

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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August 28, 2026

Dr. Neil H. Shubin
President
The National Academy of Sciences
500 Fifth Street NW
Washington, D.C. 20001

Dear President Shubin:

The Committee on Oversight and Government Reform is continuing its oversight of the National Academies of Sciences, Engineering, and Medicine's (NAS) August 7, 2025, decision to assemble and publish a "fast track" review of "the latest scientific evidence on whether greenhouse gas emissions are reasonably anticipated to endanger public health and welfare in the U.S."¹ NAS' haste appears based on a desire to publish a review before public comments were due on the U.S. Environmental Protection Agency's (EPA) July 29, 2025, proposal to rescind its 2009 Clean Air Act endangerment finding concerning greenhouse gas emissions (Endangerment Finding).² The 2009 finding acted as the linchpin of the Obama and Biden Administrations' imposition of immensely burdensome Clean Air Act regulations to implement their ideologically driven climate agenda. Since I first wrote NAS on September 3, 2025, to request NAS documents and communications related to this review,³ NAS has produced nearly 1,500 pages of documents, communications, and records.⁴ This evidence suggests NAS intended to prepare and release a biased review to undermine any final EPA action to rescind the Endangerment Finding and provide ammunition to environmental partisans for attacks in the courts and other public discussions. Compounding the Committee's concerns, NAS has refused to produce documents that could further clarify the motives and course of NAS' review. I therefore insist that NAS now produce to the Committee certain withheld documents.

NAS' bias existed at the inception of its effort. As NAS stated in its press release announcing the review, NAS had already predetermined the result—that "the evidence for current and future harm to human health and welfare created by human-caused greenhouse gases

¹ News Release, Nat'l. Academies of Sciences, Engineering, and Medicine, National Academies Launch Fast-Track Review of Latest Evidence for Whether Greenhouse Gas Emissions Endanger Public Health and Welfare (Aug. 7, 2025).

² See Letter from James Comer, Chairman, H. Comm. on Oversight and Gov't Reform, to Marcia McNutt, President, National Academy of Sciences (Sept. 3, 2025) [hereinafter "Letter from James Comer"].

³ *Id.*

⁴ Letter from Ronald M Jacobs, Partner, Venable LLC, to James Comer, Chairman, H. Comm. on Oversight and Gov't Reform (Jan. 21, 2026) (on file with the Committee).

is beyond scientific dispute.”⁵ Moreover, an August 7, 2025, internal funding-request communication from NAS’ Climate Crossroads unit, which was directly responsible for the development and execution of the review, stated the review’s targeted audiences would include “the Courts” and Congress.⁶

*NAS Governing Board for the Policy and Advisory Committee memorandum requesting funding for its fast-tracked review study.*⁷

Project Audiences and Impact:

Primary audiences will be the Environmental Protection Agency, the Department of Energy, and the Courts. Secondary audiences include the US Congress, other parts of government with climate-related responsibilities, the scientific community, and the general public.

10.4

Read together, this evidence suggests NAS’ intent to salt the scientific battlefield against EPA’s proposed action for purposes of both litigation challenging any EPA rescission of the Endangerment Finding and other policy efforts aimed at undoing a rescission.

Strengthening my suspicion regarding inappropriate efforts to spur litigation against the federal government is NAS’ parallel effort, in conjunction with the Federal Judicial Center, to produce a “Reference Guide on Climate Science” (Reference Guide) to influence the courts’ deliberations in climate-related litigation. A draft of the Reference Guide published in December 2025 stated that climate change is “relatively settled science” and that interpreting evidence differently is “strategic manipulation.”⁸ The draft Reference Guide also gave credence to legal theories tying severe weather events to legal responsibility on the alleged part of specific companies.⁹ The draft Reference Guide was written by individuals associated with law firms pushing these legal theories that have been heavily involved in climate lawfare against energy companies.¹⁰ Because of concerns raised about the impartiality of the Reference Guide,¹¹ the Federal Judicial Center (FJC) ultimately omitted the Reference Guide from the materials it made available to judges.¹² Your predecessor, Dr. Marcia McNutt, then-president of NAS, disputed that the Reference Guide was biased, and until very recently NAS kept the text rejected by the

⁵ Pres Release, National Academies of Sciences, Engineering, and Medicine, National Academies Publish New Report Reviewing Evidence for Greenhouse Gas Emissions and U.S. Climate, Health, and Welfare (Sept. 17, 2025).

⁶ Email from Amanda Purcell, Associate Director, Climate Crossroads, to Presidents Committee Fund, and attachments (Aug. 7, 2025, 8:55:06 AM) (NAS-OGP.000005, on file with the Committee).

⁷ *Id.*

⁸ The Editorial Board, *A Failed Climate Coup in the Courts*, THE WALL STREET JOURNAL (Feb. 9, 2026).

⁹ Phil Goldberg & Christopher Appel, *Judicial Science Manual Under Fire: The FJC–NASEM Controversy That Won’t Go Away*, WASHINGTON LEGAL FOUNDATION (Apr. 15, 2026).

¹⁰ *Id.*

¹¹ See Letter from John B. McCuskey, Att’y General, West Virginia, *et al.*, to Judge Robin L. Rosen, Director, Federal Judicial Center (Jan. 29, 2026).

¹² See Letter from Judge Robin L. Rosen, Director, Federal Judicial Center, to H. John B. McCuskey, Att’y General, West Virginia (Feb. 6, 2026).

FJC available on the National Academies' website, further indicating bias on the topic of climate science.¹³

Furthermore, NAS recently published a study to promote research attributing “human-caused climate change [to] *individual* specific weather or climate events,” and “provide guidance to extend the application of attribution science and engage diverse stakeholders.”¹⁴ This report states that, “attribution science is potentially relevant to several legal issues commonly raised in climate change litigation, including standing, causation, harm, and foreseeability.”¹⁵ These recent publications heighten the Committee's concerns that NAS bends its efforts to provide environmental plaintiffs with ammunition to conduct climate lawfare, rather than to fulfill NAS' obligation to remain unbiased. NAS' statement that it would conduct “an independent review” of the process used to develop the climate science chapter in the Reference Guide does nothing to alleviate these concerns. Given NAS' record, I am concerned that this review will act as a performative whitewashing of NAS' corrupt process while it attempts to retain funding in the midst of public scrutiny.¹⁶

With respect to Congress, I am also concerned that NAS' efforts were intended both to feed political efforts opposed to EPA's final decision and to keep streams of funding flowing for activist climate research and advocacy. NAS' internal documents show that, in Dr. McNutt's own request for funding for NAS' fast-track review from the Ralph J. and Carol M. Cicerone Endowment Fund, Dr. McNutt told Ms. Carol M. Cicerone that the EPA's repeal of the Endangerment Finding, “would mean the end to federal investment in CO2 reduction.”¹⁷

¹³ Marcia McNutt, *The National Academy of Sciences Isn't Biased*, THE WALL STREET JOURNAL (Mar. 7, 2026).

¹⁴ NATIONAL ACADEMIES OF SCIENCE, ENGINEERING, AND MEDICINE, ATTRIBUTION OF EXTREME WEATHER AND CLIMATE EVENTS AND THEIR IMPACTS, 2 (Jul. 15, 2026).

¹⁵ *Id.*, at 40.

¹⁶ Donald J. Trump (@realDonaldTrump), Truth Social, (Jul. 19, 2026), *available at* <https://truthsocial.com/@realDonaldTrump/posts/116949428377514667>.

¹⁷ E-mail from Marcia K. McNutt, President, National Academy of Sciences, to Carol Cicerone, Donor, Ralph J. and Carol M. Cicerone Endowment Fund (Jul. 31, 2025, 1:57 PM). (NAS-OGR.000069, on file with the Committee).

On Jul 31, 2025, at 1:57 PM, McNutt, Marcia K. [REDACTED] wrote:

Dear Carol,

We certainly live in unprecedented times, so once again I am writing to seek your concurrence on an urgent and important use of the Cicerone fund.

As you may have seen, the EPA has come out with a new proposal to repeal the CO2 endangerment finding. If successful, this would mean the end to federal investment in CO2 reduction. Their position is based on a very biased report from a handful of climate deniers. The community has until the third week in September to comment on their new direction.

The NAS would like to mount a fast-track study to create a short report from the NAS on this topic to submit to EPA. We envision this being an update of the **2001 report** that Ralph chaired. We already have more recent consensus studies on attribution of major weather events to climate change, but would want to bolster that with impacts on human health, agriculture, regional conflicts, etc. I suspect that cost of this effort would be only a few \$100K given the exceptionally short timeline to get it accomplished.

Thanks so much for considering this very urgent and timely use for the Cicerone fund.

Best wishes,

Marcia

Marcia K. McNutt
President, National Academy of Sciences
[REDACTED]

To this, Ms. Cicerone responded by supporting NAS' use of funds from the Cicerone Endowment Fund, "to provide a . . . report to the EPA on the continuing need for CO2 reduction."¹⁸

From: Carol Cicerone [REDACTED]
Sent: Thursday, July 31, 2025 2:14 PM
To: McNutt, Marcia K.
Cc: Fulton, Ken; Symmes, Gregory; Staudt, Amanda
Subject: Re: Yet another request

Caution: This email originated outside the organization. Please exercise caution when opening attachments or clicking links, as they may contain malicious content.

Dear Marcia,

I support using funds of approximately \$100,000 from the Cicerone Endowment for a fast-track study to provide a short report to the EPA on the continuing need for CO2 reduction.

I would greatly appreciate an update on the two other fast-track NAS studies already being supported by the Cicerone Endowment. A current timeline for completion of those reports would be fine at this time. When the reports are complete and submitted, please send me copies.

As ever, Carol

¹⁸ E-mail from Carol Cicerone, Doner, Ralph J. and Carol M. Cicerone Endowment Fund, to Marcia K. McNutt, President, National Academy of Sciences (Jul. 31, 2025, 11:14 AM). (NAS-OGR.000070, on file with the Committee).

Further, immediately upon launching its fast-track review, NAS fundraised off what it referred to as the “climate crisis”,¹⁹ as evidenced by Climate Crossroads’ email to NAS donors notifying them of the study.²⁰ Many of the recipients of this email worked for entities that seek to eliminate both hydrocarbons as an energy source and for use in internal combustion engines.²¹

My concerns over NAS’ bias and purposes are further confirmed by review of NAS conflict-of-interest documents produced to date.²² In its internal memorandum requesting funding for the review, NAS’ Climate Crossroads unit stated the committee selected to produce the review (Drafting Committee) would “not include members who have publicly taken strong positions” on the review’s subject “that could be viewed as politically-driven.”²³ Nevertheless, Drafting Committee members ultimately included many individuals who had made extensive public statements taking positions in alignment with the ultimate findings of the study.²⁴ The Drafting Committee even included members who disclosed ongoing relationships with entities

¹⁹ Letter from James Comer, *supra* n. 2; and *Donate to Climate Crossroads*, NATIONAL ACADEMIES OF SCIENCES, ENGINEERING, AND MEDICINE, available at <https://www.nationalacademies.org/donate-to-climate-crossroads> (last visited Apr. 6, 2026).

²⁰ Email from Joanne Morse, Dir. Of Development, Climate Crossroads, National Academies of Sciences, Engineering, and Medicine, to Katherine Koshie (Aug. 8, 2025, 1:07 PM); and Email from Joanne Morse, Dir. Of Development, Climate Crossroads, National Academies of Sciences, Engineering, and Medicine, to Surabi Menon (Aug. 8, 2025, 12:47 PM); Email from Joanne Morse, Dir. Of Development, Climate Crossroads, National Academies of Sciences, Engineering, and Medicine, to V Balaji & Heidi Cullen (Aug. 8, 2025, 10:48 AM); Email from Joanne Morse, Dir. Of Development, Climate Crossroads, National Academies of Sciences, Engineering, and Medicine, to Lucas Joppa (Aug. 7, 2025, 3:17 PM); Email from Joanne Morse, Dir. Of Development, Climate Crossroads, National Academies of Sciences, Engineering, and Medicine, to Deborah Burke (Aug. 7, 2025, 3:15 PM); Email from Joanne Morse, Dir. Of Development, Climate Crossroads, National Academies of Sciences, Engineering, and Medicine, to Daniel Matross (Aug. 7, 2025, 2:34 PM); Email from Joanna Morse, Dir. Of Development, Climate Crossroads, National Academies of Sciences, Engineering, and Medicine, to Zhuli Hess, *et al.* (Aug. 7, 2025, 2:12 PM); Email from Joanne Morse, Dir. Of Development, Climate Crossroads, National Academies of Sciences, Engineering, and Medicine, to Nicholas Bianco, *et al.* (Aug. 7, 2025, 2:04 PM); Email from Joanne Morse, Dir. Of Development, Climate Crossroads, National Academies of Sciences, Engineering, and Medicine, to Frank Nguyen (Aug. 7, 2025, 2:29 PM); Email from Joanne Morse, Dir. Of Development, Climate Crossroads, National Academies of Sciences, Engineering, and Medicine, to Moria McDonald (Aug. 7, 2025, 3:03 PM); Email from Joanne Morse, Dir. Of Development, Climate Crossroads, National Academies of Sciences, Engineering, and Medicine, to Ian Philp (Aug. 7, 2025, 3:09 PM); and Email from Joanne Morse, Dir. Of Development, Climate Crossroads, National Academies of Sciences, Engineering, and Medicine, to Gayle Martin, *et al.* (Aug. 7, 2025, 2:57 PM) (NAS-OGR000368-94).

²¹ For example, Climateworks Foundation’s “Drive Electric Campaign” seeks to eliminate the sale of internal combustion engines, and the Rockefeller Brothers Fund is spending more than \$100 million “to address the climate crisis and the political and economic systems that drive and reflect it.” See *A campaign to transform road transportation*, DRIVE ELECTRIC CAMPAIGN (last visited Apr. 20, 2026), available at <https://www.driveelectriccampaign.org/strategy/>; and *Beyond Divestment: Decarbonizing Our Investment Portfolio*, ROCKEFELLER BROTHERS FUND (last visited Apr. 20, 2026), available at <https://www.rbf.org/beyond-divestment-decarbonizing-our-investment-portfolio>.

²² See, e.g., National Academies of Sciences, Engineering, and Medicine Confidential Conflict of Interest and Disclosure Form submissions (NAS-OGR.001052-1199, on file with the Committee).

²³ Email from Amanda Purcell, Associate Director, Climate Crossroads, to Presidents Committee Fund, and attachments (Aug. 7, 2025, 8:55:06 AM) (NAS-OGR.000008, on file with the Committee).

²⁴ See NAS-OGR.0000983 (on file with the Committee).

with financial interests that could be affected by the Drafting Committee’s work, which NAS did not publicly disclose.²⁵

*NAS COI and Disclosure Form Submission of Charles T. Driscoll, Jr.*²⁶

B. DISCLOSURE OF RELEVANT RELATIONSHIPS

Separate from any relationships you provided in Section A that constitute a financial conflict of interest, there may be other relationships that do not constitute a financial conflict of interest, but are relevant to your service on the committee and therefore will be disclosed when the committee’s membership is announced and in any publication resulting from the committee’s work. When disclosing a relationship, please provide a start and end date to the extent possible.

A *financial interest* includes stocks, bonds, and other financial instruments and investments; patents, copyrights and other intellectual property interests; and ownership interests in for profit business enterprises. It does not include any financial asset with a value of less than \$15,000 or diversified mutual funds and similarly diversified investments.

(i) In the last 5 years have you had a past relationship with an entity that has a *financial interest* that could be affected directly and predictably by the outcome of the committee’s work involving any of the following?

- a business partnership or employment;
- the provision of compensated advisory or consulting services, including compensated service on a scientific or technical advisory board;
- the provision of representation services or service as an expert witness, whether compensated or not;
- service as an officer, director, trustee, or other fiduciary of the entity, whether compensated or not; or
- research support, except for research support that was awarded on the basis of merit without restrictions on the conduct of the research or the publication of the results.

NOTE: There is no minimum threshold for income or compensation that must be listed here. NOTE: This question only applies to past relationships. If the relationship is current, it must be entered in Section A(iii) and not here.

☒ Yes ☐ No

If yes, please list all relevant past relationships and provide a start and end date, to the extent possible.

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COI and Disclosure Form
For Committees Used in the Development of Findings, Conclusions, and Recommendations

CONFIDENTIAL

Grassy Narrows First Nation, Ontario Canada, 2025- present
Natural Resources Defense Council, 2020- present
Sonoma Technologies, 2022- present

Moreover, public commentors identified numerous conflicts of interests,²⁷ but the only “unavoidable” conflicts of interest NAS disclosed upon publishing the review were two financial conflicts of interest.²⁸ Astonishingly, NAS documents produced to the Committee show that one potential Drafting Committee member, Dr. Inez Fung, was denied service on that committee “because her work on issues related to the statement of task presented potential concerns of bias.”²⁹ Nevertheless, NAS selected her as a peer reviewer of the Drafting Committee’s work.³⁰

²⁵ See, for example National Academies of Sciences, Engineering, and Medicine Confidential Conflict of Interest and Disclosure Form – Charles T. Driscoll, Jr. (NAS-OGR.001104-1105, on file with the Committee).

²⁶ *Id.*

²⁷ GAO Submits Comments on NASEM Panel Tackling EPA ‘Endangerment Finding’ Rescission, GOVERNMENT ACCOUNTABILITY & OVERSIGHT, available at <https://govoversight.org/gao-submits-comments-on-nasem-panel-tackling-epa-endangerment-finding-rescission/>.

²⁸ See NATIONAL ACADEMIES OF SCIENCES, ENGINEERING, AND MEDICINE, COMMITTEE ON ANTHROPOGENIC GREENHOUSE GASES AND U.S. CLIMATE: EVIDENCE AND IMPACTS, EFFECTS OF HUMAN-CAUSED GREENHOUSE GAS EMISSIONS ON U.S. CLIMATE, HEALTH, AND WELFARE, Appendix B (Sept. 17, 2025).

²⁹ See Letter from Ronald M. Jacobs, Partner, Venable LLC, to James Comer, Chairman, H. Comm. on Oversight and Gov’t Reform (Dec. 17, 2025) (on file with the Committee).

³⁰ See NATIONAL ACADEMIES OF SCIENCES, ENGINEERING, AND MEDICINE, COMMITTEE ON ANTHROPOGENIC GREENHOUSE GASES AND U.S. CLIMATE: EVIDENCE AND IMPACTS, EFFECTS OF HUMAN-CAUSED

Finally, it appears NAS also intended its fast-track review to undermine the U.S. Department of Energy's (DOE) July 2025 report, "A Critical Review of Impacts of Greenhouse Gas Emissions on the U.S. Climate"³¹ as a source of expert information, not only in the context of EPA's proposal concerning the Endangerment Finding, but in all contexts. In a newsletter to NAS members, when discussing EPA's proposed Endangerment Finding rescission, Dr. McNutt wrote that, "the EPA's rationale relies heavily on a recent report by 5 researchers who question the prevailing scientific consensus on climate change and argue that the economic cost [sic] of regulation outweigh the potential benefits."³² Similarly, in Dr. McNutt's email correspondence with Ms. Cicerone, she said that EPA's position on the Endangerment Finding, "is based on a very biased report from a handful of climate deniers."³³ Finally, NAS' press release announcing the fast-track review states that, "the evidence for current and future harm to human health and welfare created by human-caused greenhouse gases is beyond scientific dispute,"³⁴ a direct refutation to DOE's report questioning climate-change dogma.

NAS is currently refusing to produce to the Committee documents concerning how the above individual was determined to be too biased to serve on the Drafting Committee, but not too biased to serve as a peer reviewer, while others who disclosed similar public statements were allowed to serve as drafters. NAS also is refusing to produce minutes from closed virtual meetings held on August 20 and 25-26, 2025,³⁵ as well as other documents, claimed to be "privileged" deliberative documents, containing "internal communications between National Academies staff regarding their internal evaluation of the study committee members' potential conflicts-of-interest."³⁶ NAS also asserts First Amendment grounds to withhold production of the documents at issue.³⁷

NAS is not part of the executive branch, but is a "federally chartered corporation."³⁸ Congress, as the body that created and oversees NAS, is entitled to review any and all internal NAS documents to assure NAS is carrying out its deliberations and other activities in manners consistent with Congress' legislative purpose for the NAS and relevant law. Moreover, the Supreme Court has ruled that Congress' legislative duty and investigatory power to compel information does not violate the First Amendment when the testimony or information sought is necessary to advance a legitimate legislative purpose.³⁹ In this case, it is fundamental to the

GREENHOUSE GAS EMISSIONS ON U.S. CLIMATE, HEALTH, AND WELFARE, page vii (Sept. 17, 2025).

³¹ See U.S. DEP'T OF ENERGY, A CRITICAL REVIEW OF IMPACTS OF GREENHOUSE GAS EMISSIONS ON THE U.S. CLIMATE (Jul. 23, 2025).

³² Members' Update, From the President: Endangerment Finding, NATIONAL ACADEMY OF SCIENCES (NAS-OGR.000066, on file with the Committee)

³³ E-mail from Marcia K. McNutt, *supra* n. 17.

³⁴ Pres Release, National Academies of Sciences, Engineering, and Medicine, National Academies Publish New Report Reviewing Evidence for Greenhouse Gas Emissions and U.S. Climate, Health, and Welfare (Sept. 17, 2025).

³⁵ NAS Privileged and Confidential Record Log (Jan. 21, 2026) (NAS-OGR.001497, on file with the Committee).

³⁶ Letter from James Comer, *supra* n. 2.

³⁷ Letter from Ronald M. Jacobs, Partner, Venable LLC, to James Comer, Chairman, H. Comm. on Oversight and Gov't Reform (Jan. 21, 2026).

³⁸ Mar. 3, 1863, ch. 111, §1, 12 Stat. 806.

³⁹ See *Barenblatt v. United States*, 360 U.S. 109 (1959) (finding that Congress's power to legislate to protect the nation from subversion outweighs First Amendment associational and free speech rights.); *Eastland v. United States*

Committee's legislative purposes to understand the sources of bias, to include any potential conflicts of interest, within NAS studies intended to assist in or influence the development of policy, especially when NAS documents already produced show NAS' work was meant to influence Congress, the Courts and the activities of Executive Branch agencies.⁴⁰

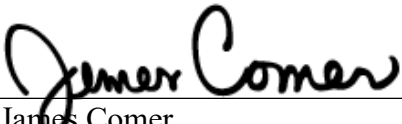
Consistent with the above, and to assure the Committee is able to provide full oversight of issues raised by NAS' fast-track review, I request that NAS produce to the Committee the following as yet unproduced documents in unredacted form as soon as possible but no later than September 11, 2026:

1. All underlying documents and communications listed on the NAS Privileged and Confidential Record Log provided to the Committee, which can be found on NAS-OGR.001497 to NAS-OGR.001500.

If NAS continues to fail to produce the requested documents, the Committee will consider additional measures, including use of compulsory process, to obtain this critical material.

The Committee on Oversight and Government Reform is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. To arrange for delivery of documents or to ask any related follow-up questions, please contact the Committee on Oversight and Government Reform Majority staff at (202) 225-5074. Thank you for your attention to this important matter.

Sincerely,


James Comer
Chairman

cc: The Honorable Robert Garcia, Ranking Member
Committee on Oversight and Government Reform

Servicemen's Fund, 421 U.S. 491 (1975) (finding that the legitimacy of a congressional investigatory action is not related to the motives of the congressional members and because the subpoena was related to a legitimate legislative purpose, it did not violate the group's First Amendment rights of association.); *Watkins v. United States*, 354 U.S. 201 (1957) (In authorizing an investigation by a committee, it is essential that the Senate or House should spell out the committee's jurisdiction and purpose with sufficient particularity to insure that compulsory process is used only in furtherance of a legislative purpose).

⁴⁰ *Institutional Issues: Issues Raised by GBPAC Members, NRCEO, OGC, RRC, Division Eds, NAT'L ACAD. OF SCIS., NAS-OGR.000005* (on file with the Committee).