

Congress of the United States
House of Representatives
Washington, DC 20515-0533

February 17, 2016

Loretta E. Lynch, Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530-0001

Dear Attorney General Lynch:

Members of the House Oversight and Government Reform Committee wrote to you this past October asking you to investigate ExxonMobil for its organized enterprise of deceiving the public on climate science in order to benefit the sale of its products. More evidence has been brought to light by the Los Angeles Times and Inside Climate News that Shell Oil and others participated with Exxon's pattern of deception.¹ As Members of the Oversight Committee, we now ask that Shell also be investigated for intentionally hiding the truth about climate change and embarking on a massive campaign of denial and disinformation.

The Department of Justice (DOJ) successfully prosecuted tobacco companies for colluding within their industry to deliberately mislead the public. We ask that the DOJ similarly investigate Shell for participating with ExxonMobil's sustained deception campaign on climate science. The alleged behavior by multiple actors suggests there was a conspiracy between Shell, ExxonMobil and potentially other companies in the fossil fuel industry.² We request the DOJ investigate whether Shell violated, or conspired to violate, Racketeer Influenced and Corrupt Organizations Act (RICO), consumer protection, truth in advertising, public health, or other laws.

According to the investigation by the Los Angeles Times, in 1989 Shell Oil announced it was redesigning a long term, \$3 billion natural gas platform in the North Sea because of rising sea levels due to global warming. Chris Graham, the company's chief offshore engineer at the time, said "rising sea levels and increasing wave heights were 'really showing' during the late 1980s and early 1990s, and the company was taking them seriously."³ Another Shell engineer, Bob

¹ Lieberman, Amy and Rust, Susanne, "Big Oil braced for global warming while it fought regulations," *Los Angeles Times*, Dec. 31, 2015

Neela Banerjee et al., "Exxon's Oil Industry Peers Knew About Climate Dangers in the 1970s, Too," *Inside Climate News*, Dec. 22, 2015.

² Mulvey, Kathy, and Seth Shulman. "The Climate Deception Dossiers," *Union of Concerned Scientists*, July, 2015.

³ Lieberman, Amy and Rust, Susanne, "Big Oil braced for global warming while it fought regulations," *Los Angeles Times*, Dec. 31, 2015.

Bea, also recognized the extreme weather effects from climate change in the form of Hurricanes. Bea has said, "Even back in those days ... hurricane intensities were changing."⁴

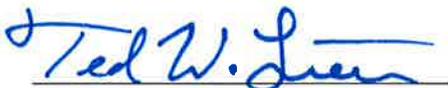
Further, in 1994, Shell jointly owned and operated the construction of the Europipe, a natural gas pipeline stretching from the North Sea to the German coastline. The engineers on the project made design changes to account for climate change and the important aspects that must be included when looking years ahead.⁵

Despite recognizing climate science in their projects and designs, Shell apparently decided to fund climate deniers. Shell chose to join the Global Climate Coalition, a group Exxon "helped to found" and was "an alliance of some of the world's largest companies seeking to halt government efforts to curb fossil fuel emissions."⁶ In 1995, the group issued a statement publically questioning the science of sea level rise and melting ice caps. Shell "with its partners was publicly questioning the science behind climate change and casting doubt on its projected impact."⁷

The apparent tactics employed by Shell and Exxon are reminiscent of the actions employed by big tobacco companies to deceive the American people about the known risks of tobacco. In this case, Shell engineers knew about climate change and Shell took internal actions based on its knowledge of climate change. Yet Shell funded and publicly engaged in a campaign to deceive the American people about the known risks of fossil fuels in causing climate change.

If these allegations are true, these actions could have set back the critical fight against climate change. We respectfully request the DOJ to investigate whether Shell's actions around climate change violated federal law.

Sincerely,



Ted W. Lieu
Member of Congress



Peter Welch
Member of Congress



Matt Cartwright
Member of Congress

⁴ *Id.*

⁵ *Id.*

⁶ Sara Jerving *et al.*, "What Exxon Knew About the Earth's Melting Arctic," *Los Angeles Times*, Oct. 9, 2015.

⁷ Lieberman, Amy and Rust, Susanne, "Big Oil braced for global warming while it fought regulations," *Los Angeles Times*, Dec. 31, 2015.