United States Senate
WASHINGTON, DC 20510

December 10, 2009

Ban Ki-Moon
Secretary-General
United Nations
405 East 42nd Street
New York, NY 10017

Dear Secretary-General:

Last week, Dr Rajendra Pachauri, chairman of the UN's Intergovernmental Panel on Climate Change (IPCC), announced that the UN would investigate emails released from the University of East Anglia's Climatic Research Unit (CRU). These emails reveal that several of the IPCC's top scientists may have engaged in efforts to, among other things, manipulate data, defame scientists with opposing viewpoints, and evade transparency laws.

The scientists involved in this controversy are responsible for compiling historical temperature data used by the IPCC and governments throughout the world. Their work is an essential component of global climate model projections and in demonstrating temperature trends over several centuries. According to its website, the CRU staff "have been heavily involved" in all four of the IPCC's science assessments, "probably more than anywhere else relative to the size of an institution."

The announcement by the IPCC to investigate this matter is a positive step—though how the investigation will be structured and implemented remains an open question. Recent statements by Dr. Pachauri indicate that it may be difficult for the IPCC to conduct an independent investigation. He recently said, "This private communication in no way damages the credibility of [the IPCC's Fourth Assessment Report's] findings." However, he also said, "This is a serious issue and we will look into it in detail."

Given these statements, we respectfully request that you arrange for an investigation that is truly independent of the IPCC and the UN. There is precedent for such an arrangement. In 2004, in response to irregularities uncovered in the UN's *Oil for Food Program*, UN Secretary General Kofi Annan announced an "independent high level inquiry," which was headed by former Chairman of the US Federal Reserve, Paul Volcker. Similar to Volcker's Independent Inquiry Committee (IIC), the United Nations must now appoint another independent investigator with an international team to pursue this matter. The team should coordinate with the inspectors general and general counsels from the relevant US federal agencies and departments.

The investigation must be conducted without political interference and manipulation from individual countries, non-governmental organizations, those within the UN, those who have contributed to the IPCC, those being investigated, or any closely related associates. The Chairman of the inquiry should disclose, upon appointment, all potential conflicts of interest, whether business or political. This disclosure should also apply to any staff or other persons

used in the investigation. In the interest of transparency, it is imperative that the US Congress have full access to all documents, as well as transcripts and interviews, from the investigation, and that they be released to the public.

The investigation should focus on, among other relevant issues:

(1) Allegations of adjusting or manipulating data and why various individuals refused to disclose raw data;
(2) The refusal to disclose the identity of alleged individuals or entities that have, or have been asserted to have, non-disclosure agreements with CRU and other research affiliates;
(3) The refusal of various persons to release for review by other scientists the methods and actual adjustments to raw data;
(4) Whether there were any attempts to influence scientific journals against publishing the work of scientists whose findings and conclusions run counter to those found in IPCC reports; and
(5) Whether the IPCC's due diligence procedures governing review of IPCC assessment reports were followed and whether those procedures conform to internationally recognized peer-review norms and practices.

Countries from around the globe are in the process of negotiating agreements that could result in trillions of dollars of expenditures to mitigate the impacts of climate change. We believe the actions proposed thus far are too costly and ineffective to address the task at hand. While we may disagree on policy, we should be able to agree that any such policies proposed rest on an accurate, credible, and objective scientific foundation.

Sincerely,

George V. Voinovich

Jim Bunning

Chuck Grassley

John Ensign

Tom Coburn

Kit Bond

Jim DeMint

Sam Brownback

Orrin Hatch

Mike Johanns

Michael B. Enzi

Jim Risch

cc: Susan Rice, U.S. Permanent Representative to the United Nations