

July 27, 2016

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BY ELECTRONIC MAIL

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

RE: Response to Committee's July 13, 2016 Subpoena to the Climate Accountability Institute

Dear Mr. Chairman:

I write on behalf of the Climate Accountability Institute (CAI) in response to your July 13, 2016 subpoena demanding documents relating to communications between CAI employees and state attorneys general, and communications between CAI employees and other groups or individuals "related to the issue of climate change." Because these communications are protected by the First Amendment to the U.S. Constitution and the House Science Committee lacks jurisdiction to investigate CAI regarding this matter, they will not comply with the subpoena. We note, as CAI did in its July 13, 2016, letter to you, that it "has not met with or otherwise discussed [its] quantitative and accountability work with State Attorneys General."

The subpoena makes no allegation of wrong doing on the part of CAI, and it will defend its constitutional rights vigorously. CAI associates itself with the rationale outlined in our written objections to the Committee's requests for documents and subpoena to the Union of Concerned Scientists (UCS) that we submitted on behalf of UCS in letters dated June 1, June 27, July 13, and July 26, which we have enclosed and hereby incorporate as part of our response to your subpoena. In sum, 1) the Committee does not have the jurisdiction to issue this subpoena; and 2) the subpoena violates our client's First Amendment rights.

CAI continues to be willing to discuss its important climate change work with the Committee. We understand that the Committee may exercise options available to it to attempt to compel our client to provide the subpoenaed documents, and perhaps punish

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it for standing up for its First Amendment rights. We would appreciate receiving advance notification before such action is taken.

Sincerely,



Neil Quinter

cc: The Honorable Eddie Bernice Johnson,
Ranking Member, Committee on Science, Space and Technology

Enclosures: Letter from Neil Quinter to the Honorable Lamar Smith (June 1, 2016)
Letter from Neil Quinter to the Honorable Lamar Smith (June 27, 2016)
Letter from Neil Quinter to the Honorable Lamar Smith (July 13, 2016)
Letter from Neil Quinter to the Honorable Lamar Smith (July 26, 2016)
Letter from Richard Heede to the Honorable Lamar Smith (June 1, 2016)
Letter from Richard Heede to the Honorable Lamar Smith (June 27, 2016)
Letter from Richard Heede to the Honorable Lamar Smith (July 13, 2016)