yourself, Michael Mann, Phil Jones, Keith Briffa, and Mike Hulme as targets of RICO, I might agree with you. Why, by the way, did Michael Mann insist on hiding his emails from the Virginia AG? Why did climate scientists agree to hide and even destroy data in the Climategate emails? Would you endorse the hiding of emails and data by skeptics as well?

Let's demand RICO investigation of all parties to the debate. Surely you would have no objection, being a disinterested man in search of justice and truth.

At this point I decided it is folly to respond to any of these people. I would advise everybody to be careful about responses unless they wish to risk lawsuits which would be pointless and time consuming. Cheers...ed

Edward S. Sarachik
CIG/UW
3737 Brooklyn Ave.
Box 355674
Seattle, WA 98195-5674
Phone 206-285-5221

From: [Kevin Trenberth](#)
To: [Edward Sarachik](#); [J Shukla](#)
Cc: [Edward W Maibach](#); [Paul A Dirmeyer](#); [Professor Barry Klinger](#); [Andrew Light](#); [Paul S Schopf](#); [David M. Straus](#); [Mike Wallace](#); [Alan Robock](#); [Professor Eugenia Kalnay](#); [Dr. Bill Lau](#); [Professor T.N. Krishnamurti](#); [Dr. Vasubandhu Misra](#); [Dr. Robert Dickinson](#); [Dr. Michela Biasutti](#); [Dr. Mark Cane](#); [Dr. Lisa Goddard](#); [Dr. Alan Betts](#)
Subject: Re: Letter to President and Attorney General
Date: Sunday, September 20, 2015 4:39:42 PM

This is standard form. Yes the best thing for all is to ignore these people. The admin. may not ignore it. NCAR has had several of these over the years including this time also. The response from the NCAR Director is that the scientists have complete freedom of expression and it is inappropriate for the administration to interfere or something to that effect. The admin people may feel obliged to respond and you can advise them what to say. Have them contact Jim Hurrell if they want advice (previously Tim Killeen).

The answer to deniers might be "if the shoe fits wear it".
Kevin

On 9/20/15 12:41 PM, Edward Sarachik wrote:

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> =====
> Edward S. Sarachik
> CIG/UW
> 3737 Brooklyn Ave.
> Box 355674
> Seattle, WA 98195-5674
> Phone 206-285-5221
>

--

Kevin E Trenberth ph 303 497 1318
Distinguished Senior Scientist fax 303 497 1333
Climate Analysis Section email trenbert@ucar.edu
National Center for Atmospheric Research
PO Box 3000
Boulder, CO 80307, USA

From: [Eugenia Kalnay](#)
To: [Kevin Trenberth](#)
Cc: [Edward Sarachik](#); [J Shukla](#); [Edward W Maibach](#); [Paul A Dirmeyer](#); [Professor Barry Klinger](#); [Andrew Light](#); [Paul S Schopf](#); [David M. Straus](#); [Mike Wallace](#); [Alan Robock](#); [Eugenia E. Kalnay](#); [William K.M. Lau](#); [Professor T.N. Krishnamurti](#); [Dr. Vasubandhu Misra](#); [Dr. Robert Dickinson](#); [Dr. Michela Biasutti](#); [Dr. Mark Cane](#); [Dr. Lisa Goddard](#); [Dr. Alan Betts](#)
Subject: Re: Letter to President and Attorney General
Date: Sunday, September 20, 2015 5:49:01 PM

Dear all:

I should chime in!

On Friday I got an email addressed to the UMCP president and to Jim Carton, my boss (and cc's to Bill Lau and me). You can read Carton's wonderful response he sent on Saturday!

I was planning to respond with a link to Barry's points and to his great "Guide to skeptics", but I'll talk with Jim Carton first.

As Don Quijote said to Sancho Panza, "The dogs are barking at us, Sancho. It signals that we are galloping"

I agree the best thing is to ignore them...

Eugenia

On Fri, Sep 18, 2015 at 9:17 PM, James A. Carton <carton@umd.edu> wrote:

Dear Dr. Evans:

Thank you for sharing your deeply felt opinions and concerns. I think you are questioning the science of climate change, the analogy to the tobacco industry, and the appropriateness of our faculty in signing a letter suggesting a particular legal remedy. I'll respond to these issues from my prospective as Chair of the Department of Atmospheric and Oceanic Science.

First the science: the overwhelming weight of research, including key work done here at University of Maryland, leaves no uncertainty that the rise of atmospheric greenhouse gasses and aerosols, both the result of human activities, are causing the earth's climate to change. The atmospheric concentration of carbon dioxide is the highest that it has been for the last million years. This rise is primarily responsible for the increasing acidification of the oceans, the rise of surface temperature, and the melting of continental ice, among other effects. Unfortunately, like the tobacco industry in the mid-20th century, it seems to me that some of the industries that benefit from the release of greenhouse gasses have tried to suppress this research. The letter is an effort to find a response within our legal code.

Secondly, regarding the involvement of our faculty in signing this letter: Distinguished University Professor Eugenia Kalnay and Dr. Lau have the right to express their views without interference

from me. Indeed, as they are world leaders in the science of climate variability we should take their views very seriously. All three of us have known Richard Lindzen for decades. Writing just for myself I am unimpressed with his understanding of climate research, although I am very fond of him as a person.

Regards, Jim

- - -
James Carton

Professor and Chair, Dept. Atmos. Ocean Sci.

University of Maryland

College Park, MD 20742

301-405-5365, www.atmos.umd.edu/~carton

From: milo@goodmilo.com [mailto:milo@goodmilo.com]
Sent: Friday, September 18, 2015 6:28 PM
To: Wallace D. Loh; James A. Carton
Cc: Home; Eugenia E. Kalnay; William K.M. Lau
Subject: Defending science and concern with professors

University of Maryland
1101 Main Administration Building
College Park, MD 20742-6105

Sept 18, 2015

Dear President Loh and Professor Carton:

As a parent of a UMD student in the College of CMNS, I am writing to express my concern with a letter signed by two professors in the Department of Atmospheric and Oceanic Sciences. On Sept 1, 2015

Professors Eugenia Kalnay and William Lau sent a letter to President Obama, Attorney General Lynch, and Director Holdren regarding climate change. In their letter they requested the President and others to consider federal RICO (Racketeer Influenced and Corrupt Organizations Act) investigations into corporations, organizations, and other scientists that disagree with the signers view on the seriousness of climate change. (<http://www.iges.org/letter/LetterPresidentAG.pdf>)

In 1633 Galileo Galilei was jailed for the second time due to his insistence that the Earth was not the center of the universe, and that instead the Earth revolved around the Sun. Is that the time period of scientific acceptance that these University of Maryland professors wish to take our students back to? Do they truly believe that anyone who disagrees with their current scientific knowledge should be subjected to federal charges and possible imprisonment? Do they apply these narrow-minded requirements that all-comers must accept their views in the academic courses they teach?

Personally, I believe we are seeing a warming of the Earth, but my personal beliefs are irrelevant in a discussion of science. As a scientist, I will forever remain open to hearing alternate points of view and hypotheses. The Global Warming Policy Foundation has an impressive list of distinguished professors and scientists as academic advisors, including MIT's Professor Richard Lindzen and Yale's Professor Mendelsohn, many of whom would be subject to imprisonment based on UMD's Professors Kalnay's and Lau's call for action.

I ask the two of you to consider if this approach to science in which researchers demand others accept their findings or risk defamation and imprisonment is the approach to science that UMD wishes to back. I am not calling for any action against Professors Kalnay and Lau. I have no desire to damage anyone's career over a difference in opinion. However, I would ask that a conversation take place with these professors, and at the very least, ensure the rights of their students to disagree with their points of view, and the rights of their students to be open to the writings of groups such as the Global Warming Policy Foundation without retribution. Furthermore, you may want to discuss the cost of having the University of Maryland's name associated with such extreme and visible calls for action.

Sincerely,

Jenifer Brinker Evans

24 Smith St

Groton, MA 01450

cc: Eugenia Kalnay, William Lau

--

<http://www.sciencedirect.com/science/article/pii/S0921800914000615>

(HANDY model)

<http://www.aosc.umd.edu/~ekalnay/Population-WCRP-Kalnay3.pdf>

(15min talk at WCRP on the Human System and Climate Change)

--

Eugenia Kalnay

Distinguished University Professor

Dept of Atmospheric and Oceanic Science

University of Maryland

3431 CSS, College Park, MD 20742-2425

W: [301-405-5370](tel:301-405-5370)/5391 Fax:[301-314-9482](tel:301-314-9482)

On Sun, Sep 20, 2015 at 4:39 PM, Kevin Trenberth <trenbert@ucar.edu> wrote:

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> I already read your letter. RICO investigations can lead to
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From: [Geoff Derrick](#)
To: [Edward W Malbach](#)
Subject: RE: Congratulations on RICO letter
Date: Sunday, September 20, 2015 5:59:52 PM
Attachments: [_Certification_.htm](#)

Dear RICO signatory

I have just finished reading the letter to which you were one of 20 signatories, asking President Obama that climate rationalists be pursued under the RICO (Racket Influenced and Corrupt Organisations Act) legislation.

It is indeed a remarkable letter, and by signing it I can only say that Dr Judith Curry was being rather kind to you by saying that you have signed the death warrant for science.

It is more than that; you have disgraced your respective universities, and no matter what high-standing qualifications may be held within your own curriculum vitae, you and your co-signatories have now shown yourselves to be both third-rate scientists and useful idiots, demonstrating among other things that you support scientific fundamentalism, intolerant totalitarianism, Stalinist and McCarthyist behaviour and ideas, and seek to intimidate and criminalise anyone who disagrees with your view of science.

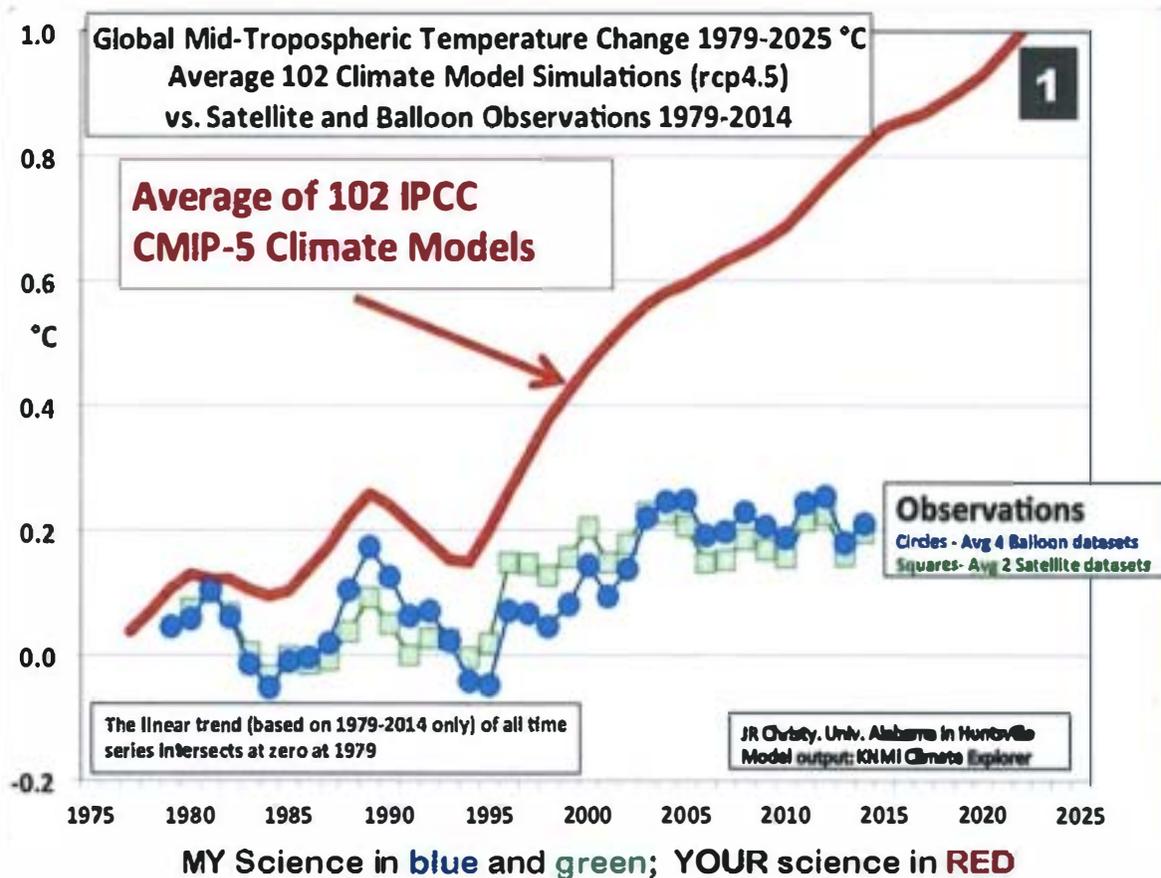
The world is now finding out about just how rotten you are as both scientists and as people – what you have signed is, as one commenter noted, *“a despicable testament to the desperation of cowardly cornered rats”*.

If you ever have the courage to engage or debate any climate realist and real scientists, I have included a few talking points below.

- 1. You and your co-signatories appear to have set the tone of this debate some years ago, when this video was widely circulated. Do you still feel blowing up dissenting children in a school science class is somehow amusing ?**



2. You think that the pseudoscience peddled by the IPCC is a sound basis for policy. It is a TOTAL mess, smoothed and oiled by the old adage of 'GARBAGE IN , GARBAGE OUT'



3. From the science in front of us, no child attending year 12 this year has ever experienced global warming. You and your alarmist ilk flounder

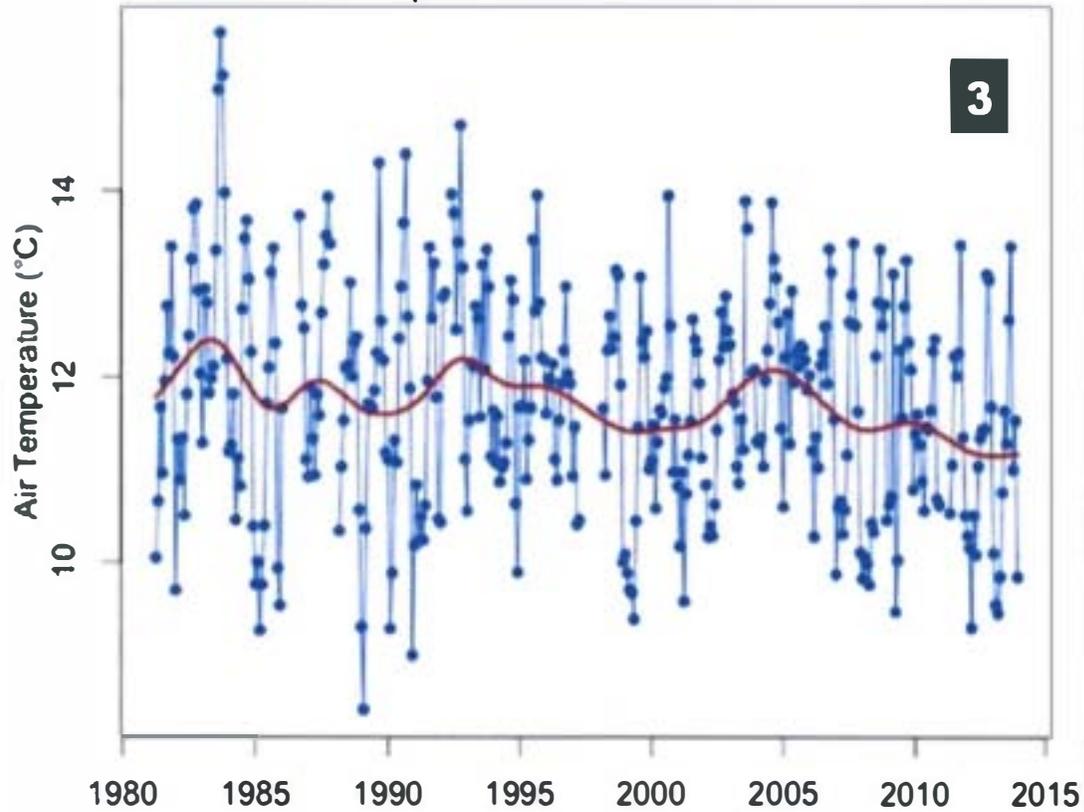
around trying to explain this situation, which occurs at a time of rising CO2 levels. As a geologist/scientist, this tells me that temperature and CO2 are not directly related, and at this moment your pseudoscientist mates are up to about excuse 89 in trying to explain this embarrassment.



Global temperatures (satellite measurement) show no increase while carbon dioxide has increased. Thus MY science says that CO2 and temperature are not directly or dangerously related, and that CO2 is a harmless, non-polluting gas that is entirely beneficial to life and the greening of our planet.

4. While our planet has been warming at about 0.9°C per century, there are temperature records which are distorted by the urban heat island effect. On top of that they are further revised and distorted by self-serving individuals and organisations supported by you that indulge in data manipulation. You cool the past and warm the present to get an exaggerated warming trend. Away from the scene of such manipulative activity we see records that are untouched by such pseudoscientific behaviour. Here is such a case in off-shore California.

**Monthly average temperatures, Bodega Bay buoy, California station #46013,
April 1981 to December 2013**



This record shows a site uncontaminated by government agencies nor by the urban heat island effect. MY science says it shows that in California at least there are cooling, not warming, trends for at least the past 32 years. <http://wattsupwiththat.com/2014/11/28/buoy-temperatures-first-cut/>

5. And then there is the case of your own poster child, Michael Mann, whose deception and statistical chicanery has been exposed for all to see, firstly by Andrew Montford, Steve McIntyre and Ross McKittrick all those years ago, and now by Mark Steyn – Mann is damned by his peers, and is a running joke and embarrassment to real scientists everywhere. I hope you are proud of him. Mark Steyn writes (18 September 2015) that he now has 20 more cases of 'scientists' who are a 'disgrace to the profession.' You should be proud to be so well-qualified for inclusion in such future biographical intent by Mr Steyn.