

December 1, 2015

Kenneth P. Cohen  
Vice President  
Public and Government Affairs  
Exxon Mobil Corporation  
5959 Las Colinas Boulevard  
Irving, TX 75309-2298

Dear Mr. Cohen,

On November 20, 2015, you wrote to Columbia University President Lee Bollinger about two articles reported by members of the Energy & Environment Fellowship Project at the Columbia University Graduate School of Journalism, published in collaboration with the *Los Angeles Times* on October 9 and October 23, 2015. President Bollinger has referred your letter to me for review and reply. I write here to provide a response.

In preparing this letter, I have reviewed all of the allegations you have made and examined a number of materials, including email and other records involving contacts between Ms. Susanne Rust, the project director, and ExxonMobil, as well as other records and source materials in possession of the project team. I have also spoken with the individuals you have accused of misconduct.

Your letter disputes the substance of the two articles in a number of respects, but consists largely of attacks on the project's journalists. I have concluded that your allegations are unsupported by evidence. More than that, I have been troubled to discover that you have made serious allegations of professional misconduct in your letter against members of the project team even though you or your Media Relations colleagues possess email records showing that your allegations are false.

No one here begrudges your advocacy for your positions about ExxonMobil's record on climate change research. We understand that you have strong views about how the historical record reported on by the Columbia team, the *Los Angeles Times*, and numerous other journalists, should be interpreted.

The complaints in your letter are diverse. Let me begin with what I judge to be the most serious charges, concerning alleged misconduct by Columbia staff and fellows during the reporting and publication process for the two *Times* articles.

Concerning the story published on October 23, you write, "Ms. Rust contacted us late on the day on Oct. 22 to say she had filed a story...She gave us a deadline of less than 24 hours to add a comment in a story which had already been written, and which, according to a description of the series published by the *Los Angeles Times*, had been a year in the making."

As you well know, sandbagging of this sort is a serious charge against a professional journalist. And yet the allegation is belied by the facts available in a long chain of emails between your colleagues and project staff – emails that are easily available to you.

A central element of the October 23 article, as other complaints in your letter reflect, is Duane LeVine's presentation to ExxonMobil's board of directors. Your colleagues' email boxes are replete with multiple notes from Ms. Rust asking about this presentation, starting on *September 25*, almost one month before the story was published, not on October 22. In a September 25 email to your colleague Richard Keil, posing questions about a number of areas of her team's research, Ms. Rust asked:

"On another subject... as I told you, we also have had some of the archive papers ICN [Inside Climate News] noted in their stories. There's one from Texas I've been curious about, and that's a presentation that was given by Duane LeVine to the Company's board of directors in 1989. It's basically climate change 101 – here's what we know, here's how it works, etc. What was the genesis and purpose of that presentation?"

2) The company has stated that it has been conducting climate change research consistently for 30 years. Our research shows there was a flurry of activity in the 1980s, but then the frequency and volume decreased in the 1990s and 2000s to just a trickle. I know Brian Flannery and Haroom Kheshgi continued to publish some – Brain (sic) mostly on policy, and Haroom more on basic research, and the two on adaptation – but it seems the amount of published research diminished significantly. Why? Was this a conscious decision by Exxon HQ?"

This email did not go astray at Exxon. Within 15 minutes of Ms. Rust sending her note, Exxon's Mr. Keil wrote back, stating, "We'll work to get answers to these questions," apparently referring to all of the questions, including those about the LeVine presentation.

An October 1 email to Mr. Keil shows Ms. Rust following up, saying she "hate[s] to pester, but I need a response." The note reinforces what was plainly her diligence in trying to get ExxonMobil to comment, explaining that she had "agreed to every phone call and inquiry you have had" even as ExxonMobil "pushed back deadlines, and delayed." Mr. Keil's response that same day to Ms. Rust's note didn't dispute her description, but instead promised, "we're just about there."

When Exxon's statement finally arrived later that afternoon, a company spokesman described it as "a response that you can attribute to me," and it is plainly the definitive response to all of the questions Ms. Rust had asked in writing on September 25. Ms. Rust replied, "Thank you!" and without complaint asked whether there was

"[a]ny chance you'll be able to give me responses to the specific questions I had?" She then reiterated her questions, *including* those related to the LeVine board presentation and Exxon's research. The spokesman wrote a few hours later and his position was unambiguous: His statement pointed out the ownership percentages of Imperial and then said, "I don't have any further responses to your questions."

On October 22, Ms. Rust yet again reached back to ExxonMobil because she had learned that the *Times* would shortly be publishing the second article. Ms. Rust didn't have to do this; ExxonMobil had provided its broad response on October 1 and declined for nearly a month to respond to her entreaties for specific answers to her questions. But, as she told Mr. Keil, "We'll be publishing again in the next few days. Would like to give you a general idea about it so you can comment beyond what you have already sent, if you like." Mr. Keil and his colleague did call Ms. Rust, and she described the gist of the October 23 article.

About an hour later, Mr. Keil wrote to Ms. Rust and referred to that call, asserting, "we're definitely surprised that your story is written and filed before we'd had any advance notice," and asked that she identify the documents that she would be referring to in the article. Within eight minutes Ms. Rust did so. She also reminded ExxonMobil's Media Relations team that she did have some "lines from the response you sent a few weeks ago." Within 13 minutes your Media Relations team acknowledged that it was familiar with the documents on which the October 23 article would be relying. This was hardly surprising given Ms. Rust identified the LeVine board presentation in her September 25 email and again in her October 1 email – and ExxonMobil had never expressed uncertainty about what she was referring to.

Your Media Relations team also confirmed its knowledge of a second document Ms. Rust described. In contrast to your complaint that you were forced to guess at which documents she was working with, she answered your questions promptly and confirmed what she was relying upon. Altogether, it is an oddity of your criticism that you excoriate Ms. Rust for not providing ExxonMobil with copies of its own documents to which you had easy access and with which you appeared to be comfortably familiar, according to your own email.

Let me turn now to another serious allegation of professional misconduct in your letter to President Bollinger. You write, "We also have concerns about the ethical behavior of at least one member of Ms. Rust's team...Sara Jerving," whom you describe as "a reporter and social media writer for the advocacy group Center for Media and Democracy." You write that you "have been told by individuals quoted in the Oct. 9 story" that Ms. Jerving "misrepresented herself as a Columbia Arctic researcher and made no mention of the fact that she was affiliated with the School of Journalism or that the research might eventually be published in a newspaper."

As you well know, misrepresentation can be a serious charge against a professional journalist. Yet my review of this case has produced no evidence to support your allegation and much to contradict it.

There are only two "individuals quoted in the Oct. 9 story" who were interviewed by Ms. Jerving. One wrote her a congratulatory note the day her story

appeared. In the second case, Ms. Jerving called the individual to fact-check his quotations before the *Los Angeles Times* story appeared. When he did not reply, she telephoned again and they spoke. The individual told her that he did not need his quotes read back before publication because he trusted her professionalism. Neither then nor later did this individual tell Ms. Jerving that he felt she had failed to disclose that she was a journalist, nor did he express surprise that she was writing in the *Times*. Indeed, Ms. Jerving had made plain during her interviews with him that she was a journalist working on stories for publication. After the stories were published, the individual did write to criticize the emphasis in the articles. He also said he felt it was "mean" of Ms. Jerving to identify him as an ExxonMobil consultant, although he was in fact a consultant. The *Los Angeles Times* removed the identifier at the individual's request. Afterwards, the individual wrote to Ms. Jerving that while he "still [has] concerns about the tone of the article – in the context of my knowledge and experience...you and your colleagues are obviously free to interpret and publish as you see fit – we both live in free countries!"

Going beyond the specific allegations against Ms. Jerving in your letter, I reviewed her introductory email correspondence with other oil industry and academic sources she approached during her research for the Oct. 9 and Oct. 23 articles. These records show that, typically, she wrote in her first paragraph, "I am a journalist with Columbia University Graduate School of Journalism" or "I am a journalist." Occasionally, she wrote, "I am a research fellow at Columbia University Graduate School of Journalism." In no case did she introduce herself in a way that would disguise her position as a journalist. The project team only approached the *Los Angeles Times* about a collaboration last July, so before then, the team had no affiliation but with the Graduate School of Journalism. Not a single source has stated any objection to us that he did not understand where Ms. Jerving worked, what her job was, or that her work would be published. Ms. Rust has previously informed you, in correspondence you initiated, that your allegations about Ms. Jerving in this regard are false. Please stop repeating them. Your letter also contains a factual error. Ms. Jerving did work at the Center for Media and Democracy, but that was several years ago, *before* attending the Graduate School of Journalism.

Apart from the email record described above, before the two *Los Angeles Times* articles were published, Ms. Rust held extensive telephone conversations with your Media Relations colleagues, as you surely know. These discussions were held under a ground rule, *imposed by Exxon*, that nothing your colleagues said to explain or defend ExxonMobil's position about the historical materials could be published. Ms. Rust honored these rules. Your letter refers to your "conversations" with Ms. Rust but omits to mention that ExxonMobil insisted that nothing its representatives said could be quoted or attributed to them in any way.

Ms. Rust participated in these calls in the hope that she would be able to persuade ExxonMobil to let her include some fuller explanation of the company's views in her story. But every time she asked whether she could quote some statement made by your Media Relations colleagues, they refused. Ms. Rust and her colleagues believed the articles would be stronger were ExxonMobil's views more fully expressed, but it was ExxonMobil's decision not to let that happen.

Your letter focuses on the fact that the project is supported in part by grants from the Rockefeller Brothers Fund. This is true, and is prominently disclosed on the Project's website, as are the names of the other significant financial supporters of the Project, apart from the Graduate School of Journalism itself. ExxonMobil, as you note in the penultimate paragraph of your letter, has also supported projects at Columbia University. You therefore understand that the issue is not who provided funding for this or any other Columbia University project, but whether the work done is independent of the funders. In short, did the journalism fellows and *Los Angeles Times* editors on these stories follow the information uncovered by the reporting or did they follow the funders' agenda? The fact is that this reporting was not subject to any influence or control by the funders, the *Times* maintained full editorial control over all that it chose to publish, and your letter provides no information to doubt that this is so. The project was conceived to explore many subjects beyond ExxonMobil's history; the *Los Angeles Times* stories simply reflect where the first phase of reporting led.

You also make comments about a supposed relationship between Columbia's project and similar work by InsideClimate. This is entirely an invention on your part. We have had no discussions with InsideClimate at any time about our work and have operated independently throughout. Of course, many journalists have investigated ExxonMobil's record on climate science over the past fifteen or more years, as your history in this field is understandably a subject of public interest.

Your letter also raises several objections to the content of the articles. While presented as allegations of factual errors, in fact what you dispute is the emphasis of the articles. You have dressed up this rather commonplace criticism of investigative reporting in academic clothing, alleging violations of university research standards. In any event, the record I have reviewed does not support your characterization.

The October 9 article reports on the steps Imperial Oil, 70% owned by Exxon, was taking in Canada's Arctic frontier to incorporate climate change projections into the company's planning. This took place even as Exxon's corporate position was that the science of global warming was murky and "the facts today and the projection of future effects are very unclear." It was an entirely fair question to probe, as the article did, why, if the "facts" were so unclear and the "future effects" equally so, an entity controlled by Exxon was planning as it did. The October 23 article reports on the contrast between Exxon's public posture on climate change in the 1980s and its posture in the following two decades.

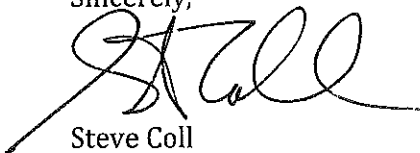
You state that ExxonMobil told Ms. Rust that "nobody 'knew' with certainty either the dangers of climate change, or its primary causes, in the 1980s," which of course is true as far as it goes. (Little that hasn't yet happened can be known "with certainty.") But Exxon certainly devoted extensive resources to understanding the dangers of rising temperatures – indeed its in-house climate science advisor described the company's internal study of the effects global warming as a competitive necessity. In studying these dangers, the *Los Angeles Times* article reported (and your letter does not dispute), Exxon used the same global circulation models that the company's executives were belittling publicly.

Your critique of the October 23 article essentially holds that because the opening paragraph of the LeVine board presentation cautioned that, "Enhanced Greenhouse is still deeply embedded in scientific uncertainty," the only lesson to be drawn from the presentation is that Exxon wanted to "Improve Understanding" and "Stress Environmentally Sound and Adaptive Efforts." But there is much more to this presentation, as the article describes. The presentation included an extensive discussion of historical data and Exxon's insights into future demands for energy. Rather than uncertainty, the board presentation confidently stated, "It is possible to forecast future level of atmospheric CO2." And the LeVine presentation sums up what the data "confirm" and projections suggest. Of course future projections can only be proved when time passes.

What your letter advocates really is that the factual information accurately reported in the article, and unchallenged by you, be interpreted differently. But the themes you offer as alternative interpretations differ little in substance from what actually appears in the article. For example, where the October 23 article reports that Exxon supported advertising campaigns that "argued regulations aimed at curbing global warming were ill-considered and premature," your letter would prefer that this be described as having "engaged with policymakers and other political and business leaders to consider crafting sound policies ... that would allow society to address climate change risks in a responsible manner that recognizes the central importance of energy to economic growth and prosperity."

While I am troubled by your letter's misrepresentation of certain matters of professional conduct described above, and while I disagree with your criticisms of the *Los Angeles Times* articles, I do welcome ExxonMobil's engagement with the project and your willingness to respond publicly to the team's reporting. My hope is that as the project continues to report on ExxonMobil, other companies, and climate change issues, ExxonMobil will choose to provide substantive and specific answers to questions posed by the team's journalists before articles are published. I know the team will welcome your perspective and participation.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Coll". The signature is fluid and cursive, with a long horizontal stroke extending to the left.

Steve Coll