

MAX BAUCUS, MONTANA  
THOMAS R. CARPER, DELAWARE  
FRANK R. LAUTENBERG, NEW JERSEY  
BENJAMIN L. CARDIN, MARYLAND  
BERNARD SANDERS, VERMONT  
AMY KLOBUCHAR, MINNESOTA  
SHELDON WHITEHOUSE, RHODE ISLAND  
TOM UDALL, NEW MEXICO  
JEFF MERKLEY, OREGON  
KIRSTEN GILLIBRAND, NEW YORK

JAMES M. INHOFE, OKLAHOMA  
GEORGE V. VOINOVICH, OHIO  
DAVID VITTER, LOUISIANA  
JOHN BARRASSO, WYOMING  
ARLEN SPECTER, PENNSYLVANIA  
MIKE CRAPO, IDAHO  
CHRISTOPHER S. BOND, MISSOURI  
LAMAR ALEXANDER, TENNESSEE

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

## United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WASHINGTON, DC 20510-6175

October 7, 2009

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

Dear Administrator Jackson:

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

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

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

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

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

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

Respectfully,



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



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



Senator John Barrasso  
Ranking Member  
Subcommittee on Oversight