

February 26, 2016

The Honorable Lamar Smith  
Chairman, House Committee on Science, Space, and Technology  
2318 Rayburn House Office Building  
Washington, D.C. 20515

Dear Chairman Smith:

The Union of Concerned Scientists, on behalf of more than 450,000 members and supporters across the country, is troubled and disappointed by your latest efforts to interfere and meddle with the scientific research conducted by the National Oceanic and Atmospheric Administration (NOAA). Your latest demand for documents related to the work of NOAA scientists is far too broad and aggressive, and continues to threaten the independence of all federal scientists.

The demand for documents in your letter dated February 22, 2016 to NOAA Administrator Kathryn Sullivan is enormously broad and can only be construed as a “fishing expedition” given there is no evidence of misconduct. For example, your demand for the production of the correspondence of all National Environmental Satellite, Data, and Information Service employees containing the word “temperature” or the word “buoy” is astounding. It is hard to imagine very many emails that *don't* contain the words in your search list. The use of the sledgehammer of a congressional subpoena to cast so wide a net is unprecedented and unjustified; at the same time it harasses and distracts scientists who are just doing their jobs.

Your actions have already earned a strong rebuke from the nation’s major scientific associations<sup>1</sup>, and thousands of scientists have written letters in support of NOAA.<sup>2</sup> We had hoped you would recognize the damage that broad subpoenas can have on the ability of scientists to do their best work. Instead, your most recent demand ignores the concerns of mainstream scientists and points to a letter organized by several individuals with well-established bona fides in the movement to manufacture controversy about climate change science or deny it altogether.

The facts are clear: NOAA scientists completed a routine update of an important climate data set, and, after extensive peer review, published the results in the venerable journal *Science*.

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<sup>1</sup> Letter from the American Association for the Advancement of Science, et. al., to Hon. Lamar Smith, Chairman, H. Comm. on Science, Space, and Technology, Nov 24, 2015, [http://www.aaas.org/sites/default/files/Intersociety\\_NOAA\\_letter\\_11-25-2015.pdf](http://www.aaas.org/sites/default/files/Intersociety_NOAA_letter_11-25-2015.pdf).

<sup>2</sup> Letter from 587 scientists to Hon. Kathryn Sullivan, Undersecretary of Commerce for Oceans and Atmosphere, Administrator for National Oceanic and Atmospheric Administration, Dec 7, 2015, <http://apps.npr.org/documents/document.html?id=2641997-ScientistsThankYoutoDrSullivan>.

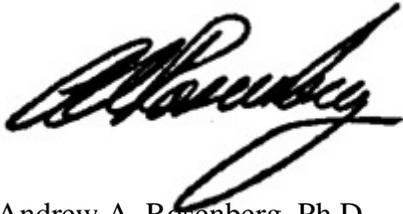
Several subsequent parallel scientific studies from other independent data sets support the NOAA scientists' conclusions. NOAA made all data and methodology publicly available. Not a shred of evidence of scientific misconduct has surfaced.

With regard to the study of temperature records, there is robust discussion and ongoing analyses presented by scientists using well-established scientific processes. That is the give and take of science as we refine our knowledge of the world. The paper by Karl, et al., and the dataset they worked with reflects this scientific process and is the most up-to-date analysis in the field.

Political meddling in the process of scientific research will not improve our understanding of the global climate, and harms not only that research but also our nation and our nation's scientific enterprise. Congressional oversight should prevent such meddling, not exacerbate it. Your extreme demands have a chilling effect by deterring federal scientists from freely carrying out their research regardless of the political or policy implications of said research.

To protect the independence of its scientists, we believe that NOAA is justified in resisting this newest demand. Further, it is our hope that you will decide to stop this burdensome and unwarranted fishing expedition by rescinding your latest inquiry, as well as withdrawing your original subpoena.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Rosenberg', with a large, sweeping flourish at the end.

Andrew A. Rosenberg, Ph.D.  
Director, Center for Science and Democracy  
Union of Concerned Scientists

cc: Rep. Eddie Bernice Johnson, Ranking Member, Committee on Science, Space, and Technology