



**David J. O'Reilly**  
Chairman and  
Chief Executive Officer

**Chevron Corporation**  
6001 Bollinger Canyon Road  
San Ramon, CA 94583-2324  
Tel 925 842 3232  
Fax 925 842 1230  
djoreilly@chevron.com

November 18, 2005

**Facsimile Delivery**

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The Honorable Pete V. Domenici  
Chairman  
Senate Committee on Energy and Natural  
Resources  
364 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Jeff Bingaman  
Ranking Member  
Senate Committee on Energy and Natural  
Resources  
364 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Domenici and Senator Bingaman,

Thank you for your letter of November 16, 2005, in which you request that I explain my testimony of November 9, 2005, regarding Vice President Cheney's National Energy Policy Development Group (the Task Force). I trust my response will put to rest any misconceptions and misinformation that you or members of the Senate Energy and Commerce Committees may have.

My testimony before the Committees was accurate. I did not participate on the Vice President's Task Force in 2001, nor did any Chevron representative. I did not participate in meetings convened by the Task Force, nor did any Chevron representative. Consistent with our interest in helping shape effective U.S. energy policy, I wrote to President Bush on February 5, 2001. This letter was also shared with over ninety Members of Congress on both sides of the aisle, including both of you, and with officials in the Administration. A copy of the letter and our distribution list are attached.

My 2001 letter to the President contained our recommendations on U.S. energy policy, many of which I reinforced in my oral and written statements before Congress last week, just as I have done in many other public forums over the last few years. In the 2001 letter, I recommended that the President hold a national energy summit to foster debate and consensus with regard to U.S. energy policy.

You also requested that I provide information on whether Chevron representatives attended meetings with the Task Force support staff or other members of the Administration concerning the activities of the Task Force. Chevron representatives did not attend any meetings with Administration officials or staff for the purpose of discussing Task Force activities as the National Energy Policy Report was being prepared.

The Honorable Pete Domenici, Chairman  
The Honorable Jeff Bingaman, Ranking Member  
United States Senate Committee on Energy and Natural Resources  
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Chevron personnel routinely have and did have discussions on U.S. energy policy with officials in the Administration and their staff. As there were hundreds of individuals in the White House and the federal agencies involved in compiling the Task Force report, some of the individuals with whom we met during the course of this routine business may have been involved in the Task Force effort. Our routine meetings with those individuals were not on this topic. I met with Secretary Abraham on February 21, 2001, along with several other industry executives, but with the express purpose of making our introductions to a newly-named Cabinet member.

I believe this provides additional clarification and assurance that my testimony accurately reflected Chevron's involvement with the Vice President's Task Force.

Regards,

A handwritten signature in black ink, appearing to read "David J. Kelly". The signature is written in a cursive style with a large, stylized initial "D".

Attachments



February 5, 2001

**Chevron Corporation**  
575 Market Street  
San Francisco, CA 94105-2856

President George W. Bush  
The White House  
Washington, DC 20500

**David J. O'Reilly**  
Chairman and Chief Executive Officer

Dear President Bush:

Thank you for your call to the nation for a new approach on the way we address the energy issue in the United States. I applaud your naming Vice President Cheney to head up a new interagency team on energy issues. Too often energy development has been stymied by lack of cooperation among the federal agencies that have jurisdiction over a specific project. Your action is an important step in the right direction.

I am reminded daily of the seriousness of our nation's energy problems as I read headlines about the electricity crisis in my home state of California. During the past two years, it has been abundantly clear that the U.S. needs a clear, coherent energy policy. Your early leadership has helped put this issue squarely before the nation. I strongly support your admonition that we need to increase our energy supply, and improve the infrastructure that delivers energy to the consumer. Attached are Chevron's recommendations for a comprehensive energy policy – both domestically and internationally.

Building the necessary national consensus around a sound energy policy will require that a strong coalition be built. Already, special interests are promoting the old paradigm that increasing energy production will compromise the environment. While the public is now keenly aware that the U.S. is suffering from the lack of an energy policy, public opinion has not yet jelled on why there is a problem – and what to do about it.

A positive first step toward building the necessary consensus should be to hold a "National Energy Summit." You have my commitment that we will provide Chevron's ideas on how to define the energy problem facing the U.S. and how to craft a U.S. energy policy. Years of federal neglect on fostering energy production cannot be reversed overnight. However, there are a few early actions that will help begin to improve the energy environment. These actions would support two goals -- building a consensus, and eliminating federal barriers to increased energy supplies.

In brief, I recommend the following:

1. Charge the Environmental Protection Agency (EPA) Administrator to identify and address federal barriers to permitting energy projects (e.g. projects to develop new supplies of energy, and projects that produce cleaner transportation fuels). Although most permitting is led by the states, EPA usually has an oversight role. Too often, this federal role is limited to identifying problems with the state's permitting procedures, rather than acting to solve problems. The federal/state interface on permitting issues should be evaluated to have EPA act as an enabler to help states ensure permits for energy projects are both environmentally sound and timely.

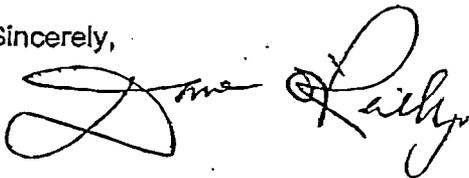
President George W. Bush  
February 5, 2001  
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2. Promote legislation to address the balkanization of transportation fuels. Recent federal, state and local regulations have led to a patchwork of boutique fuel requirements, which have contributed to supply constraints and increased fuel costs. Comprehensive energy legislation should address the regulatory requirements affecting the nation's motor fuel supply. A federal plan should be developed to move the U.S. to nationwide performance-based standards for gasoline and diesel fuels.
3. Proceed with domestic energy development, including Lease Sale 181 in the Eastern Gulf of Mexico scheduled for later this year. This announcement would complement and reinforce your support to open ANWR, and demonstrate a commitment to reject unjustified opposition to new energy leasing and development.
4. Oppose any attempt to reinstate the Iran-Libya Sanctions Act (ILSA) which sunsets on August 5, 2001, and consider lifting or modifying the current Executive Order that prohibits U.S. companies from doing business with Iran. U.S. energy policy should recognize the global nature of energy supply, and the role that foreign countries play in our nation's energy security. We urge your administration to support U.S. based companies efforts to expand and diversify the supply of energy throughout the world. This includes your support for eliminating ineffective, unilateral trade sanctions and promoting open trading relationships.

Longer term, there are several elements necessary for a comprehensive energy policy. These are discussed in more detail in the attached paper.

Again, I appreciate your commitment to pursuing a sound energy policy for our nation. If I can assist in any way with the consensus building process, please do not hesitate to call me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Don Ralby". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

Attachments

## **Chevron's Recommendations For a Comprehensive U.S. Energy Policy**

### **I. ENERGY POLICY OBJECTIVES**

An effective national energy policy that will stand the test of time is critical to sustaining the strength of the U.S. economy and improving the quality of life throughout the world.

Historically, the government and the public have become most concerned about energy issues when prices rise rapidly or there are shortages. This occurs whenever energy demand exceeds available supply -- even by a small amount -- due to politically imposed constraints, unusual weather, regulatory uncertainty, or manufacturing and distribution problems. In addition, there is increasing public concern about the impact of energy use on air and water quality, and on the climate. To address these issues, Chevron renews its call for the creation of a cohesive, long-term energy strategy.

**Chevron believes that a comprehensive national energy policy should:**

- **ensure that energy supplies are sufficient to support economic growth which improves people's quality of life,**
- **encourage responsible use of energy in order to fulfill society's expectations for energy security, environmental performance and energy efficiency, and**
- **support basic and applied scientific research to improve energy availability, utilization and environmental performance,**
- **recognize that significant advancements in technology and improved practices permit discovery and development of energy resources with minimum environmental impact.**

### **II. POLICY PRINCIPLES**

A. **Efficient Markets** -- Markets are the most effective means of meeting consumers' needs and maintaining a robust economy. Thus the government should identify and remove impediments to an efficiently functioning marketplace for energy, and work with other governments to do the same. Specifically:

- **Fuel Neutrality** -- The market should determine the source and use of various fuels, and govern the introduction of new technologies. Government policies should be fuel neutral and should not mandate or subsidize specific types of fuels or energy. Regulations should allow all contenders to compete on a level playing field, provided they meet environmental performance requirements.
- **Incentives** -- The government should provide no incentives or subsidies, except to fulfill clear and overriding energy security or environmental objectives.

- **Electricity Markets** -- U.S. policies should promote restructuring of the electric industry to facilitate the development of electricity markets characterized by price transparency; non-discriminatory, open access to transmission and distribution; multiple, competing generators/suppliers; and broad geographic scope. The government should support the creation of a seamless, interconnected transmission grid, governed by non-discriminatory standards and operating procedures.
  - **Tax Neutrality** -- U. S. tax policy should not limit U.S. companies' ability to compete internationally with non-U.S. companies. Misguided rules can disadvantage U.S. multinationals through double taxation, administrative complexities or other burdens that are not borne by their non-U.S. competitors. Most importantly, a full foreign tax credit is critical to avoiding double taxation and maintaining U.S. competitiveness.
  - **Gas Pipeline Regulations** -- Government policies should continue to promote competition in the gas transmission market by ensuring open access to pipelines. There is significant competition at the supply end and burner-tip end of the natural gas pipeline grid, yet there is little or no competition among the interstate pipelines.
  - **Trade Relations** -- Government policies should encourage economic engagement with other countries and reject the use of energy policy to achieve unrelated foreign policy objectives. We believe this is the best way to increase the security and diversity of energy supplies, to promote economic prosperity and to foster the growth of democracy, freedom and human rights. We oppose any unilateral interference in the market, whether it's through the imposition of import duties/fees, trade sanctions or restricted trade relations.
  - **Inter-Governmental Collaboration** -- The U.S. government should work with Canada and Mexico to encourage a well-integrated North American distribution system so that gas and electric resources can be developed and efficiently moved to market. Significant supply, market and infrastructure opportunities exist within all three countries.
- B. Environmental Responsibility** -- Government policies should foster continuous improvement in environmental performance while increasing both the supply of energy and its efficient use. The nation's environmental objectives should be supported by scientific studies and implemented through performance-based regulations. Specifically:
- **Conservation** -- Government should identify and support research programs that promote technological advancements aimed at significantly improving efficient consumption of all sources of energy. The government should also support expanding the information available to consumers concerning the energy consumption of products in order for them to make more informed decisions.

- **Supply** -- Government should acknowledge and support environmentally responsible methods of discovery and development of new resources.
  - **Global Climate Change** -- As indicated, there is increasing public and government concern about global climate change. The government should adopt policies to give companies credit for voluntarily reducing greenhouse emissions. Furthermore, the government should fund research to better understand global climate change and the influence of human activity on the climate.
  - **Fuel Supply** -- Increased state and local regulatory activity has led to a patchwork of boutique fuels requirements, which is contributing to supply constraints and increased fuel costs. To better meet consumer needs, the federal government should adopt nationwide performance-based fuel standards for gasoline and diesel. Additionally, we support national standards for fuel parameters that are necessary to enable emission control technology to operate efficiently.
- C. **Energy Security** -- Federal policy should encourage the expansion and diversification of supplies of all sources of energy. Government should acknowledge and support development of energy resources based on significant technological advancements that permit discovery and development with minimum environmental impact.
- **Access to Energy Resources** -- Substantial federal policy and regulatory barriers constrain the supply of U.S. natural gas and crude oil. They restrict or prevent responsible energy development on most of the Outer Continental Shelf and in many highly prospective areas of Alaska and the Rockies. Government must improve resource access, streamline application and permit processes, eliminate unnecessary delays and reject unjustified opposition to new energy leasing and development.
  - **Commercial Advocacy** -- Chevron supports an expanded U.S. government role in advocating for overseas energy development projects of U.S. companies. This helps them compete with non-U.S. companies that have historically benefited from fiscal support and high-level advocacy by their national governments (details on this principle as an appendix).
  - **Strategic Petroleum Reserves** -- We support a Strategic Petroleum Reserve of crude oil that is owned and controlled by the federal government to deal only with national emergencies. The funding of the reserve should be through general revenues, and not through a requirement that oil importers set aside a percentage of their imports or the monetary equivalent. We oppose the creation of regional product reserves because they would interfere with the efficiencies of the market and ultimately increase costs to consumers.

D. **Scientific Advancement** -- The federal government has a fundamental role in advancing basic scientific research, while the private sector is best suited to the commercial implementation of new energy-related technologies. Specifically:

- The government should fund basic scientific research and support university education in science and technology.
- The government should fund research in the fundamental science of climate. Additional research by government, university and other scientific organizations is needed to improve our understanding of the global climate.
- The government should fund applied research, technology development and demonstration projects in energy only in partnership with the private sector. Such programs can be an important complement to private sector R&D investments. Examples would include programs to improve energy efficiency and to identify cost-effective climate change mitigation strategies and technologies

**Attachment: Chevron Recommendations for U.S. Energy Policy:  
International Energy Policy Component**

## **Chevron's Recommendations for U.S. Energy Policy International Energy Policy Component**

The United States currently imports 56% of its petroleum resources and imports are forecasted to reach 64% by 2020. The U.S.'s dependence on imports reinforces the need for a long-term energy strategy that will ensure that energy supplies are sufficient to support economic growth. From an international perspective, a comprehensive energy policy should encompass the following objectives:

- Ensure secure access to a broad array of energy resources. This includes multiple sources of supplies from a number of geographies, and from a variety of energy sources (e.g. crude oil, LNG) and markets (e.g. OPEC vs. non-OPEC);
- Foster open access to international markets;
- Recognize that international market conditions are best fostered under rule of law and transparent applications;
- Create a level playing field for U.S. companies operating in the international marketplace;
- Acknowledge that policies of engagement are more effective than forcing a result or imposing punishment through unilateral sanctions;
- Encourage the U.S. Government to facilitate resource expansion by providing innovative technical mentoring and financial support, particularly for those objectives best achieved through governmental channels.

### **A. Normalize Trade Relationships**

The U.S. Government should develop open trading relations with all countries in order to increase the security and diversity of energy supplies. Positive U.S. economic engagement is also the most effective means of promoting the values of responsible economic and social development. Although there are many policy issues that must be addressed with those countries with which we do not enjoy a normal trade relationship, the government should continue to pursue trade policies that allow U.S. businesses to invest and compete in countries where our overseas competitors are investing.

U.S. trade policy should take specific steps as suggested by the following examples to normalize trade relationships in recognition that sustained U.S. economic growth is dependent on strong international relations:

- Continue bilateral consultative commissions which are effective in establishing dialogues and improving economic and social engagement (recent examples of this include the U.S.-Angola Bilateral Consultative Commission, U.S.- Nigeria Joint Partnership for Economic Cooperation, the U.S.- China Oil and Gas Forum, and the U.S.-Kazakhstan Joint Commission);
- Ratify the U.S.-Vietnam Bilateral Trade Agreement;
- Accelerate the process of reviewing export control applications.

## **B. Engagement vs. Unilateral Sanctions**

The U.S. Government should recognize that policies of engagement are a more effective means of promoting economic prosperity, introducing international business practices and fostering democratic principles. Unilateral sanctions are ineffective and have restricted U.S. companies from doing business in markets that are open to our foreign competitors. Unilateral sanctions result in reduced opportunities for U.S. construction, supply, and service companies, which reduces jobs for U.S. citizens, as well as reduced tax revenues for the United States. As an important step in moving away from a policy of unilateral sanctions, the government should enact the Sanctions Policy Reform Act (the Crane-Lugar bills) to require a more deliberative process to assess the full impact of sanctions before it can invoke unilateral sanctions. In addition, the following actions need to be taken to encourage economic engagement by U.S. companies:

- Rescind the Executive Orders banning oil-related investments in Iran, Libya and Cuba.
- Repeal Section 907 of the Freedom Support Act, which currently limits U.S. Government assistance programming to the government of Azerbaijan.

## **C. Encourage Good Governance Initiatives**

The U.S. Government should assist transitioning economies to develop the institutions and systems of good governance and support the rule of law. Assistance in support of the rule of law provides an appropriate environment for ensuring the protection of investments, provisions for worker safety and security, and the environmentally sound development of energy resources. The government should be particularly supportive of those sustained initiatives which have public/private sector participation and cooperation as they are perhaps the most effective method of delivering such assistance. Participation by host country or regions, along with practical programming with measurable targets, is critical to the success of these initiatives

U.S. trade policy should undertake the following specific actions to continue to encourage Good Governance and further increase energy supplies:

- Continue funding for the Office of Transition Initiatives as a rapid response organization for Nigeria and other targeted countries;
- Partner with non-OECD countries to foster understanding and adoption of the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions;
- Fully fund U.S. obligation to pay U.N. dues arrearages to allow continued U.N. programs in support of Good Governance initiatives.

## **D. Expand U.S. Government Advocacy Role**

U.S. government should expand its role as an advocate in securing new international energy development projects involving U.S. companies, as well as in the resolution of issues that arise during ongoing projects. U.S. companies are operating at a disadvantage to their foreign competitors who enjoy the support of their own governments in providing

fiscal and high-level direct government advocacy on their behalf. A coordinated, interagency process that leverages the strengths of individual government agencies to partner with U.S. companies can provide maximum support for U.S. commercial projects. Advocacy efforts would also provide an opportunity to recognize the impact of U.S. companies on sustainable development for transitioning economies.

U.S. Government advocacy could provide assistance and expand U.S. energy resources through:

- Continued Congressional appropriations supporting U.S. Government agencies and offices engaged in international advocacy, especially the:
  - U.S. Department of Commerce: Advocacy Center, Foreign Commercial Service offices;
  - U.S. Department of Energy: Office of International Affairs;
  - U.S. Department of State: Regional bureaus, USAID-OTI, U.S. Embassies;
  - U.S. Trade and Development Agency;
  - Overseas Private Investment Corporation (OPIC);
  - U.S. Small Business Administration (supporting businesses in developing countries);
  - U.S. Export-Import Bank
- Mediation and demonstration of successful resolution of border disputes would open new sources for exploration and development (examples include the Thailand/Cambodia overlapping zone);
- Sustained support for diversified export routes that promote regional cooperation through commercially viable projects (the Caspian Pipeline is an example);
- Technical mentoring in regulatory reform assistance (the West Africa Gas Pipeline is an example);
- Support for initiatives encouraging the use of environmentally friendly fuels to meet growing power demand in developing countries;
- Expansion of the Black Sea Oil Spill Response Program to the Caspian Basin;
- Reinvigoration of a working group to set significant goals for the APEC Natural Gas Initiative.

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