



MARK V. HOLDEN
SENIOR VICE PRESIDENT
GENERAL COUNSEL & SECRETARY

March 5, 2015

Senator Barbara Boxer
United States Senate
112 Hart Senate Office Building
Washington, DC 20510

Senator Edward J. Markey
United States Senate
218 Russell Senate Office Building
Washington, DC 20510

Senator Sheldon Whitehouse
United States Senate
530 Hart Senate Office Building
Washington, DC 20510

Dear Senators Boxer, Markey, and Whitehouse:

I am responding on behalf of Koch Industries, Inc., its subsidiaries, and affiliates (“Koch”) to your February 25, 2015 letter, requesting information from the past 10 years “about Koch Industries’ payments made in support of scientific research and scientists, as well as support for other efforts related to climate change, if such payments have been made.” You also explain that you are “interested in understanding how [Koch] has undertaken such efforts and the degree to which these efforts have been publicly disclosed.”

The activity and efforts about which you inquire, and Koch’s involvement, if any, in them, are at the core of the fundamental liberties protected by the First Amendment to the United States Constitution. To the extent that your letter touches on matters that implicate the First Amendment, I am sure you recognize Koch’s right to participate in the debate of important public policy issues and its right of free association. These rights have been recognized by the United States Supreme Court.

In reviewing your letter, I did not see any explanation or justification for an official Senate Committee inquiry into activities protected by the First Amendment.

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Under the circumstances, we decline to participate in this endeavor and object to your apparent efforts to infringe upon and potentially stifle fundamental First Amendment activities.

Thank you for your attention to this matter.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Mark V. Holden". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mark V. Holden