

# Congress of the United States

## House of Representatives

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

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January 14, 2021

The Honorable Peggy Gustafson  
Inspector General  
U.S. Department of Commerce  
1401 Constitution Avenue NW  
Washington, DC 20230

Dear Inspector General Gustafson,

I write to ask the Office of the Inspector General to initiate an investigation.

Reporting on January 11 from the Washington Post revealed that Dr. David Legates, a senior official at the National Oceanic and Atmospheric Administration (NOAA) serving an employment detail to the U.S. Global Change Research Program (USGCRP), has published a series of papers bearing the seal of the Executive Office of the President (EOP) and copyright notice of the White Office of Science and Technology Policy (OSTP) without permission or approval from OSTP leadership.<sup>1,2,3</sup> The so-called Climate Change Flyers were published on non-government websites and make a wide range of disputed claims to undermine widely accepted facts about climate science. The introductory paper authored by Dr. Legates suggests that “The Office of Science and Technology Policy is pleased to bring you these briefs.”<sup>4</sup> Dr. Ryan Maue, another senior NOAA official serving a detail to OSTP, is featured as the author of one of the Climate Change Flyers, which also bears the EOP seal and an OSTP copyright notice.<sup>5</sup>

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<sup>1</sup> <https://www.washingtonpost.com/weather/2021/01/11/controversial-climate-skeptics-release-papers/>

<sup>2</sup> [https://www.ceres-science.com/content/climate\\_change\\_flyers.html](https://www.ceres-science.com/content/climate_change_flyers.html)

<sup>3</sup> <https://twitter.com/KristinaBaum45/status/1348809044375572480>

<sup>4</sup> <https://www.drroyspencer.com/wp-content/uploads/Introduction.pdf>.

<sup>5</sup> <https://www.drroyspencer.com/wp-content/uploads/Hurricanes-and-Climate-Change.pdf>

Fraudulent application of the seal of an agency of the United States to a document or paper is prohibited under 18 U.S.C. § 1017.<sup>6</sup> Both officials have been dismissed from their details to the Executive Office of the President, but as of this writing remain employees of NOAA.

NOAA has already indicated that the actions of Dr. Legates and Dr. Maue will be reviewed under NOAA's Scientific Integrity Policy. I ask that you investigate the following:

1. Is Dr. Legates in violation of 18 U.S.C. § 1017 for the unauthorized use of the EOP seal on the Climate Change Flyers?
2. Was Dr. Ryan Maue involved in the decision to apply the EOP seal and/or the OSTP copyright notice to the paper he authored or any of the other papers in the series published by Dr. Legates? If so, is he in violation of 18 USC § 1017?
3. Did Dr. Legates misuse any federal resources or property, including time, computers and email, to gather and promulgate the Climate Change Flyers?
4. Did Dr. Maue misuse any federal resources to prepare his contribution to the Flyers?
5. Were any other Department of Commerce employees involved in the effort to prepare the Flyers and to apply the EOP seal? If so, what is the extent of their involvement?

I appreciate your attention to this important matter. Please contact my staff Janie Thompson at 202-225-6375 with any questions.

Sincerely,



Eddie Bernice Johnson  
Chairwoman  
Committee on Science, Space, and Technology

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<sup>6</sup> <https://www.law.cornell.edu/uscode/text/18/1017>