

ATI Slams ACLU's Plea for University of Virginia to Deny FOIA Request of Michael Mann's Records




ATI

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Today the American Tradition Institute responded to the American Civil Liberties Union of Virginia and 11 other activist groups – all which are oft-political and always left-leaning – for their new pressure campaign against the University of Virginia, which aims to block ATI's efforts on behalf of taxpayers to access University records of climate scientist Michael Mann. 



In a [letter](#) the advocacy groups ask UVA President Teresa A. Sullivan to deny ATI's [Freedom of Information Act request](#) for emails and other documents related to claims made by Dr. Mann to obtain, and claim payment under, certain taxpayer-funded grants. The groups, which also include Union of Concerned Scientists and People for the American Way, cite phantom exemptions to Virginia FOIA laws such as “academic freedom” and “the exchange of scholarly and scientific ideas.”

ACLU-VA and its collaborators note that ATI's request “resembles the controversial civil investigative demand, or CID, issued last year by Attorney General Ken Cuccinelli under the Fraud Against Taxpayers Act” for Dr. Mann's records. As a matter of substance the requests are identical, but these same groups are the only instigators of ‘controversy.’ ATI simply seeks access to records that belong to taxpayers, under a transparency law that expressly covers state universities and their employees.

“The University was [rather candid](#) before, that it reversed course from cooperating with the Attorney General because these same groups instituted a pressure campaign against it,” said Christopher Horner, senior director of litigation for American Tradition Institute's Environmental Law Center. “But this has no bearing on the University's obligations under the Freedom of Information Act. If they and pressure groups like Union of Concerned Scientists and People for the American Way want to rewrite FOIA law to exempt the academic class, which uniquely depends on transfers from the taxpayer, the appropriate place to do that is in the legislature.”

The American Association of University Professors and the Council of Environmental Deans and Directors also signed of the ACLU-VA letter.

ATI's FOIA request is not on behalf of government, but of taxpayers, who have the right to know how and where their dollars are spent – or misspent. “Academic freedom” is not a legitimate exemption, any more than “bureaucratic freedom” is an acceptable exemption for state government employees. The coverage of state universities is very clear in Virginia's Freedom of Information laws.

ATI notes that the outrage over “academic freedom” by the 12 groups was absent when Greenpeace sought similar records from Mann’s former colleague in the UVA Department of Environmental Sciences, the well-known climate alarmism skeptic Patrick Michaels. They were likewise silent when Greenpeace demanded the records of Professor David Legates at the University of Delaware, and those of Dr. Willie Soon and Dr. Sallie Baliunas at Harvard, as well as when pressure campaigns were instituted against climate scientist-academics in Washington state and Oregon who were also skeptical of alarmism.

“But of course those previous efforts were different,” said ATI’s Horner. “These groups didn’t like those scientists’ beliefs or their speech. Apparently this is an objection of convenience, and is therefore not serious.

“The ACLU and their doppelgangers call for two classes of people: Those who are covered by laws, and those who aren’t – the academic class, or at least selected academics,” Horner added.

Notably UVA counsel is proceeding on ATI’s request with the highest integrity, though there are disagreements and ATI expects to have to litigate some questions. While ATI expects records soon on a rolling basis, the university has not provided a date certain on which it will produce them.

For an interview with American Tradition Institute senior director of litigation Christopher Horner, email chris.horner@atoinstitute.org or call (202)670-2680.