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July 27, 2016

VIA HAND DELIVERY

The Hon. Lamar S. Smith
Chairman
Committee on Science, Space, and Technology
U.S. House of Representatives
2321 Rayburn House Office Building
Washington, D.C. 20515-6301

RECEIVED

JUL 27 2016

**COMMITTEE ON SCIENCE
& TECHNOLOGY**

Re: Formal Objections to Subpoena

Dear Chairman Smith:

On July 13, 2016, we wrote to you on behalf of Greenpeace USA and 350.org to reiterate our concerns regarding the unconstitutional requests made by the Committee and to offer, once again, to discuss those concerns with the Committee and its staff.

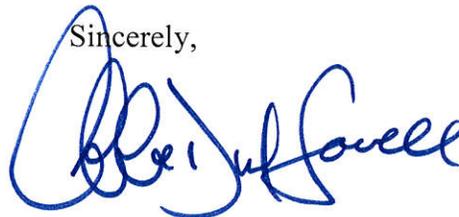
Within hours of the delivery of our letter (and without any further “dialogue” from the Committee that your last letter said should occur), you issued subpoenas to the Executive Directors of Greenpeace USA and 350.org demanding the production of broad categories of constitutionally-protected, private communications. No effort was made to narrow the Committee’s requests, or to address the First Amendment concerns raised by Greenpeace and 350.org. Instead, during a hastily-arranged press conference, Committee Members repeated many of the same misstatements and mischaracterizations identified and addressed in our July 13 letter, without correction.

For the reasons explained in our prior letters of June 1, June 24, and July 13, which are attached and incorporated herein, we now formally object to the requests made in the Committee’s subpoena because, *inter alia*, (1) the Committee’s requests violate the First Amendment; (2) the Committee lacks jurisdiction over ongoing criminal investigations conducted by state law enforcement authorities; and (3) the Committee’s requests are vague, overbroad, and unreasonably burdensome. Each of these objections was first raised with the Committee on June 1, 2016, and the Committee has not taken any action since that time to address these concerns or to engage in a meaningful dialogue regarding climate change.

July 27, 2016

Accordingly, for the reasons set forth above and described in our prior letters, Ms. Leonard and Ms. Boeve, as representatives of their organizations, decline to comply with the vague, overbroad, and unconstitutional demands made in the subpoena issued by the Committee.

Sincerely,

A handwritten signature in blue ink, appearing to read "Abbe David Lowell". The signature is fluid and cursive, with a large initial "A" and "D".

Abbe David Lowell

cc: Ranking Member Eddie Bernice Johnson

Enclosures:

- A. D. Lowell 6/1/16 Letter to Chairman Smith
- F. Gay 6/1/16 Letter to Chairman Smith
- A. D. Lowell 6/24/16 Letter to Chairman Smith
- A. D. Lowell 7/13/16 Letter to Chairman Smith