

Cass R. Sunstein

July 31, 2009

Senator John Cornyn
United States Senate
Washington, D.C. 20510

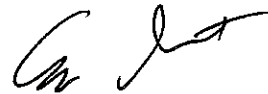
Dear Senator Cornyn:

Thank you so much for your generous letter of July 31 and the opportunity to confirm our shared understanding of our discussion. I am happy to do so.

If confirmed, I certainly would not use my position at OIRA to promote animal standing in civil litigation; such standing would indeed be an intolerable burden on farmers, ranchers, and hunters. I also believe that the Second Amendment creates an individual right to bear arms for purposes of self-defense and hunting. To the extent that relevant issues arise at OIRA, I would act to protect Second Amendment rights. As we discussed, the Supreme Court has yet to settle the question whether the Fourteenth Amendment incorporates the Second Amendment, but I agree with you that it likely does so.

I thank you for your kindness and generosity. If I am confirmed, I would look forward to working with you and your staff on a wide range of relevant issues. All best wishes.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cass R. Sunstein', written in a cursive style.

Cass R. Sunstein