



March 11, 2026

Hon. Sean Duffy
Secretary of Transportation
1200 New Jersey Avenue, SE500
Washington, D.C. 20590

Hon. Chris Wright
Secretary of Energy
1000 Independence Ave., SW
Washington, DC 20585

Hon. Pete Hegseth
Secretary of War
1400 Defense Pentagon
Washington, D.C. 20301

Dear Secretary Duffy, Secretary Hegseth, & Secretary Wright:

Every litigant has an interest in ensuring that research funded by the taxpayers and promulgated by the federal government to judges complies with conflict-of-interest standards and is objective. But the climate science chapter (“Chapter”) in the Reference Manual on Scientific Evidence (“Manual”) was designed to influence judges in multi-billion-dollar climate cases, was funded by climate litigation funders, was written by academics with little relevant scientific expertise and documented financial and institutional ties to climate litigation advocacy, and was shaped by a climate plaintiffs’ attorney. These deficiencies violated the statutory duties, grant terms, and/or public commitments of entities involved with its publication, including the Federal Judicial Center (“FJC”), the National Science Foundation (“NSF”),¹ and the National Academy of Sciences, Engineering, and Medicine (“NASEM”).²

After state attorneys general raised these concerns, the FJC removed the Chapter from its online version of the Manual.³ State attorneys generals have raised

¹ NSF is an independent agency that reports to the President and to Congress. 42 U.S.C. §§ 1861, 1862(a)(7), (f), 1863(j), 1875; <https://www.nsf.gov/about>; <https://www.nsf.gov/about/budget/process>; https://nsf-gov-resources.nsf.gov/files/FY-2025-Agency-Financial-Report_0.pdf, at 11. NSF consists of a National Science Board and a Director. 42 U.S.C. § 1861.

² NASEM “was established in 1863 by an Act of Congress . . . as a private, nongovernmental institution to advise the nation on issues related to science and technology.” See <https://www.nasonline.org/about-the-nas/organization/>.

³ https://ago.nebraska.gov/sites/default/files/doc/Letter_5.pdf;
<https://x.com/mccuskeyforwv/status/2019925917884379295/photo/1>.

DEPARTMENT OF JUSTICE

215 North Sanders
PO Box 201401
Helena, MT 59620-1401

(406) 444-2026
Contactdoj@mt.gov
mtdoj.gov

these concerns with NASEM as well,⁴ but NASEM has not taken action, nor has NSF publicly called for a retraction or attempted to address violations of its grant restrictions. Indeed, NASEM President Marcial McNutt communicated to our offices on February 26, 2026, that the “[t]he manual, including the chapter on climate science, will continue to be available on the Academy’s website.” *See* Attachment A.

Federal agencies should investigate whether NASEM should be suspended or disbarred from federal funds in light of (1) the existence of “serious or compelling” violations related to NASEM’s use of NSF grant money for the Manual, and (2) the need for “immediate action,” given that NASEM continues to publish the Chapter.⁵ Congress should investigate NSF’s and NASEM’s violations in connection with the Chapter, particularly before allocating funding as part of the FY2027 budget process.

I. Federal Agencies Could Suspend or Debar NASEM As a Federal Contractor

a. NASEM’s Violations of NSF’s Grant

NASEM’s publication of the Chapter warrants suspension or debarment by a federal agency, which would exclude NASEM from all federal contracts and grants across the executive branch.⁶ A federal agency can immediately suspend NASEM’s access to federal contracts and grants under the Federal Acquisition Regulation (“FAR”)⁷ or the Nonprocurement Common Rule (“NCR”)⁸ if the agency finds: (i) “[i]mmediate action is necessary to protect the public interest”; and (ii) there is “adequate evidence” that NASEM’s misconduct is sufficiently “serious or compelling” to affect NASEM’s “present responsibility” as a government contractor or grant recipient.⁹ Those standards are met here because the Chapter’s process and conflicts of interest violated the terms of NSF’s grant to NASEM, and because NASEM continues to include the Chapter in its online version of the Manual despite these issues.

The federal suspension or debarment standards are triggered for three primary reasons. **First**, the Chapter has undisclosed conflicts of interest that violate

⁴ https://content.govdelivery.com/attachments/MTAG/2026/02/19/file_attachments/3559530/2026-02-19%20AGs%20Ltr%20to%20NAS%20FINAL.pdf.

⁵ *See* 2 C.F.R. § 180.700(c); 48 C.F.R. § 9.407-1(b)(1); <https://www.nationalacademies.org/read/26919/chapter/21>.

⁶ *See* 2 C.F.R. §§ 180.130, 180.140, 180.145; 48 C.F.R. §§ 9.401, 9.406-1(d), 9.407-1(d). Despite the government-wide effect of a party’s suspension or debarment, a federal agency may continue to deal with that party if the agency head makes a written justification for the exception. *See* 2 C.F.R. § 180.135; 48 C.F.R. §§ 9.406-1(d), 9.407-1(d).

⁷ 48 C.F.R. Subpart 9.4.

⁸ 2 C.F.R. Part 180.

⁹ *See* 2 C.F.R. §§ 180.700(b)–(c), 180.800(d); 48 C.F.R. §§ 9.407-1(b)(1), 9.407-2(c). In contrast to the more permissive “adequate evidence” standard for a suspension, a debarment generally requires a “preponderance of the evidence.” *See* 2 C.F.R. §§ 180.850(a), 180.605; 48 C.F.R. § 9.406-3(d)(3).

the terms of an \$875,000 grant¹⁰ from NSF to develop the Manual. NSF grantees must “uphold the highest standards for scientific integrity,” such as “transparency” and “protection from inappropriate influence.”¹¹ NSF’s grant recipients also must avoid or disclose any “significant financial interest” that “could directly and significantly affect the design, conduct, or reporting of NSF-funded research or educational activities.”¹² Contrary to those standards, the Chapter (i) was “made . . . possible” through a grant from a Sher Edling climate litigation funder;¹³ (ii) was designed with input from people associated with the Climate Judiciary Project (“CJP”),¹⁴ which has the stated goal to develop “a body of law that *supports climate action*,”¹⁵ (iii) was crafted to influence judges who might otherwise be “skeptical” of plaintiffs’ climate science;¹⁶ (iv) was authored by two academics employed by Columbia climate centers funded by Sher Edling’s climate litigation funders¹⁷ (with one author supervised by Michael Burger, a Sher Edling attorney actively leading

¹⁰ https://www.nsf.gov/awardsearch/show-award/?AWD_ID=2139091. The Manual states that NSF made a grant to NASEM, and that the grant was used to fund “[t]his project” (*i.e.*, the Manual). <https://www.nationalacademies.org/read/26919>, at ii. The Manual also states that NSF’s “support . . . made this new edition [of the Manual] possible.” *Id.* at xvii.

¹¹ https://nsf.gov/resources.nsf.gov/files/nsf24_1.pdf, at XI-26.

¹² https://nsf.gov/resources.nsf.gov/files/nsf24_1.pdf, at IX-2; *see id.* at VII-1, IX-2 n.74.

¹³ <https://www.nationalacademies.org/read/26919/chapter/1>, at ii, xvii (grant from Gordon and Betty Moore Foundation); <https://thehill.com/opinion/energy-environment/4422166-why-are-charities-funneling-millions-into-climate-change-lawfare/> (noting that the same foundation gave a sizable donation to the Collective Action Fund, which has funded Sher Edling’s climate litigation).

¹⁴ *See* <https://www.nationalacademies.org/read/26231/chapter/1#4> (listing, among others, CJP founder Paul Hanle and CJP presenter Ben Santer); <https://cjp.eli.org/team/paul-hanle>; <https://www.eli.org/taxonomy/term/24536> (Santer presented at a CJP program). Jessica Wentz, who co-authored the Chapter, also is listed as a CJP expert. <https://cjp.eli.org/experts/jessica-wentz>.

¹⁵ <https://youtu.be/Mo5YvRNGI7A?t=1310>.

¹⁶ <https://www.nationalacademies.org/read/26231/chapter/1#5>, at 5–6.

¹⁷ <https://www.nationalacademies.org/read/26919/chapter/21>, at 1563 (Jessica Wentz works at the Sabin Center for Climate Change at Columbia Law School [and is identified as a CJP Expert on the CJP website](#); Radley Horton works at the Columbia Climate School); <https://climate.law.columbia.edu/content/support-us> (Sabin Center funding sources include the Rockefeller Family Fund); <https://www.npr.org/2024/05/28/nx-s1-4977572/rockefellers-profited-on-fossil-fuels-these-days-theyre-taking-aim-at-the-industry> (president of Rockefeller Family Fund (RFF) interviewed about the “wave of litigation” RFF has funded); <https://ccsi.columbia.edu/donate/> (Columbia Climate School funding sources include the Rockefeller Brothers Fund); <https://thehill.com/opinion/energy-environment/4422166-why-are-charities-funneling-millions-into-climate-change-lawfare/> (noting that the Rockefeller Brothers Fund gave a sizable donation to the Collective Action Fund, which funds climate litigation); *see* <https://eidclimate.org/how-the-rockefellers-manufactured-the-climate-liability-campaign/> (detailing connections between the Rockefeller funds and climate litigation).

pending climate-change cases);¹⁸ and (v) was substantially copied from an article co-authored by Mr. Burger and the Chapter’s authors.¹⁹

Second, the Chapter violates the peer review conditions of NSF’s grant. NSF requires grant recipients to “conduct peer review with the highest ethical standards.”²⁰ NSF also states that “[a]ll organizations . . . supported by NSF are expected to uphold the highest standards for scientific integrity,” and that its grant recipients must “conduct peer review with the highest ethical standards,”²¹ which should include having at least some reviewers with dissenting views. Contrary to those requirements, the Manual’s reviewer list reflects no inclusion of reviewers representing materially different viewpoints on climate science.²² Instead, the Chapter specifically thanks three individuals for input, one of whom is Mr. Burger, and all of whom are employed by Columbia climate centers funded by Sher Edling’s litigation funders.²³

¹⁸ <https://www.sheredling.com/team/#michael-burger>; see, e.g., Compl., *City & Cty. of Honolulu v. Sunoco LP, et al.*, 1CCV-20-0000380 (Hawai’i 1st Cir. Mar. 9, 2020), <https://www.climatecasechart.com/documents/honolulu-sued-fossil-fuel-companies-in-state-court-550e> (complaint showing Michael Burger as one of the attorneys for plaintiffs); <https://climate.law.columbia.edu/directory> (Michael Burger is the executive director of the Sabin Center, where Wentz works). Burger has also represented Amici in filing amicus briefs supporting plaintiffs in other climate litigation; see, e.g., [Amicus Brief of National League of Cities, *City of New York v BP, et al.* 18-2188 \(2nd Circuit\)](#); [Amicus Brief of National League of Cities, et al. *County of San Mateo v Chevron Corp, et al.* 15-15499 \(9th Circuit\)](#); [Amicus Brief of National League of Cities, et al. *City of Oakland, et al v B.P., et al.* 18-16663 \(9th Circuit\)](#)

¹⁹ <https://www.nationalacademies.org/read/26919/chapter/21>, at 1588 (stating that the chapter’s “discussion of attribution research has been adapted and, in some cases, excerpted” from the prior article).

²⁰ https://nsf.gov/resources.nsf.gov/files/nsf24_1.pdf, at IX-3.

²¹ https://nsf.gov/resources.nsf.gov/files/nsf24_1.pdf, at XI-26, IX-3.

²² <https://www.nationalacademies.org/read/26919>, at x; see <https://ago.wv.gov/media/37684/download?inline> (noting that the Chapter’s authors apparently did not “consult any experts who might take a view inconsistent with Wentz and Horton’s conception of ‘consensus,’” such as “any of the leading experts from the Department of Energy’s recent report on climate change”); https://www.energy.gov/sites/default/files/2025-07/DOE_Critical_Review_of_Impacts_of_GHG_Emissions_on_the_US_Climate_July_2025.pdf (DOE report).

²³ See <https://www.nationalacademies.org/read/26919/chapter/21>, at 1642 (thanking Vivien Gornitz, Michael Gerrard, and Sher Edling’s Michael Burger); <https://www.law.columbia.edu/faculty/michael-gerrard> (Gerrard works at Columbia Climate School); <https://people.climate.columbia.edu/users/profile/vivien-gornitz> (Gornitz works at Columbia Climate School). The Columbia Climate School has been funded by the Rockefeller Brothers Fund, which has supported Sher Edling’s climate litigation. See <https://ccsi.columbia.edu/donate/> (Columbia Climate School funding sources include the Rockefeller Brothers Fund (RBF)); <https://thehill.com/opinion/energy-environment/4422166-why-are-charities-funneling-millions-into-climate-change-lawfare/> (RBF donated to Collective Action Fund, which funds Sher Edling’s climate litigation); see <https://eidclimate.org/how-the-rockefellers-manufactured-the-climate-liability-campaign/>.

Third, the Chapter’s biased presentation of climate arguments violates NASEM’s statutory mandate to “report on any subject of science,”²⁴ which NASEM recognizes as including the “core” value of “objectivity.”²⁵ Despite NASEM’s claim that the Manual meets “standards for . . . objectivity,” the Chapter’s design, funding, authorship, and review were anything but objective, as shown above. The Chapter also falsely claims that certain aspects of “attribution” science are established.²⁶ For example, the Chapter declares that “it is possible to quantify the contribution of anthropogenic forcing [human-caused warming] to specific damages,”²⁷ affirming a key allegation in climate litigation. However, this overstates the finding of the Intergovernmental Panel on Climate Change (“IPCC”) that “[s]cientists cannot answer directly whether a particular event was caused by climate change.”²⁸ The Chapter also overstates scientific evidence, such as by warning that the El Niño weather pattern “may . . . be impacted” by human-caused warming,²⁹ even though the IPCC has said it is “virtually certain” that El Niño will continue.³⁰ The Chapter’s material misstatements may be “research misconduct,” which courts have upheld as a basis for exclusion under the FAR or NCR.³¹

b. Federal Agencies That Could Suspend or Debar NAS

NASEM receives funding from dozens of federal entities,³² including the Department of Transportation (“DOT”), the Department of Energy (“DOE”), and the Department of War (“DOW”).³³ In 2024, DOT provided \$84 million in contracts or grants to NAS; DOE provided \$7 million; and DOW provided \$33 million.³⁴ Each agency has recently cut wasteful and partisan spending. DOT terminated \$54 million in “woke university grants” that were “used to advance a radical . . . green agenda.”³⁵

²⁴ See 36 U.S.C. § 150303.

²⁵ <https://www.nationalacademies.org/index.php/process>; <https://www.nasonline.org/about-the-nas/organization/>.

²⁶ <https://www.nationalacademies.org/read/26919/chapter/21>, at x, 1594–1600, 1611.

²⁷ <https://www.nationalacademies.org/read/26919/chapter/21>, at 1611.

²⁸ https://www.ipcc.ch/report/ar6/wg1/downloads/faqs/IPCC_AR6_WGI_FAQ_Chapter_11.pdf, at 65.

²⁹ <https://www.nationalacademies.org/read/26919/chapter/21>, at 1575.

³⁰ https://www.ipcc.ch/report/ar6/wg1/downloads/report/IPCC_AR6_WGI_Chapter04.pdf, at 557.

³¹ See, e.g., *Frech v. U.S. Dep’t of Health & Hum. Servs.*, 2025 WL 3563196, at *8 (D.D.C. Dec. 12, 2025); *Brodie v. U.S. Dep’t of Health & Hum. Servs.*, 796 F. Supp. 2d 145, 148 (D.D.C. 2011).

³² <https://www.nationalacademies.org/read/29218/chapter/2>, at 6.

³³ In addition, if a suspension is initiated under the FAR or NCR, then the Department of Treasury could further enforce that exclusion by withholding any contract- or grant-based disbursements to NAS that are in violation of the suspension. See 31 U.S.C. § 3321(a) (establishing Treasury as the primary disbursing authority for public funds); 31 C.F.R. § 19.100 (Treasury regulation implementing “governmentwide system of debarment and suspension”). This would include any unlawful disbursements by NSF. See 2 C.F.R. § 2520.10 (NSF regulation adopting the NCR); see also <https://www.acquisition.gov/isdc-debarment-regulations>.

³⁴ <https://www.nationalacademies.org/read/29218/chapter/2>, at 6.

³⁵ <https://www.transportation.gov/briefing-room/us-transportation-secretary-sean-p-duffy-defunds-woke-university-grants>; <https://www.planetizen.com/news/2025/05/135093-transportation-research-centers-lose-key-federal-funding>; <https://usa.streetsblog.org/2025/05/04/u-s-dot-sec-duffy-cuts-vital-research-grants-on-transportation-inequity-deriding-woke>.

DOE rescinded billions in funding for wasteful green energy projects that “were not economically viable,”³⁶ and plans to return another \$13 billion appropriated to the “wasteful Green New Scam agenda.”³⁷ Similarly, DOW cut grants to decarbonize military emissions, and redirected billions of dollars away from “so-called ‘climate change’ and other woke programs.”³⁸

II. Congressional Committees Could Investigate NSF’s and NASEM’s Violations of Their Duties and Commitments

a. NSF’s and NASEM’s Violations

By engaging in the biased process that produced the Chapter, NSF and NASEM violated their public commitments and statutory duties in four primary ways

First, NSF failed to apply its own heightened safeguards required for “influential scientific information”³⁹ by funding the Manual. The Chapter directly states that it is designed to “help judges evaluate the admissibility and weight of expert testimony and documentary evidence involving climate science.”⁴⁰ Notes from the development of the Chapter show that the Chapter was designed to influence “skeptical” judges in multi-billion-dollar climate cases.⁴¹ This aim also violates NASEM’s commitment to engage in “impartial analysis”⁴² and to avoid “advocacy for specific policy or social outcomes.”⁴³

Second, the processes used to create the Chapter also violated NSF’s and NASEM’s public commitments to disclose conflicts of interest. As noted above, NSF grant recipients must avoid conflicts of interest, including “significant financial interest” that could “affect the design, conduct, or reporting of NSF-funded research.”⁴⁴ Likewise, NASEM claims that its activities are “free from undue influence from sponsors,”⁴⁵ that it will “avoid sponsors that may be viewed as advocates,”⁴⁶ and that it accepts private sponsorships only if doing so would “uphold”

³⁶ <https://www.energy.gov/articles/secretary-wright-announces-termination-24-projects-generating-over-3-billion-taxpayer>.

³⁷ <https://www.energy.gov/articles/energy-department-returns-13-billion-unobligated-wasteful-spending-american-taxpayers>; <https://www.theguardian.com/us-news/2025/sep/24/trump-energy-secretary-chris-wright>.

³⁸ <https://breakingdefense.com/2025/02/pentagon-seeks-to-shift-50b-in-planned-funding-to-new-priorities-in-fy26/>; <https://www.wgbh.org/news/2025-02-20/pentagon-proposes-50-billion-in-annual-cuts-and-identifies-priorities-to-expand>; <https://www.stripes.com/theaters/us/2025-03-21/dod-spending-cuts-hegseth-17214402.html>; <https://www.defenseone.com/policy/2025/02/hegseth-seeks-shift-50-billion-fy26-budget-proposal/403128/>.

³⁹ <https://www.nsf.gov/policies/information-quality> (under “Influential” tab).

⁴⁰ <https://www.nationalacademies.org/read/26919/chapter/21>, at 1566.

⁴¹ <https://www.nationalacademies.org/read/26231/chapter/1#5>, at 5–6.

⁴² <https://www.nationalacademies.org/process>.

⁴³ <https://www.nationalacademies.org/principles-and-practices-that-guide-our-work>.

⁴⁴ https://nsf.gov/resources.nsf.gov/files/nsf24_1.pdf, at IX-2.

⁴⁵ <https://www.nasonline.org/wp-content/uploads/2024/11/October-2024-Policy-Statement-on-Objectivity-Independence-and-Excellence.pdf>.

⁴⁶ <https://www.nationalacademies.org/principles-and-practices-that-guide-our-work>.

NASEM’s “independence” and “avoid conflict of interest.”⁴⁷ Yet NAS’s process was rife with conflicts.

Third, the Chapter lacked appropriate peer review, as required by NSF’s and NASEM’s guidelines.⁴⁸ As noted above, NSF requires grant recipients to “conduct peer review with the highest ethical standards.”⁴⁹ NASEM similarly declares that “[a]ny product by [NASEM] must be reviewed by a diverse group of experts other than its authors prior to release.”⁵⁰ The “goal” of NASEM’s “report review” process is to “ensure each report is scientifically sound . . . and objective before releasing it to the public.”⁵¹ Indeed, NASEM claims that the Manual underwent “independent review . . . to ensure that it meets the institutional standards for . . . objectivity.”⁵² Yet, as noted above, the Manual’s list of reviewers does not include prominent dissenting views in the area of climate science,⁵³ and the Chapter thanks three similarly-biased individuals for input, including Mr. Burger, who helps lead climate litigation efforts.⁵⁴

⁴⁷ <https://nam.edu/news-and-insights/faqs-related-to-nyt-articles-on-sackler-family-donations-to-nas/>.

⁴⁸ NASEM states that the Manual underwent “independent review . . . to ensure that it meets the institutional standards for . . . objectivity.” <https://www.nationalacademies.org/read/26919>, at x. And according to NASEM’s Principles and Practices, independent reviewers are tasked with ensuring that each report “[m]aintains an impartial and objective tone,” and the “goal” of this “report review” process is to “ensure each report is scientifically sound . . . and objective before releasing it to the public.” <https://www.nationalacademies.org/principles-and-practices-that-guide-our-work>.

⁴⁹ https://nsf.gov/resources.nsf.gov/files/nsf24_1.pdf, at IX-3.

⁵⁰ <https://www.nationalacademies.org/guidelines-for-the-review-of-products-of-the-national-academies-of-sciences-engineering-and-medicine>.

⁵¹ <https://www.nationalacademies.org/principles-and-practices-that-guide-our-work>.

⁵² <https://www.nationalacademies.org/read/26919>, at x. The Manual states that its “review comments and draft manuscripts remain confidential to protect the integrity of the deliberative process.” *Id.*

⁵³ <https://www.nationalacademies.org/read/26919>, at x; see <https://ago.wv.gov/media/37684/download?inline> (noting that the Chapter’s authors apparently did not “consult any experts who might take a view inconsistent with Wentz and Horton’s conception of ‘consensus,’” such as “any of the leading experts from the Department of Energy’s recent report on climate change”); https://www.energy.gov/sites/default/files/2025-07/DOE_Critical_Review_of_Impacts_of_GHG_Emissions_on_the_US_Climate_July_2025.pdf (DOE report).

⁵⁴ See <https://www.nationalacademies.org/read/26919/chapter/21>, at 1642 (thanking Sher Edling’s Michael Burger and two individuals at the Columbia Climate School); <https://www.law.columbia.edu/faculty/michael-gerrard> (Gerrard works at Columbia Climate School); <https://people.climate.columbia.edu/users/profile/vivien-gornitz> (Gornitz works at Columbia Climate School). The Columbia Climate School has been funded by the Rockefeller Brothers Fund, which has supported Sher Edling’s climate litigation. See <https://ccsi.columbia.edu/donate/> (Columbia Climate School funding sources include the Rockefeller Brothers Fund (RBF)); <https://thehill.com/opinion/energy-environment/4422166-why-are-charities-funneling-millions-into-climate-change-lawfare/> (RBF donated to Collective Action Fund, which funds Sher Edling’s climate litigation); see also <https://eidclimate.org/how-the-rockefellers-manufactured-the-climate-liability-campaign/>.

Fourth, the Chapter's process and content violate the Organizations' statutory mandates to support "scientific research"⁵⁵ and to "report on any subject of science."⁵⁶ Both NSF and NASEM claim that objectivity is an essential part of science and scientific integrity.⁵⁷ But as outlined above, the Chapter's design, funding, authorship, and review were all biased, and the Chapter's content also reflects this lack of objectivity.

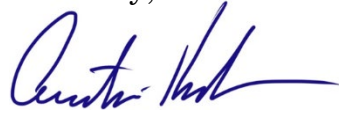
b. Congressional Committees That Could Investigate

Three types of Congressional committees with authority to investigate these violations have been copied on this letter. First, committees with specific or general oversight over NSF could investigate NSF's grant to help fund the Manual, NSF's breach of its commitments and duties, and its failure to call for the Chapter's retraction. Second, appropriations subcommittees could evaluate these issues as part of the FY27 budget process,⁵⁸ as a budget proposal is likely to be released in March 2026.⁵⁹ Furthermore, the CHIPS Act authorized \$81 billion for NSF from FY23-27.⁶⁰ Third, committees with jurisdiction over agencies that provide funding to NASEM (such as DOT, DOE, and DOW) could investigate the funding NASEM receives from those agencies.

* * *

Thank you for considering this important matter. Should you require additional information, please contact Christian Corrigan, Montana Solicitor General, christian.corrigan@mt.gov or 406-444-2707.

Sincerely,



Austin Knudsen
ATTORNEY GENERAL OF MONTANA

⁵⁵ 42 U.S.C. § 1862(a)(1).

⁵⁶ 36 U.S.C. § 150303.

⁵⁷ See <https://www.nationalacademies.org/purpose>; <https://www.nasonline.org/about-the-nas/organization/>; <https://www.nationalacademies.org/read/26919>, at iii (stating that NASEM provides "objective analysis"); <https://nsf.gov/resources.nsf.gov/pubs/2024/nsf24007/nsf24007.pdf>, at 4, 6.

⁵⁸ In FY26, the total appropriated to NSF was \$8.75 billion. <https://www.aera.net/Newsroom/AERA-Highlights-E-newsletter/AERA-Highlights-January-2026/FY-2026-Appropriations-Packages-Advanced-for-Federal-Education-Research-Agencies>; <https://www.commerce.senate.gov/2026/1/ves-existential-threat-from-trump-budget-as-senate-rejects-gutting-nasa-nsf-nist>; <https://www.congress.gov/crs-product/R48783>.

⁵⁹ See <https://www.ft.com/content/ebb4a80d-d561-4612-9043-8d581190c819>.

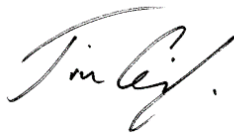
⁶⁰ <https://www.nsf.gov/chips>; see <https://www.aaas.org/programs/office-government-relations/breaking-down-chips-and-science-act>.



Steve Marshall
ATTORNEY GENERAL OF ALABAMA



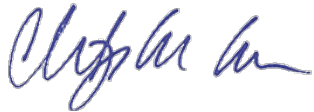
Stephen J. Cox
ATTORNEY GENERAL OF ALASKA



Tim Griffin
ATTORNEY GENERAL OF ARKANSAS



James Uthmeier
ATTORNEY GENERAL OF FLORIDA



Christopher M. Carr
ATTORNEY GENERAL OF GEORGIA



Raúl Labrador
ATTORNEY GENERAL OF IDAHO



Todd Rokita
ATTORNEY GENERAL OF INDIANA



Brenna Bird
ATTORNEY GENERAL OF IOWA



Kris W. Kobach
ATTORNEY GENERAL OF KANSAS



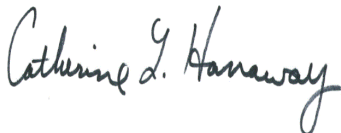
Russell M. Coleman
ATTORNEY GENERAL OF KENTUCKY



Liz Murrill
ATTORNEY GENERAL OF LOUISIANA



Lynn Fitch
ATTORNEY GENERAL OF MISSISSIPPI



Catherine L. Hanaway
ATTORNEY GENERAL OF MISSOURI



Mike Hilgers
ATTORNEY GENERAL OF NEBRASKA



Drew Wrigley
ATTORNEY GENERAL OF NORTH DAKOTA



Dave Yost
ATTORNEY GENERAL OF OHIO



Gentner F. Drummond
ATTORNEY GENERAL OF OKLAHOMA



Alan Wilson
ATTORNEY GENERAL OF SOUTH
CAROLINA



Marty J. Jackley
ATTORNEY GENERAL OF SOUTH DAKOTA



Ken Paxton
ATTORNEY GENERAL OF TEXAS



Derek Brown
ATTORNEY GENERAL OF UTAH



John B. McCuskey
ATTORNEY GENERAL OF WEST VIRGINIA



Keith G. Kautz
ATTORNEY GENERAL OF WYOMING

cc:

Senate Commerce, Science & Transportation Committee
Senate Armed Services Committee
Senate Appropriations Committee
Senate Committee on Environment & Public Works
House Committee on Science, Space, & Technology
House Transportation Committee
House Armed Services Committee
House Appropriations Committee
House Committee on Energy & Commerce
House Oversight Committee



NATIONAL ACADEMY OF SCIENCES

Office of the President

RECEIVED

February 26, 2026

FEB 27 2026

ATTORNEY GENERAL'S OFFICE
HELENA, MONTANA

Mr. Austin Knudsen
Attorney General of Montana
Department of Justice
215 North Sanders
PO Box 201401
Helena, MT 59620

Dear Attorney General Knudsen and Colleagues:

Thank you for your letter of February 19, 2026.

The National Academy of Sciences used the process that was jointly developed by the Academy and the Federal Judicial Center (FJC) in the development of the 4th Edition of the *Reference Manual on Scientific Evidence* that was published on December 31, 2025. The manual, including the chapter on climate science, will continue to be available on the Academy's website.

Sincerely,

A handwritten signature in cursive script that reads "Marcia McNutt".

Marcia McNutt
President