



Judicial Watch Sues for Documents Withheld From Congress in New Climate Data Scandal

(Washington, DC) - Judicial Watch announced today that it filed a lawsuit on December 2, 2015, in the U.S. District Court for the District of Columbia seeking records of communications from National Oceanographic and Atmospheric Administration (NOAA) officials regarding methodology for collecting and interpreting data used in climate models ([Judicial Watch v. U.S. Department of Commerce](#) (No 1:15-cv-02088)). The lawsuit sought the same documents unsuccessfully subpoenaed by a House committee. Less than week after Judicial Watch served its lawsuit on NOAA, the agency finally turned over the targeted documents to Congress.

Judicial Watch sued the Department of Commerce after the agency failed to respond to a Freedom of Information Act (FOIA) request submitted on October 30, 2015 - NOAA is a component of the Department of

Commerce. The timeframe for the requested records is October 30, 2014, through October 30, 2015, and requests all documents and records of communications between NOAA officials, employees, and contractors regarding:

- The methodology and utilization of night marine air temperatures to adjust ship and buoy temperature data;
- The use of other global temperature datasets for both NOAA's in-house dataset improvements and monthly press releases conveying information to the public about global temperatures;
- The utilization and consideration of satellite bulk atmospheric temperature readings for use in global temperature datasets; and
- A subpoena issued for the aforementioned information by Congressman Lamar Smith on October 13, 2015.

Judicial Watch is investigating how NOAA collects and disseminates climate data that is used in determining global climate change. NOAA collects data in thousands of ways - from temperature gauges on land and buoys at sea, to satellites orbiting Earth. Considered the "environmental intelligence agency," NOAA is the nation's leading collector of climate data. In July, Representative Lamar Smith (R-TX) asked NOAA for both data and internal communications related to a controversial climate change [study](#). After the agency refused to comply with the document request, Smith's committee issued a subpoena on [October 13](#). [According](#) to the Science, Space, and Technology Committee:

In June, NOAA widely publicized a study as refuting the nearly two-decade pause in climate change. After three letters requesting all communications from the agency surrounding the role of political appointees in the agency's scientific process, Chairman Smith issued a subpoena for the information. Smith subsequently sent a letter on December 1st offering to accept documents and communications from NOAA political, policy and non-scientific staff as a first step in satisfying the subpoena requirements.

Information provided to the Committee by whistleblowers appears to

show that the study was rushed to publication despite the concerns and objections of a number of NOAA employees.

Judicial Watch sued the agency on December 2 and served the complaint on the agency on December 8. Less than a week later, on [Tuesday, December 15](#), NOAA finally began to turn over documents to the House committee. That same day, NOAA called and told Judicial Watch that it would begin searching for documents responsive to Judicial Watch's FOIA request.

On November 26, Smith published an opinion editorial in [The Washington Times](#), which accused NOAA of tampering with data to help promote global warming alarmism:

NOAA often fails to consider all available data in its determinations and climate change reports to the public. A recent study by NOAA, published in the journal Science, made "adjustments" to historical temperature records and NOAA trumpeted the findings as refuting the nearly two-decade pause in global warming. The study's authors claimed these adjustments were supposedly based on new data and new methodology. But the study failed to include satellite data.

"We have little doubt that our lawsuit helped to pry these scandalous climate change report documents from the Obama administration. The Obama administration seems to care not one whit for a congressional subpoena but knows from prior experience that a Judicial Watch FOIA lawsuit cannot be ignored," said Judicial Watch President Tom Fitton. "Given the lawless refusal to comply with our FOIA request and a congressional subpoena, we have little doubt that the documents will show the Obama administration put politics before science to advance global warming alarmism."

Judicial Watch previously investigated alleged data manipulation by global warming advocates in the Obama administration. In [2010](#), Judicial Watch [obtained internal documents](#) from NASA's Goddard Institute for Space Studies (GISS) related to a controversy that erupted in 2007 when Canadian blogger Stephen McIntyre exposed an error in

NASA's handling of raw temperature data from 2000-2006 that exaggerated the reported rise in temperature readings in the United States. According to multiple press reports, when NASA corrected the error, the new data apparently caused a reshuffling of NASA's rankings for the hottest years on record in the United States, with 1934 replacing 1998 at the top of the list.

In [late 2014](#), Judicial Watch litigation forced out documents withheld in response to another congressional subpoena - one issued in the Fast and Furious scandal. Thanks to the Judicial Watch lawsuit, Congress finally obtained the information it had sought for years on Obama's gun-running scandal.

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