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ONE HUNDRED NINETEENTH CONGRESS

Congress of the United States
House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515–6216

(202) 225–6906
judiciary.house.gov

September 17, 2026

Ms. Danielle Lackey
Executive Director
ClientEarth USA
501 Santa Monica Boulevard, Suite 510
Santa Monica, California 90401

Dear Ms. Lackey:

The Committee on the Judiciary is investigating whether ClientEarth USA (ClientEarth) is using foreign funding and abusing the American legal system to disrupt American industries and stop domestic energy production. ClientEarth and its parent organization, ClientEarth Group, seek to use the courts system "to create systemic change"[1] by "changing the destructive practices of America's biggest companies."[2] In ClientEarth's 2024 financial statement, it reported receiving foreign funding from its parent entity in the United Kingdom.[3] These allegations implicate the Committee's oversight of the federal courts and judicial proceedings, Congress's broad jurisdiction over matters affecting interstate commerce, and the Committee's ongoing legislative work addressing the use of foreign-sourced third-party litigation funding.[4]

In 2024, ClientEarth began representing three Colorado landowners in a lawsuit against HRM Resources (HRM), the prior owner of approximately 200 oil and gas wells situated on the landowners' property.[5] In 2018, HRM sold the wells to Painted Pegasus Petroleum, which filed for bankruptcy in 2021, leaving the wells under the supervision and control of Colorado's Orphaned Well Program.[6] The Orphaned Well Program is a state-sponsored initiative administered by the Colorado Energy and Carbon Management Commission to ensure all abandoned wells are properly cleaned up and plugged.[7] The program is financed through a combination of federal grants and financial assurance and bond claims posted by oil and gas

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[1] About, CLIENTEARTH (last accessed July 22, 2026), https://www.clientearth.org/about/.
[2] About, CLIENTEARTH (last accessed July 22, 2026), https://www.clientearth.org/about-us/.
[3] ClientEarth USA, Inc. Financial Statements for the Year Ended December 31, 2024, ClientEarth USA, at 12 (Oct. 30, 2025).
[4] H.R. 2675, *Protecting Our Courts from Foreign Manipulation Act*, 119th Cong. (2025) (Committee ordered the bill favorably reported by a vote of 15-11 on Nov. 20, 2025).
[5] Complaint, McCormack v. HRM Resources, LLC, No. 2024-cv-30302 (Dist. Ct. Feb. 22, 2024).
[6] *Id.*
[7] Colo. Exec. Order No. D 2018-012 (July 18, 2018).

operators.[8] Despite this, ClientEarth now seeks to hold HRM legally and financially responsible for sealing the wells that are already being plugged by the Colorado state regulator. This lawsuit, if successful, could set a precedent that will have a significant effect on interstate commerce. Congress's authority to regulate activity of this kind, including litigation funding arrangements that shape the obligations of oil and gas operators across state lines, lies squarely within its power to legislate on activities substantially affecting interstate commerce.[9]

ClientEarth receives foreign funding, including from its United Kingdom parent. In 2024 alone, ClientEarth "received $370,332 of restricted contributions from ClientEarth UK to establish program activities" in the United States.[10] Because ClientEarth receives funding from its affiliated entities abroad, these foreign entities and their donors may have outsized influence on the types of lawsuits that ClientEarth brings in U.S. courts that affect American industries. The outcome of this and similar lawsuits could affect U.S. policy on domestic energy production and interstate commerce.[11]

Public information also suggests that ClientEarth and Carbon Tracker Initiative Inc. (Carbon Tracker) are acting in concert on joint policy advocacy and regulatory initiatives that target American energy producers.[12] Carbon Tracker claims to be "an independent financial think tank that carries out in-depth analysis on the impact of the energy transition on capital markets and potential investment in high-cost, carbon-intensive fossil fuels."[13] Its mission is "to foster, facilitate, and support awareness of the environmental hazards and financial risks associated with climate change."[14] To achieve its mission, Carbon Tracker claims to influence fossil fuel investment and production by highlighting stranded-asset risks—including risks related to decommissioned oil and gas wells.[15]

This evidence raises questions as to whether, and to what extent, there has been coordination between Carbon Tracker and third parties, including ClientEarth, interested in securing favorable judgments against American energy producers. In other words, ClientEarth,

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[8] Colo. Rev. Stat. § 34-60-133 (2025); Orphan Wells Mitigation Enterprise, Colo. Energy & Carbon Mgmt. Comm'n, https://ecmc.colorado.gov/regulation/orphaned-well-program (last visited July 28, 2026).

[9] *Gonzales v. Raich,* 545 U.S. 1, 17 (2005) (recognizing Congress's authority to regulate activities that substantially affect interstate commerce).

[10] ClientEarth USA, Inc. Financial Statements for the Year Ended December 31, 2024, ClientEarth USA, at 12 (Oct. 30, 2025).

[11] *Protecting American Energy From State Overreach*, Exec. Order no. 14260, §§ 1-2, Fed. Reg. 15513, (Apr. 8, 2025).

[12] *Disruption on the Horizon: Consent, Capital and Clean-Up in the Oil and Gase Sector*, LONDON CLIMATE ACTION WEEK (June 24, 2026), https://londonclimateactionweek.org/event/disruption-on-the-horizon-consent-capital-and-clean-up-in-the-oil-and-gas-sector; ClientEarth & Carbon Tracker Initiative, *Petroleum Resources Management System 2018* (June 2024), https://www.clientearth.org/media/x4mlpr3c/ce-cti-submission-on-prms-28-june-2024-3.pdf.

[13] *About Us*, Carbon Tracker Initiative, https://carbontracker.org/about/ (last visited Aug. 11, 2026).

[14] Carbon Tracker Initiate INC, IRS Form 990, Return of Organization Exempt from Income Tax, at 1 (2024), https://projects.propublica.org/nonprofits/organizations/823744547/202543219349327844/full.

[15] Greg Rogers, A New Theory of ARO Creditor Rights, CARBON TRACKER INITIATIVE (Jan. 11, 2023), https://carbontracker.org/reports/a-new-theory-of-aro-creditor-rights.

which is filing novel lawsuits against U.S. energy companies,[16] appears to be working with allied special interest groups to use the federal court system to override state policymakers, bypass regulators, and impose new liabilities on U.S. energy producers.

To further our oversight of this matter, the Committee requests that you produce the following information and materials:

1. All documents and communications from January 1, 2020, to the present referring or relating to ClientEarth's relationship with affiliated foreign entities;

2. All documents and communications from January 1, 2020, to the present between or among ClientEarth and Carbon Tracker referring or relating to the following topics:

    a. Potential litigation related to energy development in the U.S.,
    b. The identification and solicitation of potential plaintiffs for energy development-related litigation,
    c. The identification of venue in federal judicial districts in which to pursue energy development-related litigation, or
    d. Risk assessments, costs, or likelihood of success in potential energy-development litigation; and

3. All documents and communications from January 1, 2020, to the present referring or relating to the process for finding plaintiffs for cases brought in federal court, including but not limited to, the plaintiffs in McCormack v. HRM Resources, LLC.

We ask that you provide the requested documents and information as soon as possible, but no later than 5:00 p.m. on October 1, 2026.

The Supreme Court has recognized that Congress has a "broad and indispensable" power to conduct oversight, which "encompasses inquiries into the administration of existing laws, studies of proposed laws, and surveys in our social, economic, or political system for the purpose of enabling Congress to remedy them."[17] Pursuant to the Rules of the House of Representatives, the Committee is authorized to conduct oversight of "[t]he judiciary and judicial proceedings," "[f]ederal courts and judges."[18] This authority directly encompasses the subject matter of this inquiry: the use of foreign-sourced third-party litigation funding to select where and when to bring cases in order to extract settlements from, or otherwise impose liabilities on, U.S. energy producers, a practice with substantial effects on interstate commerce that the Committee is addressing through its ongoing work on third-party litigation funding reform. If you have any questions about this matter, please contact Committee staff at (202) 225-6906.

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[16] *McCormick v. HRM Resources, LLC,* No. 1:24-cv-00823-CNS-CYC (D. Colo. Mar. 25, 2024).
[17] *Trump v. Mazars USA, LLP*, 591 U.S. 848, 862 (2020) (internal quotation marks omitted).
[18] Rules of the House of Representatives, R. X, 119th Cong. (2025).

Thank you for your prompt attention to this matter.

Sincerely,

Jim Jordan
Chairman

cc: The Honorable Jamie Raskin, Ranking Member