

THE FEDERAL JUDICIAL CENTER
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February 24, 2026

The Honorable John B. McCuskey
Attorney General
1900 Kanawha Blvd. E.
Building 1, Room E-26
Charleston, WV 25305

Dear Attorney General McCuskey,

I received your letter of February 17, 2026 following up on the Federal Judicial Center's omission of the climate science chapter from the *Reference Manual on Scientific Evidence*, Fourth Edition (RMSE).

The Center has not distributed any hard copies of the RMSE. All hard copies of the RMSE distributed by the Federal Judicial Center to federal judges or anyone else will omit the climate science chapter consistent with the online version now on the Center's website.

The Center discussed with the National Academies the Center's decision to omit the climate science chapter. We understand that the Academies will include asterisked language in its web and printed versions of the RMSE indicating that the FJC has omitted the chapter from its version of the manual. Further questions concerning decisions made by the National Academies should be directed to the National Academies.

The RMSE was developed under the guidance of a committee of judges and scientists that determined which chapters to include in the manual. The Committee sought to capture scientific topics that federal judges might encounter in their cases. In its thorough discussions of possible chapter topics, the Committee considered input from more than 1,000 federal judges who responded to the Center's request to all judges for input on the RMSE.

Once the Committee determined the appropriate chapters to include in the RMSE, it then identified authors with appropriate expertise for each chapter. The Committee carefully reviewed each chapter, including comments from external peer review, to ensure that the science was accurately portrayed, that the chapter would be helpful to judges, and that it was objectively written.

Sincerely,

Robin L. Rosenberg

Judge Robin L. Rosenberg
Director, Federal Judicial Center