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Climate scientist requesting federal investigation feels heat from House Republicans

Letter to White House spurs action by House science panel

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Representative Lamar Smith (R-TX) leads the U.S. House of Representatives science committee. NASA/FLICKR (CC BY-NC 2.0)

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A scientist who helped organize a call for a federal investigation of the fossil fuel industry—for allegedly orchestrating a cover-up of climate change dangers—has himself become the target of a congressional probe.

Last week, Representative Lamar Smith (R-TX), the chairman of the science panel of the House of Representatives, [announced plans](#) to investigate a nonprofit research group led by climate scientist Jagadish Shukla of George Mason University in Fairfax, Virginia. He is the lead signer of a letter to White House officials that urges the use of an antiracketeering law to crack down on energy firms that have funded efforts to raise doubts about climate science.



In a [1 October letter](#), Smith asked Shukla, who is director of the independent [Institute of Global Environment and Society \(IGES\)](#) in Rockville, Maryland, to preserve all of the "email, electronic documents, and data" that the institute has created since 2009. Smith's panel soon may be asking for those documents, the letter suggests.

The flap has its origins in calls from some climate advocates for the federal government to investigate industry-funded groups that have challenged climate science. Senator Sheldon Whitehouse (D–RI) discussed the idea this past May in an [opinion piece](#) for *The Washington Post*. He noted that federal prosecutors had used the federal Racketeer Influenced and Corrupt Organizations Act (RICO)—originally developed to combat organized crime and corrupt unions—to sue the tobacco industry for covering up the health effects of smoking. And he suggested they could do the same to investigate fossil fuel firms that he charged were "funding a massive and sophisticated campaign to mislead the American people about the environmental harm caused by carbon pollution."

Last month, 20 climate scientists, led by Shukla, picked up on the idea of using RICO. In a [1 September letter](#) to President Barack Obama, Attorney General Loretta Lynch, and White House science adviser John Holdren, they wrote that "if corporations in the fossil fuel industry and their supporters are guilty of the misdeeds that have been documented in book and journal articles, it is imperative that these misdeeds be stopped as soon as possible."

Other signers of the RICO letter include climate researchers from George Mason as well as the University of Washington, Seattle; Rutgers University in New Jersey; the University of Maryland, College Park; and Columbia University.

Shukla, a professor at George Mason, is an expert in the seasonal variability of climate, as well as how land surfaces influence climate. He helped found IGES, which has housed research projects funded with grants from the National Science Foundation, the National Oceanic and Atmospheric Administration, and NASA, according to the group's website.

The RICO letter was "inadvertently" posted on the IGES website, [according to a statement posted on the institute's domain](#) (which also notes that "[a]ll projects by IGES were completed in July 2015, and the IGES web site is in the process of being decommissioned"). The letter eventually came to the attention of outsiders, including science policy specialist Roger Pielke, Jr., of the University of Colorado, Boulder. Pielke, an active voice in debates over climate science and policy, called attention to the letter on Twitter, and also raised questions about IGES's finances. Soon, journalists, including several associated with conservative news outlets, were writing about the letter and IGES. The Daily Caller, for example, noted that "climate scientists asking Obama to prosecute skeptics got millions from U.S. taxpayers," [in a 21 September story](#).

Smith cites that story and others in his letter, which notes that "IGES appears to be almost fully funded by taxpayer money while simultaneously participating in partisan political activity by requesting a RICO investigation of companies and organizations that disagree with the Obama administration on climate change." Smith notes his letter was prompted, in part, by the removal of the RICO letter from IGES's website. Smith gives Shukla until 8 October to confirm that he is conforming to the letter's request, as well as provide his committee with a list of IGES's current and former employees.

Shukla could not be reached for an interview, but in an email to *ScienceInsider* expressed surprise at the storm the RICO letter has caused. "We can not believe the viciousness of attacks because we signed a letter as our civic duty with the ultimate goal of repairing our planet," he wrote.

It's not clear what exactly Smith's committee will be investigating. A committee spokeswoman, Laura Crist, declined to say whether the panel was looking at whether public funds were misused for political purposes, or whether IGES might have violated its nonprofit status with political activity.



The committee's ranking Democrat, Representative Eddie Bernice Johnson (D–TX), said in a statement to *ScienceInsider* that, "since the letter contains no specific allegations, I am puzzled as to the Chairman's intent in writing it. To be clear about my own position, I would resist any attempt to stifle the constitutionally protected right of any citizen, including the nation's scientists, to engage in free speech without interference."

The RICO letter has also drawn the attention of Christopher Horner, an attorney and senior fellow at the Competitive Enterprise Institute, a Washington, D.C.–based libertarian think tank that has criticized climate change research. Horner recently filed public records requests with several public universities that employ authors of the RICO letter. In a letter to the University of Texas, Austin, Horner asks for any emails over a roughly 4-month period from or to Robert Dickinson, one of the letter's signers, containing the words "'RICO', racketeer, racketeering, DOJ, prosecute or prosecution."

Horner has previously tangled with scientists over records requests for their emails. He was at the center of an unsuccessful effort several years ago to obtain the correspondence of climate scientist Michael Mann during his time at the University of Virginia in Charlottesville.

Horner says he filed the requests to see how the scientists, as employees at public universities, were involved. "If they believe this is part of their job, we will not dispute that, but instead would like to see how the institutions were used in this innovative application of public education resources," he wrote in an email.

Dickinson, a climate modeler who studies how land surfaces interact with climate, says the RICO letter isn't seeking to squelch individuals who question the science of climate change. His intended target is corporations.

"I heard energy industry scientists talking about global warming 30 years ago. And they disappeared and the lobbyists popped up," Dickinson says. "I don't know if anything can be done. But it seemed to me that there's been an obvious cover-up."

The Department of Justice did not respond to a request for comment. The RICO letter scientists did get a letter back from Holdren, who wrote that although such legal matters were up to the Justice Department, "the Administration shares the concern expressed in the letter about the seriousness of the threat posed by climate change."

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