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# Redacted - First Amendment

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## Key Coverage

### **Texas, Alabama AGs intervene in opposition to Exxon subpoena**

By Andrew Restuccia  
PoliticoPro  
May 16, 2016

Texas Attorney General Ken Paxton and Alabama Attorney General Luther Strange today intervened in support of ExxonMobil's effort to convince a Texas court to block the U.S. Virgin Islands' subpoena seeking records from the company.

In the [filing](#) in Tarrant County court, Paxton and Strange echo Exxon's [objections](#) to Virgin Islands Attorney General Claude Walker's subpoena. They argue that the subpoena, which seeks from Exxon a range of documents pertaining to climate change, is "driven by ideology, and not law."

Like Exxon, the Republican attorney generals highlight the involvement of the DC-based law firm Cohen Milstein. Exxon, Paxton and Strange have all noted that though Walker signed his subpoena, the envelope it arrived in was sent from Cohen Milstein. And they have suggested the firm could earn a contingency fee for its work with Walker on the investigation.

"[I]t is disconcerting that the apparent pilot of the discovery expedition is a private law firm that could take home a percentage of penalties (if assessed) available only to government prosecutors," Paxton and Strange wrote in today's filing.

### **Press Release: Committee Scrutinizes Motive of "Green 20"**

House Committee on Science, Space, & Technology  
May 18, 2016

Today, 13 Science, Space, and Technology Committee Republicans sent letters to 17 state attorneys general and eight environmental activist organizations. The letters request documents related to the groups' coordinated efforts to deprive companies, nonprofit organizations, scientists and scholars of their First Amendment rights and their ability to fund and conduct scientific research free from intimidation and threats of prosecution.

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Americans are entitled to express their views on matters of science and public policy even if certain groups disagree.

"On March 29, 2016, you and other state attorneys general – the self-proclaimed 'Green 20' – announced that you were cooperating on an unprecedented effort against those who have questioned the causes, magnitude, or best ways to address climate change," the letter states. "The Committee is concerned that these efforts to silence speech are based on political theater rather than legal or scientific arguments, and that they run counter to an attorney general's duty to serve 'as the guardian of the legal rights of the citizens' and to 'assert, protect, and defend the rights of the people.'"

Former Vice President Al Gore spoke at the March 29 press conference and addressed the need to prosecute fossil fuel energy companies for engaging in fraud. Gore and the Green 20's efforts are part of a larger strategy to achieve the president's sweeping, job-killing climate change agenda.

Reports show 14 green-tech firms that Gore invested in benefited from over \$2.5 billion in loans, grants and tax breaks as part of the administration's push to fund U.S. renewable energy industry with taxpayer funds.

In testimony before the Committee, scientists projected the cost of the administration's carbon dioxide regulations at \$39 billion to American consumers and businesses annually. However, senior administration officials themselves have admitted that these regulations will have a negligible effect on global temperatures.

Since the March 29 press conference, members of the Green 20 have rapidly expanded their legal actions against those who question the administration's climate change agenda. These legal actions include subpoenas for documents, communications and research that would capture the work of more than 100 academic institutions, scientists and nonprofit organizations.

The Committee has a responsibility to protect the First Amendment prerogatives of academic institutions, scientists and nonprofit organizations and will continue to do so.

The letter(s) to the attorneys general can be found [HERE](#).  
The letter(s) to environmental organizations can be found [HERE](#).

114th Congress

### **Exxon fight expands with House GOP counter-probe**

By Andrew Restuccia  
PoliticoPro  
May 20, 2016

The battle over ExxonMobil's climate record heated up this week as House Republicans launched a counter-investigation into more than two dozen Democratic attorneys general and environmental groups — a move the targets of that counter-probe dubbed as a political attack.

Thirteen Republicans on the House Science Committee sent a series of document requests to [17 Democratic AGs](#) and [eight environmental groups](#), including New York Attorney General Eric Schneiderman and the Union of Concerned Scientists, earlier this week. The Republicans are seeking to uncover coordination between the environmentalists and the AGs in an attempt to bolster their claims that the groups are inappropriately conspiring against ExxonMobil.

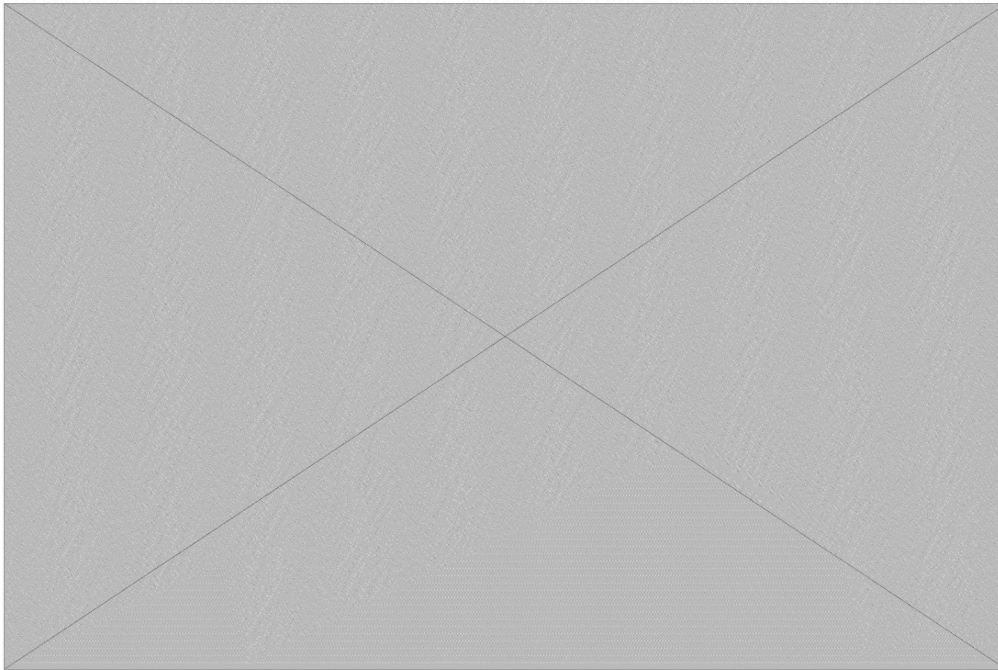
In a statement today, UCS President Ken Kimmell called the counter-investigation a "farce" and said the group is "unapologetic" about its efforts to expose what it argues is a pattern of deception by ExxonMobil in which the company allegedly suppressed internal research about the threat of climate change even as it questioned global warming science publicly.

"It is remarkable that a do-nothing Congress that has refused to take any action on climate change is now attempting to disrupt this important investigation into potential corporate malfeasance," said Eric Soufer, a spokesman for Schneiderman, who is among four AGs that is investigating Exxon.

As POLITICO recently [reported](#), green groups have spent years building a case that Exxon hid what it knew about climate change. Amid a series of recent investigative stories on the subject, Exxon and its allies have launched an aggressive campaign to counter the allegations.

### **Greenpeace Protest of BP Forces British Museum to Close**

By Roslyn Sulcas  
The New York Times  
May 19, 2016



*Demonstrators from Greenpeace hanging banners on the front of the British Museum in London.*

Greenpeace activists scaled the columns in front of the British Museum on Thursday morning, attaching and then unfurling banners that protested the oil company BP's sponsorship of a new exhibition, "Sunken Cities, Egypt's Lost Worlds." The museum was closed until 2 p.m., "to ensure the safety of the museum's visitors," a spokeswoman said in an email. Eleven people were arrested in connection with trespassing.

There have been protests against other BP-sponsored exhibitions at the museum, including "Shakespeare: Staging the World" in 2012, and "Vikings: Life and Legend" in 2014, but this was the first time the museum had to close.

The protest follows another made by the theatrical group "BP or not BP" on Tuesday evening during a V.I.P. reception for "Sunken Cities," which displays artifacts from two lost Egyptian cities buried under the sea.

In a statement reported by the BBC, a spokesman for Greenpeace said that the organization was taking a stand "because of the irony of an oil company sponsoring an exhibition whose name practically spells out impacts of climate change. What were they thinking?"

Greenpeace said that 85 people took part in the British Museum protest in which banners were revealed showing the names of cities threatened by climate change, and renaming the exhibition "Sinking Cities."

In March, BP announced that it would end its sponsorship of the Tate museums, where it has been a major financial donor for 20 years, in 2017. There too, protesters regularly objected to the sponsorship but the oil company said that it was ending the arrangement for financial reasons.

In a statement the British Museum said that it was "grateful to BP for their long-term support which has allowed the museum to bring world cultures to a global audience through hugely popular exhibitions and their associated public programmes."

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