



Tables Turned – A. G. Subpoena’s Koch-Related Climate Deniers’ Documents

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As the official legislative arm of – and surrogates for – the fossil fuel industry, Republicans have used the subpoena process to terrorize climate scientists for over six years. Their claim is always the same; the American people deserve to know exactly what those evil climate scientists are researching and why they are lying about the climate changing. Republicans also claim that Americans must be made aware that the scientific community is involved in a devious conspiracy to destroy America, the dirty fossil fuel industry, and rob decent Americans of their way of life.

Like most things about Republicans and the fossil fuel industry, particularly dirty oil, they are rank hypocrites. It is all well and proper for Republicans to use the subpoena process to terrorize and harass the scientific community, but if the tables are turned and the oil industry gets served with a subpoena, they cry and scream like banshees.

Apparently it acceptable for Republicans to use the subpoena process to investigate climate scientists, but it is an infringement on climate skeptics’ Constitutional rights if the government investigates the oil industry’s malfeasance.

That is precisely what happened when a Koch and ExxonMobil-funded organization that spent the past two decades denying any kind of climate change was served with a subpoena late last week. To say the least, the subpoena was not well-received by the oil industry activist because the ‘libertarian’ organization has a lot to hide, and eventually a lot of malfeasance to answer for.

The organization “*commanded to hand over documents*” is the Competitive Enterprise Institute (CEI). It has a lengthy record of working closely with the oil industry and Republicans in Congress and state legislatures to discredit any and all efforts to assuage the damage of climate change. The group is also complicit in helping promote phony science to substantiate the oil industry’s claim that climate science is a hoax and an attack on Americans’ way of life by liberals and environmentalists.

The investigation is part of an ongoing investigation into ExxonMobil being conducted by 19 state attorney’s general. The states’ lawmakers are hoping to find documentation to prove beyond a shadow of a doubt that ExxonMobil and others, including CEI, broke any laws by

deliberately misleading its own investors and the American people about anthropogenic climate change.

It is noteworthy that ExxonMobil and the Koch brothers are major contributors to CEI whose mission statement is nearly identical to Americans for Prosperity, Heritage Foundation, Cato Institute, Heartland Institute and any number of libertarian “*non-profits*” supported by the Koch brothers.

The subpoena was issued in Washington D.C. on the order of Claude Walker. Mr. Walker is the Attorney General from the United States Virgin Islands and is broadening his “*multifaceted legal inquiry into whether fossil fuel companies broke any laws as they sought for decades to undermine the scientific consensus and head off forceful action to address the climate crisis*” according to InsideClimateNews.

The order “*commands*” CEI to turn over several decades worth of internal communications, emails, and other documents related to CEI’s work denying global climate change and its donor information. ExxonMobil is also named in the subpoena for a good reason; the oil giant donated heavily to CEI like nearly all of the biggest oil companies and the Kochs.

Since conservatives are enthralled with issuing subpoena’s forcing scientists, universities, research organizations and Federal agencies to turn over their internal documents, emails, and procedures, one would think that one little court-ordered demand for documents would have elicited little more than a shrug. That was not the case.

As noted here, conservatives and libertarians in support of Republicans, big oil and the Koch brothers were incensed at the Attorney General and accused him of “*hysterics, embarking on “an absurd climate inquisition,”*” and something about former Vice President Al Gore’s “*climate witch hunt;*” whatever that means. As an aside, Mr. Gore’s name does not appear anywhere on the subpoena and he is not any part of the U.S. Virgin Islands governing body.

The group that received the subpoena, CEI, said Attorney General Walker’s subpoena was an affront to the company’s First Amendment rights. CEI did not dare mention that A.G. Walker simply did precisely what it and Republicans have been doing to researchers, universities, NASA, the EPA and the National Oceanic and Atmospheric Administration (NOAA) scientists for over six years.

CEI also warned Americans that if Walker is successful, the American people will suffer. They said, “*the real victims will be all Americans, whose access to affordable energy will be hit by one costly regulation after another.*”

What informs the typical conservative hypocrisy is that they have never considered the significant number of scientists, researchers, universities, or federal agency’s employees’ “*First Amendment*” rights when Republicans began issuing subpoenas demanding internal documents

six years ago. The GOP's demands, by the way, were and still are "*witch hunts, absurd climate inquisitions*" and "*hysterics*" about American victims losing access to energy if climate change is addressed.

There is a major difference between A.G. Walker's subpoena and the various Republican "*legal*" demands targeting scientists. There are valid criminal investigations into ExxonMobil that is "*suspected to have engaged in, or be engaging in, conduct constituting a civil violation of the 'Criminally Influenced and Corrupt Organizations Act' 14 V.I.C. § 605 by misrepresenting its knowledge that its products and actions have contributed and are continuing to contribute to defraud the government.*"

The subpoena also alleges that this "*climate denial conspiracy*" is for the expressed purpose of obtaining money by false pretenses. Apparently, the idea that the climate denial industries' crusade against combating climate change is for profits and it best fits the legal requirement for action against the oil industry.

It is a sad commentary, but that may be the best chance the legal authorities have of holding CEI, ExxonMobil and the myriad libertarian belief tanks, Republicans, and fossil fuel industry accountable for the damage they have wrought on the world.

This "*subpoena pay back*" against climate change deniers is the second legal action within a week that dealt a blow to the fossil fuel industry. Earlier in the week, 21 children learned their lawsuit against the federal government and fossil fuel industry can proceed because there is clear, irrefutable data that Americans' basic Constitutional rights are being violated due to both "action and inaction" on the government's part because it is allowing climate change to run rampant.

There is no telling how far this particular investigation will go to hold the oil industry and its conservative facilitators accountable for covering up their part in catastrophic climate change. But if the conservative outrage at an Attorney General for issuing a subpoena for all of its considerable documents, emails, reports, and internal correspondence of a "*non-profit*" doing the climate deniers' bidding, it is likely they something serious and very damning to hide. There is no way conservatives would be throwing a tantrum simply because their "*subpoena hypocrisy*" is showing; they are terrified at what the government will find.