

Congress of the United States
House of Representatives

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

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February 14, 2024

Sherry Madera
Chief Executive Officer
CDP
127 West 26th Street, Suite 300
New York, NY 10001

Dear Ms. Madera:

The House Committee on Science, Space, and Technology (Committee) is continuing its investigation into conflicts of interest and attempts by the Council on Environmental Quality (CEQ) to improperly influence the Federal Acquisition Regulatory Council (FAR Council) to draft federal regulations directly benefiting certain private organizations.¹ CDP is implicated in this process since it is the organization that stands to benefit the most from the proposed rule.² Based on documents reviewed by the Committee, it appears that individuals at CEQ lacked impartiality and held potential conflicts of interest, which may have inappropriately resulted in CDP's arbitrary sole source selection in the proposed rule.³ Further, these documents lead us to believe that CDP holds additional documents and information that will assist us in our investigation into impropriety at CEQ.

On November 11, 2022, the FAR Council published a proposed rule titled: "Disclosure of Greenhouse Gas Emissions and Climate-Related Financial Risk."⁴ Should this rule become final, all federal contractors will have to disclose their greenhouse gas emissions, and major contractors (defined as businesses with contracts valued at over \$50 million) will be required to set "science-based reduction targets."⁵ The proposed rule calls for all public disclosures of greenhouse gas

¹ Memorandum from Sub. Comm. On Investigation and Oversight Maj. staff to Maj. Members, House Comm. On Science, Space, and Technology (Jan. 2024) [hereinafter Maj. Memo]., <https://republicans-science.house.gov/cache/files/b/b/bb0ddd8c-2b7e-4be7-81e4-261f901bd95a/C18AD4E38DEBA4CB5ABCFA63398547EE.sbti-maj-member-memo-w.-exhibits-and-red-fd-.pdf>.

² Federal Acquisition Regulation: Disclosure of Greenhouse Gas Emissions and Climate-Related Financial Risk, 87 Red. Reg. 218 (proposed on Nov. 14, 2022) (to be codified 48 C.F.R pt. 1,4,9,23,52).

³ See Maj. Memo.

⁴ Federal Acquisition Regulation: Disclosure of Greenhouse Gas Emissions and Climate-Related Financial Risk, 87 Red. Reg. 218 (proposed on Nov. 14, 2022) (to be codified 48 C.F.R pt. 1,4,9,23,52).

⁵ *Id.*

emissions to be made through CDP and the validation of these targets to be conducted by a CDP subsidiary, SBTi.⁶

According to documents obtained by the Committee, at least one senior official at CEQ working on this proposed rule was a previous employee of CDP and steered the rule's drafting to benefit CDP.⁷ Several emails between CDP staff and CEQ show that CDP was aware of these potential conflicts of interest and appears to have leveraged them for its benefit.

It is important for the Committee to understand the breadth of CDP's role in the development of the proposed rule. To that end, please answer the following questions and provide the Committee with the following documents by no later than February 28, 2024.

1. Please provide all communications between CDP employees, or agents thereof, and CEQ.
2. Please provide all communications between CDP employees, or agents thereof, and the White House, including but not limited to, any communications between CDP and Gina McCarthy or the White House Office of Climate Policy.
3. Please provide all communications between CDP employees, or agents thereof, and the FAR Counsel, and its individual member organizations regarding this proposed rule, including but not limited to, the Department of Defense, NASA, OMB, and GSA.
4. Please provide any WhatsApp or other unofficial digital communications between CDP employees, or agents thereof, and CEQ where the proposed rule was discussed.
5. From 2020 through 2024, did Betty Cremmins receive any financial compensation from CDP, including but not limited to gifts, meals, or other expenses?
6. Did Betty Cremmins receive an official or unofficial promise to work for CDP in the future while she was working at CEQ?
7. Did any employee of CEQ, including fellows, interns, and law clerks receive any type of compensation from CDP including but not limited to gifts, meals, or other expenses?

⁶ *Id.*

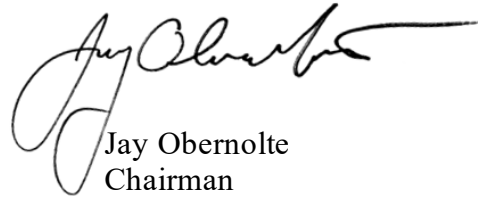
⁷ *See* Maj. Memo

We look forward to hearing your responses to these questions. If you have any questions, please contact Dario Camacho of the Committee's Majority staff at (202) 225-6371. Thank you for your time and consideration regarding this important matter.

Sincerely,



Frank Lucas
Chairman
House Committee on Science,
Space, and Technology



Jay Obernolte
Chairman
House Committee on Science,
Space, and Technology -
Subcommittee on
Investigations and Oversight

cc: Zoe Lofgren
Ranking Member
House Committee on Science, Space, and Technology