

AMY KLOBUCHAR, MINNESOTA
BRIAN SCHATZ, HAWAII
EDWARD MARKEY, MASSACHUSETTS
GARY PETERS, MICHIGAN
TAMMY BALDWIN, WISCONSIN
TAMMY DUCKWORTH, ILLINOIS
JON TESTER, MONTANA
KYRSTEN SINEMA, ARIZONA
JACKY ROSEN, NEVADA
BEN RAY LUJÁN, NEW MEXICO
JOHN HICKENLOOPER, COLORADO
RAPHAEL WARNOCK, GEORGIA
PETER WELCH, VERMONT

TED CRUZ, TEXAS
JOHN THUNE, SOUTH DAKOTA
ROGER WICKER, MISSISSIPPI
DEB FISCHER, NEBRASKA
JERRY MORAN, KANSAS
DAN SULLIVAN, ALASKA
MARSHA BLACKBURN, TENNESSEE
TODD YOUNG, INDIANA
TED BUDD, NORTH CAROLINA
ERIC SCHMITT, MISSOURI
J.D. VANCE, OHIO
SHELLEY MOORE CAPITO, WEST VIRGINIA
CYNTHIA LUMMIS, WYOMING

LILA HELMS, MAJORITY STAFF DIRECTOR
BRAD GRANTZ, REPUBLICAN STAFF DIRECTOR

United States Senate

COMMITTEE ON COMMERCE, SCIENCE,
AND TRANSPORTATION

WASHINGTON, DC 20510-6125

WEBSITE: <https://commerce.senate.gov>

March 16, 2023

Dr. Marta L. Tellado, Ph.D.
President & CEO
Consumer Reports
101 Truman Avenue
Yonkers, NY 10703

Dear Dr. Tellado,

I write today seeking information about *Consumer Reports*' role in recent efforts by the Consumer Product Safety Commission ("CPSC") to impose a de facto ban on gas stoves.

While the Biden administration's efforts to extinguish gas stoves were only recently exposed,¹ left-wing organizations have been pushing this radical goal for years. For example, in a 2019 *New York Times* opinion piece, the Executive Director of the Climate Imperative Foundation ("CIF")—an organization dedicated to advancing "clean energy" policies—gave a one-line directive to the American people: "Your gas stove has to go."² He wrote such action was necessary because "[b]urning gas is now a bigger source of [climate-altering] pollution than burning coal," and therefore "to meet our climate goals," gas connections "will have to be capped off long before the end of their useful lives."³

Perhaps realizing that CIF lacked support for eliminating gas stoves to fight climate change, CIF assisted on "reports" suggesting gas stoves posed significant health risks, including (at least) one authored by *Consumer Reports*. Specifically, CIF gave *Consumer Reports* \$375,000 to "fund[] in part" an October 4, 2022 article on its self-conducted gas-stove emissions testing, titled "Is Your Gas Range a Health Risk?"⁴

¹ Ari Natter, *US Safety Agency to Consider Ban on Gas Stoves Amid Health Fears*, BLOOMBERG (Jan. 9, 2023), available at <https://www.bloomberg.com/news/articles/2023-01-09/us-safety-agency-to-consider-ban-on-gas-stoves-amid-health-fears?leadSource=verify%20wall>.

² Justin Gilles and Bruce Nilles, *Your Gas Stove Is Bad for You and the Planet: To help solve the climate crisis, we need to electrify everything*, THE NEW YORK TIMES (May 1, 2019), available at <https://www.nytimes.com/2019/05/01/opinion/climate-change-gas-electricity.html>.

³ *Id.*

⁴ Paul Hope, *Is Your Gas Range a Health Risk?*, CONSUMER REPORTS (Oct. 4, 2022) available at <https://www.consumerreports.org/appliances/indoor-air-quality/is-your-gas-range-a-health-risk-a6971504915/> (stating that "[t]his project was funded in part with a grant from the Climate Imperative Foundation."); Internal Revenue Service. (2021). Form 990: Return of Organization Exempt From Income Tax: Climate Imperative Foundation; Document on file with the Senate Committee on Commerce, Science, and Transportation.

Consumer Reports' CIF-backed article proved useful to CPSC's recent gas stove putsch. Last fall, CPSC Commissioner Richard Trumka, Jr.—a Biden appointee—authored an internal memo in which he concluded that “[t]here is sufficient information available for CPSC to issue [a Notice of Proposed Rulemaking] in FY 2023 proposing to ban gas stoves in homes.”⁵ He reached that conclusion based, in part, on *Consumer Reports* articles.⁶ Although Mr. Trumka withdrew his attempted formal rulemaking aimed at banning gas stoves,⁷ CPSC nonetheless has taken the necessary first step toward a ban. On March 1, 2023, CPSC issued a Request for Information (“RFI”) “on chronic hazards associated with gas ranges and proposed solutions.”⁸

CPSC's blind reliance on *Consumer Reports'* gas stove pieces to support potential rulemaking is troubling. It suggests that activist organizations may be coordinating with the Biden administration to eliminate fossil fuel use without authorization from Congress.

To better understand how your donors, including CIF, influence your articles, studies, and actions concerning gas stoves, as well as how your actions comport with the Biden administration's apparent whole-of-government approach to eliminate gas-powered appliances and systems without congressional authorization, I am seeking further data and information.

Please provide written answers and relevant documents in response to the following questions no later than March 30, 2023. In your response, please specifically identify the question to which you are responding. If you are refusing to respond to a question, please state so explicitly.

1. State whether any contributor, writer, employee, director, or executive of *Consumer Reports* discussed gas stoves or ranges with any person at CPSC, including Commissioner Trumka and his staff. If so, please: (i) provide a list of all persons who took part in each discussion, (ii) identify the dates and manner of each discussion, and (iii) provide all documents and communications regarding the discussion(s).
2. State whether any contributor, writer, employee, director, or executive of *Consumer Reports* discussed CPSC's work, or potential work, related to gas stoves or ranges with

⁵ Memorandum from the Office of Commissioner Rich Trumka, *NPR Proposing Ban on Gas Stoves (Indoor Air Quality)*, CPSC (Oct. 25, 2022).

⁶ Commissioner Trumka also ignored evidence to the contrary, including a multi-year study of gas stove use published in *The Lancet*, which “detected no evidence of an association between the use of gas as a cooking fuel and either asthma symptoms or asthma diagnosis.” See Gary Wong et al., *Cooking Fuels and Prevalence of Asthma: A Global Analysis of Phase Three of the International Study of Asthma and Allergies in Childhood*, THE LANCET (May 13, 2013), available at [https://www.thelancet.com/journals/lanres/article/PIIS2213-2600\(13\)70073-0/fulltext](https://www.thelancet.com/journals/lanres/article/PIIS2213-2600(13)70073-0/fulltext).

⁷ *Minutes of Commission Meeting, Decisional Matter: Fiscal Year 2023 Operating Plan*, CPSC (Oct. 26, 2022), available at https://www.cpsc.gov/s3fs-public/Commission-Meeting-Minutes-FY-2023-Operating-Plan_0.pdf?VersionId=wiJw89I902pxZ_6C.Zz08whJ6l6.9fo5.

⁸ See Breanne Deppisch, *US Agency Seeks Input on Gas Stoves in Step Toward Regulation* (Mar. 1, 2023), available at <https://www.washingtonexaminer.com/policy/energy-environment/us-agency-seeks-input-on-gas-stoves-in-step-toward-regulation>; Ballot Vote Sheet re Draft Federal Register Notice: “Request for information on chronic hazards associated with gas ranges and proposed solutions,” CPSC (Feb. 22, 2023), available at <https://www.cpsc.gov/s3fs-public/DraftFederalRegisterNoticeRequestforinformationonchronichazardsassociatedwithgasrangesandproposedsolutions.pdf?VersionId=d4C1FoGDPbvgneTXJ2lPnuH6BnmvNJU>.

anyone in the White House or anyone else in the administration. If so, please: (i) provide a list of all persons who took part in each discussion, (ii) identify the dates and manner of each discussion, and (iii) provide all documents and communications regarding the discussion(s).

3. On October 4, 2022, *Consumer Reports* published an article titled, “Is Your Gas Range a Health Risk?” (the “October 2022 article”).⁹ An editor’s note at the bottom of that article states that “[t]his project was funded in part with a grant from the Climate Imperative Foundation.” CIF’s 2021 IRS 990 form states that *Consumer Reports* received \$375,000 from CIF.¹⁰
 - a) Confirm that CIF provided \$375,000 to fund work related to the October 2022 article. Identify the precise purpose(s) for which CIF directed that money be used.
 - b) State whether *Consumer Reports* used the \$375,000 that CIF provided for anything other than work related to the October 2022 article. If so, identify the additional ways *Consumer Reports* utilized that money.
 - c) Identify whether CIF first approached *Consumer Reports* about the October 2022 article or *Consumer Reports* first approached CIF. Either way, identify when the first conversation regarding any work related to what was to become the October 2022 article (including testing, research, concerns about gas stoves, etc.) took place and who was involved in those conversations.
 - d) Provide any grants, contracts, or other agreements, including informal email communications, concerning CIF’s payment of \$375,000 to *Consumer Reports*.
4. State whether CIF provided any funding, support, or otherwise had any involvement at all in the following articles: (1) the January 12, 2023 *Consumer Reports* article titled, “Induction Cooktops and Ranges Are So Good You May Not Miss Your Gas Appliance,”¹¹ (2) the June 22, 2022 *Consumer Reports* article titled, “Pros and Cons of Induction Cooktops and Ranges,”¹² and/or (3) the August 12, 2022 *Consumer Reports*

⁹ Paul Hope, *Is Your Gas Range a Health Risk?*, CONSUMER REPORTS (Oct. 4, 2022), available at <https://www.consumerreports.org/appliances/indoor-air-quality/is-your-gas-range-a-health-risk-a6971504915/>.

¹⁰ Internal Revenue Service. (2021). *Form 990: Return of Organization Exempt From Income Tax: Climate Imperative Foundation*. Document on file with the Senate Committee on Commerce, Science, and Transportation.

¹¹ Paul Hope, *Induction Cooktops and Ranges Are So Good You May Not Miss Your Gas Appliance*, CONSUMER REPORTS (Jan. 12, 2023), available at <https://www.consumerreports.org/appliances/ranges/induction-cooktops-ranges-are-so-good-you-may-not-miss-gas-a8912134554/>.

¹² Paul Hope, *Pros and Cons of Induction Cooktops and Ranges*, CONSUMER REPORTS (Jun. 22, 2022), available at <https://www.consumerreports.org/appliances/ranges/pros-and-cons-of-induction-cooktops-and-ranges-a5854942923/>.

article titled, “What the Inflation Reduction Act Could Mean for Your Next Appliance Purchase.”¹³ If so, describe CIF’s involvement in those articles.

In your description, please include the following information:

- (i) the amount of money or describe the type of support,
 - (ii) the date on which it was provided,
 - (iii) the purpose for which it was provided, and
 - (iv) any studies, reports, articles, or any other publications that were generated through that funding or support.
5. State whether CIF has ever provided any additional money or support (*i.e.*, goods or services) to *Consumer Reports* beyond the \$375,000 for work related to the October 2022 article. Please answer with a “yes” or “no” before providing any further response. For all other monies or support provided by CIF to *Consumer Reports*:
- (i) identify the amount of money or describe the type of support,
 - (ii) identify the date on which it was provided,
 - (iii) state the purpose for which it was provided, and
 - (iv) identify any studies, reports, articles, or any other publications that were generated through that funding or support.
6. Identify *Consumer Reports*’ policy on disclosing donors who contribute, in whole or in part, to a study, article, or any other publication issued by *Consumer Reports*.

Thank you for your attention to this matter.

Sincerely,



Ted Cruz
Ranking Member

¹³ Paul Hope, *What the Inflation Reduction Act Could Mean for Your Next Appliance Purchase*, CONSUMER REPORTS (Aug. 12, 2022), available at <https://www.consumerreports.org/appliances/inflation-reduction-act-and-new-electric-appliance-rebates-a3460144904/>.