



State of West Virginia
Office of the Attorney General
John B. McCuskey
Attorney General

February 17, 2026

The Honorable Robin L. Rosenberg
Director of the Federal Judicial Center
Thurgood Marshall Federal Judiciary Building
One Columbus Circle NE
Washington, DC 20002

Dear Judge Rosenberg:

We thank you for swiftly removing the climate science chapter from the *Reference Manual on Scientific Evidence*. We commend this decision as an important step in preserving judicial impartiality and integrity.

Unfortunately, the National Academies of Sciences, Engineering, and Medicine continues to host the *Manual's* original version—including the climate science chapter—on its website. NASEM's version bears the Federal Judicial Center's name, but it does not mention the Center's retraction. Having two distinct versions of the *Manual* risks confusion in active litigation.

We understand NASEM holds a copyright to the *Manual*. So we are concerned that the original version of the *Manual's* Fourth Edition—climate science chapter included—will continue to be printed and distributed to the federal judiciary.

In light of NASEM's continued inclusion of the climate science chapter, we respectfully request answers to the following questions:

1. Have hard copies including the climate science chapter been printed? If so, how many copies? Have any hard copies been distributed to federal courts?
2. Is the Federal Judicial Center requesting, or has it requested, that NASEM correspondingly withdraw the climate science chapter from its print and online versions of the *Manual*?

3. Can you describe, in general and with specificity, the Center's and NASEM's process for adding a chapter, like the climate science chapter, to the *Manual*?

We appreciate the Center's continued commitment to judicial independence and impartiality. We would appreciate a response answering these questions by February 24, 2026.

Sincerely,



John B. McCuskey
West Virginia Attorney General



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Alabama Attorney General



Stephen J. Cox
Alaska Attorney General



Tim Griffin
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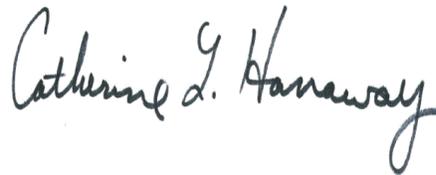
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Hon. Robin L. Rosenberg

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cc: Chief Justice John G. Roberts, Jr., Supreme Court of the United States
Judge Kathleen Cardone, U.S. District Court for the Western District of Texas
Judge R. Guy Cole, Jr., U.S. Court of Appeals for the Sixth Circuit
Judge Sara L. Ellis, U.S. District Court for the Northern District of Illinois
Judge Ralph R. Erickson, U.S. Court of Appeals for the Eighth Circuit
Judge Michelle M. Harner, U.S. Bankruptcy Court for the District of Maryland
Judge Suzanne Mitchell, U.S. District Court for the Western District of Oklahoma
Judge Lynn Winmill, U.S. District Court for the District of Idaho
Judge Robert J. Conrad, Jr., Director of the Administrative Office of the U.S. Courts