

United States Senate

WASHINGTON, DC 20510

February 12, 2023

Mr. Orlando Alvarez
Chief Executive Officer
BP America Inc.
501 WestLake Park Blvd.
Houston, TX 77079

Dear Mr. Alvarez:

We write to you in your capacity as a member of the U.S. Chamber of Commerce’s Task Force on Climate Actions to express our deep disappointment with the Chamber and, indeed, question its commitment to climate action. As set out below, we encourage you to demand transparency from the Chamber about the sources of its funding, reassess your participation in the Task Force, and exit the Task Force altogether should your review demonstrate that its very existence is a form of greenwashing.

On September 24, 2019—over four years ago—the Chamber organized an event during Climate Week in New York City. As the Chamber’s senior leadership team explained to us, it was meant to kick off the Chamber’s “evolution” on climate change. A representative of your company attended this event. It followed an independent InfluenceMap report labeling the Chamber as one of the worst obstructors of congressional climate action.¹ For years, we, too, had been witness to the Chamber’s anti-climate operations in its lobbying, regulatory, and litigation activities.

This event led to various conversations and activities organized under the auspices of the Task Force, which the Chamber indicated it was setting up as one element of its commitment to real climate action. The theory was that leadership from your company and other Task Force members would make the Chamber less antagonistic to climate progress. Representations by Chamber senior leadership made us cautiously optimistic. One of us even attended the event in New York and provided hopeful remarks.

Our optimism, it seems, was misplaced. Our observations of the Chamber’s climate-related activities over the last four years compel us to conclude that the Chamber never had any intention to abandon its long history of climate obstruction. Instead, it constructed two channels of engagement on climate. In the first, the Chamber sends potentially positive or useful climate legislation and regulatory proposals to the Task Force to tout for publicity without delivering any substance. In the second channel, the Chamber directly deploys its climate opposition efforts across every vector of its influence apparatus—legislative, regulatory, litigative, and political—bypassing the Task Force as if it does not exist.

¹ See InfluenceMap, *Industry Groups and their Carbon Footprints* (Sep. 2019), <https://influencemap.org/report/Trade-Groups-and-their-Carbon-Footprints-f48157cf8df3526078541070f067f6e6>.

As United States Senators, we bear daily witness to the Chamber’s work on behalf of fossil fuel interests. But don’t take our word for it. Last year and the year before, InfluenceMap renewed its critique of the Chamber’s persistent lobbying against good climate policies. According to InfluenceMap, the Chamber has in actuality “continued opposition to meaningful legislation and regulation introduced by the federal government” while simultaneously issuing “positive PR [...] to create the impression of reform for climate-conscious investors and corporate members.”² As *Politico* reported, InfluenceMap demonstrated that “the Chamber’s positions on climate policies mostly reflect the views of its fossil fuel members.”³

We saw in 2023 the Chamber work hard to block the Inflation Reduction Act (the biggest climate bill Congress has ever passed)⁴ and many other climate bills.⁵ We are aware of no meaningful climate legislation that the Chamber supported other than a 2020 law to phase down hydrofluorocarbons (HFCs). Tellingly, HFCs—unlike carbon dioxide and methane—are not fossil fuels emissions, so legislation to phase them down did not arouse the fossil fuel industry.

On the regulatory side, the Chamber is a leader of opposition to the Environmental Protection Agency’s recent “Power Plant Rule,” a proposed rule that would protect public health and reduce harmful pollutants to the tune of up to \$85 billion in climate and health benefits over the next two decades.⁶ It has also come out against the EPA’s recent proposed rules for greenhouse gas emissions standards for light-, medium-, and heavy-duty vehicles.⁷ The Chamber even opposes the Securities and Exchange Commission’s (SEC) climate

² InfluenceMap, *The U.S. Chamber’s Climate Policy Engagement* (Feb. 2023), <https://influencemap.org/briefing/The-U-S-Chamber-of-Commerce-and-Climate-Policy-21084>.

³ Debra Kahn, “Dissecting the Chamber’s stance on climate policies,” *Politico* (Feb. 16, 2023), <https://www.politico.com/newsletters/the-long-game/2023/02/16/dissecting-the-chambers-stance-on-climate-policies-00083181>.

⁴ Karl Evers-Hillstrom, “US. Arizona chambers run ads targeting Sinema, Kelly over reconciliation bill,” *The Hill* (Aug. 2, 2023), <https://thehill.com/lobbying/3584204-us-arizona-chambers-run-ads-targeting-sinema-kelly-over-reconciliation-bill/>.

⁵ See, e.g., John Bowman, *U.S. Chamber of Commerce Opposes Climate Action that Corporate America Claims to Back*, Natural Resources Defense Council (Sep. 29, 2021), <https://www.nrdc.org/bio/john-bowman/us-chamber-commerce-opposes-climate-action-corporate-america-claims-back>; InfluenceMap, *The U.S. Chamber of Commerce and Climate Policy* (Mar. 2022), <https://influencemap.org/report/The-US-Chamber-of-Commerce-and-its-Corporate-Members-on-Climate-17631>.

⁶ Environmental Protection Agency, *EPA Proposes New Carbon Pollution Standards for Fossil Fuel-Fired Power Plants to Tackle the Climate Crisis and Protect Public Health* (May 11, 2023), <https://www.epa.gov/newsreleases/epa-proposes-new-carbon-pollution-standards-fossil-fuel-fired-power-plants-tackle>; Institute for Energy Research, *Chamber of Commerce Finds Significant Flaws in EPA’s Power Plant Rule* (Jul. 5, 2023), <https://www.instituteforenergyresearch.org/regulation/chamber-of-commerce-finds-significant-flaws-in-epas-power-plant-rule/>.

⁷ Environmental Protection Agency, *Proposed Rule: Multi-Pollutant Emissions Standards for Model Years 2027 and Later Light-Duty and Medium-Duty Vehicles*, 40 CFR Parts 19, 86, 523, 600, 1066, & 1867 (May 5, 2023), <https://www.epa.gov/regulations-emissions-vehicles-and-engines/proposed-rule-multi-pollutant-emissions-standards-model>; Letter from U.S. Chamber of Commerce et al. to President Joseph R. Biden, Jr., *Re: U.S. EPA Proposed Rules on Heavy-Duty and Light- and Medium-Duty Vehicle Greenhouse Gas Emissions Standards* (Jul. 11, 2023), <https://growthenergy.org/wp-content/uploads/2023/07/Multi-Stakeholder-Letter.pdf>.

disclosure rules, writing that they “exceed the SEC’s lawful authority and are vast and unprecedented in their scope, complexity, rigidity and prescriptive particularity.”⁸

In courtrooms, both as a litigant and an amicus, the Chamber maintains a long history of opposing climate rules and laws, and of support for deregulatory theories designed by polluting industries to protect themselves from regulation of their pollution and climate harms.⁹

We believe that the Chamber’s political efforts since *Citizens United* consistently support adversaries to climate action, though its dark money makes this hard to track.¹⁰ Between its massive lobbying efforts, its participation in regulatory proceedings, and its litigation efforts, the Chamber still dedicates its considerable clout to climate obstruction, despite the espoused goals of the Task Force.

We believe that the promise of the Chamber’s supposed “evolution” on climate, alleged to have begun over four years ago in New York, has not been fulfilled. We encourage you to reassess whether any climate gains have resulted from your participation in the Task Force. If not, it is time for companies like yours to abandon this front—and perhaps call out the Chamber for its four-year exercise in greenwashing. Notably, the Chamber has refused to reveal the extent of its secret funding from fossil fuel interests. We asked the Chamber and were informed that it would litigate before disclosing this information to Congress. Basic corporate governance principles forbid the Chamber from keeping this information from members, but—to our knowledge—no Chamber member has yet asked that vital and expository question. At the very least, it is long past due for Chamber members to insist that the Chamber reveal how it gets and spends its money in the climate realm. It may explain a lot.

Thank you for your attention to this matter.

Sincerely,



Sheldon Whitehouse
United States Senator



Brian Schatz
United States Senator

⁸ U.S. Chamber of Commerce, *U.S. Chamber Comments on SEC’s Proposed Rule on Mandatory Climate Disclosures* (June 16, 2023), <https://www.uschamber.com/finance/u-s-chamber-comments-on-secs-proposed-rule-on-mandatory-climate-disclosures>.

⁹ See, e.g., Kristoffer Tigue, “The US Chamber of Commerce Has Helped Downplay the Climate Threat, a New Report Concludes,” *Inside Climate News* (June 29, 2021), <https://insideclimatenews.org/news/29062021/us-chamber-of-commerce-downplay-climate-threat-new-report-concludes/>; Union of Concerned Scientists, *Who’s Fighting the Clean Power Plan and EPA Action on Climate Change* (Apr. 13, 2016), <https://www.ucsusa.org/resources/whos-fighting-clean-power-plan#toc-us-chamber-of-commerce>.

¹⁰ See, e.g., Zach Brown, “Recent Senate Report Details U.S. Chamber of Commerce’s Toxic Influence on Climate Policy,” *Chamber Watch: Public Citizen’s Exposé of the U.S. Chamber of Commerce* (Sep. 23, 2020), <https://chamberofcommercewatch.org/the-shade-of-dark-money/>.