



April 14, 2014

Via E-Mail

Director, Office of Science and Technology Policy
Executive Office of the President
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**Re: Information Quality Act Request for Correction Regarding
The Polar Vortex and Global Warming**

I. Introduction

The Competitive Enterprise Institute (CEI) submits this request for correction of information under the Data Quality Act (also known as the Information Quality Act),¹ as implemented through the Office of Management and Budget (OMB)² and the White House Office of Science & Technology Policy (OSTP).³ OSTP guidelines require the agency to correct any published information that does not meet “basic standards of quality, including objectivity, utility, and integrity.”

The primary information we seek to have corrected is a statement by OSTP Director John P. Holdren, in a video posted on the White House web site on January 8, 2014, entitled *The Polar Vortex Explained in 2 Minutes*.⁴ (That video is also one of two related videos

¹ Section 515(a) of the Treasury and General Government Appropriations Act for Fiscal Year 2001, P.L. 106-554; 44 U.S.C. § 3516 (notes).

² Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies, 67 Fed. Reg. 8452 (Feb. 22, 2002).

³ Office of Science and Technology Policy, Executive Office of the President, *Final Guidelines for Ensuring the Quality of Disseminated Information* (October 1, 2002), available at <http://www.whitehouse.gov/sites/default/files/microsites/ostp/ostp-iqg.pdf>.

⁴ Currently available at <http://www.whitehouse.gov/photos-and-video/video/2014/01/08/polar-vortex-explained-2-minutes> and <http://www.whitehouse.gov/share/polar-vortex-explained-in-two-minutes>. It is

posted on OSTP's blog on January 8,⁵ which remains on OSTP's blog.⁶) In that video, the Director claims that **“A growing body of evidence suggests that the kind of extreme cold being experienced by much of the United States as we speak is a pattern that we can expect to see with increasing frequency as global warming continues.”**⁷

We also seek to correct a January 8th OSTP blog post by OSTP Senior Communications Advisor and Web Editor Becky Fried that features the above *Polar Vortex Explained* video. We request a correction of its claim that **“we also know that this week's cold spell is of a type there's reason to believe may become more frequent in a world that's getting warmer, on average, because of greenhouse-gas pollution.”**⁸

In reality, as we explain below, the evidence (including the conclusions of peer-reviewed scholarly articles) indicates that the kind of extreme cold experienced in the United States this past winter is not linked to global warming.

also embedded in numerous news and other web sites. See, e.g., Chris Mooney, *"Breathtaking": The White House Releases Its Climate Heavy Hitter on the Polar Vortex*, Mother Jones, Jan. 15, 2014 (<http://www.motherjones.com/blue-marble/2014/01/john-holdren-video-polar-vortex>).

⁵ See the OSTP blog post, *We the Geeks: "Polar Vortex" and Extreme Weather*, Posted by Becky Fried on January 8, 2014 at 5:37 PM EDT, available at <http://www.whitehouse.gov/blog/2014/01/08/we-geeks-polar-vortex-and-extreme-weather>. The second video from the top, bearing the legend "THE CONTINENTAL UNITED STATES, JANUARY 7, 2014," is the video containing Holdren's remarks. The first video, which is above it, contains comments touting Holdren's "two minute video" as "explaining the polar vortex" and discussing its link to "changing climates."

⁶ See OSTP Blog, page 8, available at <http://www.whitehouse.gov/administration/eop/ostp/blog?page=8> (containing the blog post, *We the Geeks: "Polar Vortex" and Extreme Weather*, Posted by Becky Fried on January 8, 2014 at 5:37 PM EDT). This blog post is present on OSTP's web site, and above its title appears the seal of the Executive Office of the President, next to a heading that reads "Office of Science and Technology Policy."

⁷ The quoted text can be found at CBS DC & Associated Press, *White House: Extreme Cold Doesn't Disprove Global Warming*, <http://washington.cbslocal.com/2014/01/09/white-house-extreme-cold-doesnt-disprove-global-warming/> (January 9, 2014 2:07 PM) The quote can also be found in numerous articles, which demonstrates its wide coverage in the media. See, e.g., Chris Mooney, *"Breathtaking": The White House Releases Its Climate Heavy Hitter on the Polar Vortex*, Mother Jones, Jan. 15, 2014 (www.motherjones.com/blue-marble/2014/01/john-holdren-video-polar-vortex); Matt Vespa, *WH Scrambles to Blame 'Polar Vortex' on Global Warming*, CNS News, Jan. 8, 2014 (<http://cnsnews.com/mrctv-blog/matt-vespa/wh-scrambles-blame-polar-vortex-global-warming>); Patrick J. Michaels & Pau C. "Chip" Knappenberger, *Hot Air About Cold Air*, Cato At Liberty, January 16, 2014 5:36PM (www.cato.org/blog/hot-air-about-cold-air).

⁸ See OSTP, *We the Geeks: "Polar Vortex" and Extreme Weather*, Posted by Becky Fried on January 8, 2014 at 5:37 PM EDT (containing this exact language in the text of the blog post), available at <http://www.whitehouse.gov/blog/2014/01/08/we-geeks-polar-vortex-and-extreme-weather>.

For this reason, these claims fail to meet the data quality requirements of “**objectivity**” (whether the disseminated information is presented in an *accurate, clear, complete and unbiased* manner and is as a matter of substance *accurate, reliable and unbiased*), and “**utility**” (the *usefulness* of the information to the *intended users* (the general public, and, under the US Global Change Act of 1990, Congress and the Executive Branch)).⁹

These errors require correction, both to comply with the Information Quality Act and to assure that government officials and the public are properly informed regarding the effects of global warming.¹⁰

II. OSTP’s Errors and Omissions

Director Holdren’s claim of “a growing body of evidence” is contradicted by recent peer-reviewed studies. These studies find that that global warming is not leading to increased atmospheric winter blocking, much less causing an increase in winter cold waves or cold weather.

- For example, a 2013 article in *Geophysical Research Letters* reanalyzed data regarding North American and North Atlantic atmospheric waves. If such waves are slowed down due to Arctic amplification—that is, the differential warming of the Arctic pole in comparison to lower latitudes—it can result in more frequent blocking patterns and extreme weather events. The study found that prior reports of such a trend were based on methodological errors. It concluded that the hypothesis “that amplified polar warming has led to the increased occurrence of slow-moving weather patterns and blocking episodes, *appears unsupported by the observations,*” and that “*no significant increase in blocking occurrence is detected in any season.*” (Emphasis added.)¹¹

⁹ See OSTP, *Final Guidelines for Ensuring the Quality of Disseminated Information* (October 1, 2002), at pg. 3, available at <http://www.whitehouse.gov/sites/default/files/microsites/ostp/ostp-iqg.pdf> (“OMB guidelines define quality to consist of utility, objectivity and integrity. Utility means that the information is useful to its intended users. Objectivity consists of presentation and substantive components. The information must be presented in an accurate, clear, complete and unbiased manner, and substantively the information must be accurate, reliable and unbiased.”).

¹⁰ OSTP and other entities in the Executive Office of the President are covered by the Information Quality Act. See OMB, *Information Quality Guidelines* (“These guidelines apply to Federal agencies subject to the Paperwork Reduction Act”) (www.whitehouse.gov/omb/fedreg_final_information_quality_guidelines); 44 U.S.C. § 3502(1) (Paperwork Reduction Act applies to “any executive department, military department . . . or other establishment in the executive branch of the Government (including the Executive Office of the President), or any independent regulatory agency.”).

¹¹ Elizabeth A. Barnes, *Revisiting the Evidence Linking Arctic Amplification to Extreme Weather in Midlatitudes*, *Geophysical Research Letters*, Vol. 40, pp. 4734–4739, at pg. 4738, doi:10.1002/grl.50880 (Sept. 4, 2013). See also *id.* at 4734 (“the frequency of blocking occurrence exhibits no significant increase in any season”); *id.* at 4738 (finding that when errors in prior research are “accounted for, no significant trend is found”).

- A January 2014 study in *Geophysical Research Letters* similarly found “no general increase in blocking over the Northern Hemisphere” over at least the last 17 years.¹² To the contrary, “blocking frequencies ... were well within their historically observed range.” Indeed, “No clear hemispheric increase in blocking is evident in any season for any blocking index,” and “*the link between recent Arctic warming and increased Northern Hemisphere blocking is currently not supported by observations.*” While Arctic sea ice experienced unprecedented losses in recent years, blocking frequencies in these years do not appear exceptional, falling well within their historically observed range.” (Emphasis added.)¹³
- Another study in January 2014 disputed the connection between Atlantic blocking and extreme weather events: “Atlantic blocking is associated with strongly decreased anomalies for ... surface temperature fields.”¹⁴ It examined whether global warming resulting from “strong CO2” emissions would result in unusually “severe cold weather conditions.”¹⁵ *It found that, to the contrary, such warming results in “decreased anomalies in the surface temperature,” and it projected “strongly decreased anomalies for the future” in the “surface temperature” in the North Atlantic region.*¹⁶

Several scientists recently rejected attempts to link recent cold waves to climate change in *Science* magazine: “observational analyses and simulations with climate models have not confirmed the hypothesis, and we do not view the theoretical arguments underlying it as compelling,” wrote five preeminent climate scientists, John Wallace, Isaac Held, David Thompson, Kevin Trenberth, and John Walsh.¹⁷ As those scientists put it,

¹² Elizabeth A. Barnes, Etienne Dunn-Sigouin, Giacomo Masato, and Tim Woollings *Exploring recent trends in Northern Hemisphere blocking*, *Geophysical Research Letters*, Vol. 41, pp. 638-644, at pg. 639 doi:10.1002/2013GL058745 (Jan. 2014).

¹³ Barnes, *et al.*, *Exploring recent trends in Northern Hemisphere blocking*, *Geophysical Research Letters*, Vol. 41, at pg. 643.

¹⁴ Masato, G., T. Woollings, and B.J. Hoskins, 2014. *Structure and impact of atmospheric blocking over the Euro-Atlantic region in present day and future simulations*. *Geophysical Research Letters*, Vol. 41, pp. 1051-58, at pg. 1057, doi:10.1002/2013GL058570 (published, Feb. 6, 2014).

¹⁵ *Structure and impact of atmospheric blocking over the Euro-Atlantic region in present day and future simulations* at pg. 1051.

¹⁶ *Structure and impact of atmospheric blocking over the Euro-Atlantic region in present day and future simulations*, at pg. 1055 & pg. 1057.

¹⁷ John M. Wallace, Isaac M. Held, David W.J. Thompson, Kevin E. Trenberth & John E. Walsh, *Global Warming and Winter Weather*, *Letters, Science*, Vol. 343, pp. 729-30 (Feb. 14, 2014), available at

“As climate scientists, we share the prevailing view in our community that human-induced global warming is happening and that, without mitigating measures, the Earth will continue to warm over the next century with serious consequences. But we consider it unlikely that those consequences will include more frigid winters.”¹⁸

Indeed, they observed, the very “notion that the demise of Arctic sea ice during summer should lead to colder winter weather over the United States seems counterintuitive.”¹⁹

Based on the above studies, as well as for other reasons, the Director’s claim has been criticized by climatologists and climate scientists. For example, Patrick J. Michaels, a former state climatologist of Virginia and climate-change expert,²⁰ and Chip Knappenberger wrote in response that “This global-warming-leading-to-more-extreme-winter-weather” hypothesis runs “counter to much of the extant literature of the topic as well as a host of other newly published papers investigating historical jet stream patterns.”²¹

Writing in the same month when Director Holdren made his statement, climatologists Judith Curry of Georgia Tech and Cliff Mass of the University of Washington also took

http://www.sciencemagazinedigital.org/sciencemagazine/14_february_2014?pg=29#pg29; see also Jason Samenow, *Scientists: Don’t make “extreme cold” centerpiece of global warming argument*, Washington Post, Feb. 20, 2014, <http://www.washingtonpost.com/blogs/capital-weather-gang/wp/2014/02/20/scientists-dont-make-extreme-cold-centerpiece-of-global-warming-discussions/> (“observational analyses and simulations with climate models have not confirmed the hypothesis, and we do not view the theoretical arguments underlying it as compelling,” write five preeminent climate scientists (John Wallace, Isaac Held, David Thompson, Kevin Trenberth, and John Walsh) [in a recent letter published in Science Magazine](#).”). The letter included their university and professional affiliations.

¹⁸ John M. Wallace, et al., *Global Warming and Winter Weather*, Letters, *Science*, at pg. 729.

¹⁹ *Id.* at 729.

²⁰ See Patrick J. Michaels, *Director, Center for the Study of Science* (“Michaels is a past president of the American Association of State Climatologists and was program chair for the Committee on Applied Climatology of the American Meteorological Society. He was a research professor of Environmental Sciences at University of Virginia for thirty years. Michaels was a contributing author and is a reviewer of the United Nations Intergovernmental Panel on Climate Change, which was awarded the Nobel Peace Prize in 2007.”) (<http://www.cato.org/people/patrick-michaels>).

²¹ Patrick J. Michaels & Paul C. “Chip” Knappenberger, *Hot Air About Cold Air*, Cato At Liberty, January 16, 2014 5:36PM (www.cato.org/blog/hot-air-about-cold-air), citing Elizabeth A. Barnes, Etienne Dunn-Sigouin, Giacomo Masato, and Tim Woollings, *Exploring recent trends in Northern Hemisphere blocking*, *Geophysical Research Letters*, Vol. 41, pp. 638-644, at pg. 643, doi:10.1002/2013GL058745 (Jan. 2014); Masato, G., T. Woollings, and B.J. Hoskins, *Structure and impact of atmospheric blocking over the Euro-Atlantic region in present day and future simulations*, *Geophysical Research Letters*, Vol. 41, pp. 1051-58, doi:10.1002/2013GL058570 (Feb. 6, 2014).

issue with attempts to link winter cold waves to global warming and climate change. In Professor Curry's words, "Is global warming causing the polar vortex? . . . In a word, no."²²

Professor Mass wrote the following:

"Does the Cold Wave Imply Anything About Global Warming? The Answer is Clearly No. . . . If temperatures were warming due to mankind's enhancement of greenhouse gases you would expect LESS cold waves. . .there is no observational evidence of increased waviness. . . The National Climatic Data Center has a page where you can plot the % of the country with a extreme low minimum temperatures (blue bars). The percentages are declining, which does NOT suggest cold waves are getting more extensive.

"The bottom line: the claims that greenhouse warming causes more cold waves like we have seen this week really seems to be without any basis in observational evidence or in theory."²³

Thus, as Michaels and Knappenberger observed, Holdren's claim disregarded "the scientific literature on the topic."²⁴ Summarizing the new research cited above, they observed,

"there is a *larger and faster growing* body of evidence that directly *disputes* Holdren's contention.

"... [A] couple of brand new papers just hit the scientific journals this month that emphatically reject the hypothesis that global warming is leading to more blocking patterns in the jet stream (and accompanying severe weather outbreaks across the U.S.).

"The first paper is a modeling paper by a team of U.K. scientists led by Giacomo Masato from the University of Reading. Masato and his colleagues looked at how

²² Judith Curry, *Is Global Warming Causing the Polar Vortex?* Jan. 7, 2014,, <http://judithcurry.com/2014/01/07/is-global-warming-causing-the-polar-vortex/>. Curry is Chair and Professor at the School of Earth and Atmospheric Sciences of the Georgia Institute of Technology, http://www.eas.gatech.edu/people/Judith_A_Curry

²³ *Does the Cold Wave Imply Anything About Global Warming? The Answer is Clearly No*, Cliff Mass Weather Blog, Jan. 6, 2014 (<http://cliffmass.blogspot.com/2014/01/does-cold-wave-imply-anything-about.html>). Mass is Professor of Atmospheric Sciences at the University of Washington, see *Clifford F. Mass*, <http://www.atmos.washington.edu/mass.html>. See also Judith Curry, *Is Global Warming Causing the Polar Vortex?* Jan. 7, 2014 (quoting Mass with approval), <http://judithcurry.com/2014/01/07/is-global-warming-causing-the-polar-vortex/>.

²⁴ Michaels & Knappenberger, *Hot Air About Cold Air*, *supra*.

the magnitude and frequency of atmospheric blocking events in the Atlantic-Europe region is projected to change in the future according to four climate models which the authors claim match the observed characteristics of blocking events in this region pretty well. What they found was completely contradictory to Holdren's claim. . . .they found that the both the strength of the blocking events as well as the associated surface temperature anomalies over the continental U.S. were considerably moderated. In other words, global warming was expected to make "polar vortex" associated cold outbreaks less cold.

"The second paper is by a research team led by Colorado State University's Elizabeth Barnes. In their paper "Exploring recent trends in Northern Hemisphere blocking," Barnes and colleagues used various meteorological definitions of "blocking" along with various datasets of atmospheric conditions to assess whether or not there have been any trends in the frequency of blocking events that could be tied to changes in global warming and/or the declines in Arctic sea ice.

"They found no such associations.

"From their conclusions:

[T]he link between recent Arctic warming and increased Northern Hemisphere blocking is currently not supported by observations. While Arctic sea ice experienced unprecedented losses in recent years, blocking frequencies in these years do not appear exceptional, falling well within their historically observed range. The large variability of blocking occurrence, on both inter-annual and decadal time scales, underscores the difficulty in separating any potentially forced response from natural variability.²⁵

Other experts similarly reject the claim that global warming is causing severe cold weather in winter. According to climate science commentator Marc Morano,

"Award-winning Princeton University Physicist Dr. Will Happer rejected . . . claims that the record U.S. cold is due to man-made global warming. Happer, explained the science in an exclusive interview with Climate Depot.

²⁵ Michaels & Knappenberger, *Hot Air About Cold Air, supra*, citing Elizabeth A. Barnes, Etienne Dunn-Sigouin, Giacomo Masato, and Tim Woollings, *Exploring recent trends in Northern Hemisphere blocking*, *Geophysical Research Letters*, Vol. 41, pp. 638-644, at pg. 643 (Jan. 2014); Masato, G., T. Woollings, and B.J. Hoskins, *Structure and impact of atmospheric blocking over the Euro-Atlantic region in present day and future simulations*, *Geophysical Research Letters*, Vol. 41, pp. 1051-58 (Feb. 2014).

‘Polar vortices have been around forever. They have almost nothing to do with more CO₂ in the atmosphere,’ Happer said in an exclusive interview with Climate Depot.”²⁶

Even Chris Mooney, an admirer of John Holdren,²⁷ and the author of the book *The Republican War on Science*, conceded that Holdren's linkage of wintery weather to global warming was scientifically unproven. Writing in *Mother Jones*, he noted the controversial nature of the claim: "Climate wonks . . . note that it is rather daring in its willingness to endorse the still-contested hypothesis that Arctic warming is disrupting the jet stream and contributing to many ensuing weather extremes."²⁸

III. Recommendations for Corrective Action

CEI requests that OSTP immediately comply with the Information Quality Act by taking down the video entitled “The Polar Vortex Explained in 2 Minutes” and removing from any OSTP products or publications the claim that more cold weather is coming because of global warming, or that the extreme cold experienced by much of the United States this winter is a pattern that we can expect to see with increasing frequency as global warming continues.

CEI also requests that OSTP remove the claim by Becky Fried that “we also know that this week’s cold spell is of a type there’s reason to believe may become more frequent in a world that’s getting warmer, on average, because of greenhouse-gas pollution.”²⁹

IV. Petitioner CEI Is An Affected Person

CEI has previously taken issue with unfounded claims that “cold, bitter winter is ‘proof’ of global warming” and that “harsh winter” is a “sign of disruptive climate change.”³⁰ To

²⁶ Marc Morano, *Princeton Physicist Dr. Will Happer refutes claims that global warming is causing record cold: ‘Polar vortices have been around forever. They have almost nothing to do with more CO₂ in the atmosphere’*, Climate Depot, Jan. 7, 2014 (<http://www.climatedepot.com/2014/01/07/princeton-physicist-dr-will-happer-refutes-claims-that-global-warming-is-causing-record-cold-polar-vortices-have-been-around-forever-they-have-almost-nothing-to-do-with-more-co2-in-the-atmosphere/>)

²⁷ Chris Mooney, *The Ugly Delusions of the Educated Conservative*, Salon, Feb. 24, 2012 (calling “President Obama’s science adviser John Holdren” “a man whom I greatly admire”) (http://www.salon.com/2012/02/24/the_ugly_delusions_of_the_educated_conservative/)

²⁸ Chris Mooney, *“Breathtaking”: The White House Releases Its Climate Heavy Hitter on the Polar Vortex*, Mother Jones, Jan. 15, 2014 (www.motherjones.com/blue-marble/2014/01/john-holdren-video-polar-vortex).

²⁹ See OSTP, *We the Geeks: “Polar Vortex” and Extreme Weather*, Posted by Becky Fried on January 8, 2014 at 5:37 PM EDT, available at <http://www.whitehouse.gov/blog/2014/01/08/we-geeks-polar-vortex-and-extreme-weather> (containing this claim in the text of this OSTP blog post).

the contrary, CEI has noted that climate-change models that predict global warming also predict “fewer and less severe big winter storms” in the future,³¹ not more as Holdren suggested. Thus, the inaccurate claims made by Holdren undermine CEI’s message and attempts to educate the public about the effects of climate change.

CEI is affected by White House and OSTP pronouncements about climate change, as is reflected in its prior lawsuit against OSTP and the White House back in 2003 over Information Quality Act violations over unproven climate-change claims.³² That lawsuit led to a settlement requiring the government to attach a disclaimer to a report that had been not be subjected to the strictures of the Act.³³

Moreover, CEI is also an affected person via its status as a petitioner in the pending Supreme Court case of *Utility Air Regulatory Group v. Environmental Protection Agency*, Docket No. 12-1146,³⁴ litigation over regulation predicated on the effects of climate change.

³⁰ Michael Fumento, *Cold, Bitter Winter is “Proof” of Global Warming*, GlobalWarming.Org, Jan. 28, 2010 (www.globalwarming.org/2010/01/28/cold-bitter-winter-is-%E2%80%9Cproof%E2%80%9D-of-global-warming/).

³¹ Myron Ebell, *Love Global Warming*, Forbes, Dec. 8, 2006, www.forbes.com/forbes/2006/1225/038.html.

³² See *Competitive Enterprise Institute v. George Walker Bush, as Chairman of the National Science and Technology Council, and John Marburger, Director, White House Office of Science and Technology Policy*, Complaint For Declarative Relief, No. 1:03CV1670 RJL (D.D.C. Aug. 6, 2003).

³³ Chris Mooney, *Paralysis by Analysis: Jim Tozzi's Regulation to End All Regulation*, Washington Monthly, May 1, 2004, at 23 (available in Westlaw at 2004 WLNR 22156954) (“Last August, the Competitive Enterprise Institute . . . filed suit under the Data Quality Act over a Clinton-era report on global warming, known as the National Assessment of Climate Change. Though the suit was ultimately settled out of court, government lawyers agreed to attach a disclaimer to the report.”); Rick Weiss, ‘Data Quality’ Law Is Nemesis of Regulation, Washington Post, Aug. 16, 2004, at A1 (“the Competitive Enterprise Institute had wording added to a multi-agency federal climate change report stating that the report’s findings did not meet federal Data Quality Act standards”); see *Competitive Enterprise Institute v. George Walker Bush, et al.*, Stipulation of Dismissal, No. 1:03CV1670 RJL (D.D.C. Nov. 4, 2003).

³⁴ The Supreme Court granted review in *UARG v. EPA*, No. 12-1146, on Oct. 15, 2013, see www.scotusblog.com/case-files/cases/utility-air-regulatory-group-v-environmental-protection-agency/. That same day, it also granted review in a case later consolidated with the *UARG* case, *Southeastern Legal Foundation v. EPA*, No. 12-1268, on Oct. 15, 2013. See <http://www.scotusblog.com/case-files/cases/southeastern-legal-foundation-v-environmental-protection-agency/> (listing docket entries); <http://www.supremecourt.gov/Search.aspx?FileName=/docketfiles/12-1268.htm> (showing consolidation with the *UARG* case). CEI joined in the Southeastern Legal Foundation’s petition for certiorari, as the cover of the brief, showing at the following link, shows: <http://sblog.s3.amazonaws.com/wp-content/uploads/2013/07/SLF-et-al.-Petition-for-Cert.pdf>

Further, CEI is an active participant in the domestic debate over United States “climate change” policies addressing regulatory and related policies of the United States government and their impact on its citizens.³⁵

That includes an active practice writing and publishing (research, opinion, books, monographs, and biweekly “Cooler Heads” newsletter), advocating, and litigating on policies regarding the economics, science and policies surrounding claims of catastrophic anthropogenic global warming, which is the subject of the Product at issue in this Request (“The Polar Vortex Explained in 2 Minutes.”).

In the absence of any correction, the following will likely result:

- CEI has been and will be denied government climate change information meeting the standards for objectivity, quality, utility and integrity established by the Information Quality Act and its implementing guidelines. Such information is necessary to CEI in its extensive analytical and educational efforts on this issue;
- CEI’s education and other information-disseminating activities regarding climate change are being hindered by an official government publication that does not meet the standards of the Act and its implementing regulations. In failing to meet these standards, the report presents a misleading portrayal of climate change and of the state of climate change science. The misleading nature of that portrayal would be remedied by the correction sought by CEI. The challenged publication will be cited and widely viewed as the federal government’s official position on this issue, and thus will have an effect on the general debate over this issue and thus on the efficacy of CEI’s related climate-change activities.

V. Conclusion

For the foregoing reasons, OSTP and the White House should grant CEI’s Request for Correction regarding Holdren’s claims and the video “The Polar Vortex Explained in 2 Minutes.”

³⁵ See, e.g., CEI’s blog *Globalwarming.Org*; Hal Davis, *Earth’s Temperature Is Rising and So Is Debate About It*, Dayton Daily News, April 22, 2006, at A6 (citing CEI’s *GlobalWarming.Org*); *Think-Tanking*, Washington Examiner, Aug. 14, 2008, pg. 24 (quoting CEI’s *Openmarket.Org*); Mark Landsbaum, *Blogwatch: Biofuel Follies*, Orange County Register, Nov. 13, 2007 (citing CEI); Pittsburgh Tribune-Review, *Best of the Blogs*, Oct. 7, 2007 (same); Bruce Yandle, *Bootleggers, Baptists, and the Global Warming Battle*, 26 Harvard Environmental Law Review 177, 221 & fn. 272 (2002) (citing CEI’s *GlobalWarming.Org*); Deepa Badrinarayana, *The Emerging Constitutional Challenge of Climate Change*, 19 Fordham Environmental Law Review 1, 22 & fn. 119 (2009) (same); Kim Diana Connolly, *Bridging the Divide: Examining the Role of the Public Trust in Protecting Coastal and Wetland Resources*, 15 Southeastern Environmental Law Journal 1, 15 & fn. 127 (2006) (same); David Vanderzwaag, *et al.*, *The Arctic Environmental Protection Strategy, Arctic Council, and Multilateral Environmental Initiatives*, 30 Denver Journal of International Law & Policy 131, 141 & fn. 79 (2002) (same).

Respectfully submitted,

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