

ONE HUNDRED NINETEENTH CONGRESS

Congress of the United States
House of Representatives

COMMITTEE ON THE JUDICIARY

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January 14, 2026

The Honorable Robin L. Rosenberg
Director
Federal Judicial Center
Thurgood Marshall Federal Judiciary Building
One Columbus Circle NE
Washington, DC 20002-8003

Dear Judge Rosenberg:

The Committee on the Judiciary is investigating allegations of improper attempts by the Environmental Law Institute (“ELI”) and its Climate Judiciary Project (“CJP”) to influence federal judges.¹ During this investigation, it has come to light that the Federal Judicial Center may have coordinated with the ELI and CJP on biased programming for federal judges.² If true, such coordination is in contravention of the Federal Judicial Center’s role “to provide accurate, objective information and education.”³

Public reports have documented concerns around apparent efforts by ELI and CJP to influence judges who potentially may be presiding over lawsuits related to alleged climate change claims.⁴ These efforts appear to have the underlying goal of predisposing federal judges in favor of plaintiffs who allege injuries from the manufacturing, marketing, use, or sale of

¹ Letter from Representative Jim Jordan, Chairman, House Judiciary Committee, et al., to Jordan Diamond, President, Environmental Law Institute (Aug. 29, 2025), <https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/2025-08-29-jdj-dei-wh-to-eli-diamond-re-cjp.pdf>.

² See ENVTL. LAW INST., *About the Climate Judiciary Project* (Sept. 2025), <https://www.eli.org/news/about-climate-judiciary-project>; see also AM. ASS’N FOR THE ADVANCEMENT OF SCIENCE, *Judicial Seminars on Climate Science*, <https://www.aaas.org/programs/scientific-responsibility-justice/judicial-seminars-climate-science> (last visited Dec. 11, 2025) (“The Climate Judiciary Project was a partnership between the Environmental Law Institute (ELI) and AAAS, with the Federal Judicial Center.”).

³ FED. JUD. CTR., *About the FJC*, <https://www.fjc.gov/about> (last visited Dec. 11, 2025) (“The Center has no policy-making or enforcement authority; its role is to provide accurate, objective information and education and to encourage thorough and candid analysis of policies, practices, and procedures.”).

⁴ Katelynn Richardson, *Top State Judge Handling Climate Lawsuit Worked with Environmental Group Tied to Plaintiffs’ Lawyers*, DAILY CALLER (May 17, 2023), <https://dailycaller.com/2023/05/17/climate-lawsuit-lawyers-environmental-group/>; Emma Colton & Breanne Deppisch, *Unearthed Chat Sheds Light on Cozy Ties Between Judges, Climate Activists, Raising Ethical Concerns*, FOX NEWS (July 17, 2025), <https://www.foxnews.com/politics/judges-climate-activists-private-forum-exposed>.

fossil-fuel products.⁵ Participation in such efforts conflict with the Judicial Code of Conduct and 28 U.S.C. § 455. Pursuant to federal statute, “any judge . . . shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.”⁶ Further, Canon 4 of the Judicial Code of Conduct provides that “a judge should not participate in extrajudicial activities that . . . reflect adversely on the judge’s impartiality.”⁷

Judicial impartiality is a fundamental pillar of American jurisprudence. The activities of ELI and CJP, however, appear to be designed to bias judges in climate-related cases. Although ELI has claimed that CJP aims to provide “neutral” information to the judiciary about “the science of climate change” as established among the expert scientific community,⁸ CJP has itself acknowledged that its mission centers on influencing judges’ decision-making on “controversial” topics involving “fast moving science.”⁹

The materials that ELI and CJP used at judicial seminars are generally not made public, which itself is a cause for concern.¹⁰ The limited portions of CJP’s “Climate Science and Law for Judges Curriculum” that are publicly available seem designed to improperly influence judges in favor of plaintiffs.¹¹ ELI has argued to judges that the political-question doctrine should have only “limited” relevance in climate lawsuits,¹² that countervailing research should be rejected

⁵ *Id.*; see also Douglas Kysar & Isabella Soparkar, *Climate Science and Law for Judges: Applying Attribution: Impacts of Climate Attribution Science on Tort Litigation*, ENVTL. LAW INST. (Jan. 2023), <https://cjp.eli.org/curriculum/applying-attribution-impacts-climate-attribution-science-tort-litigation>.

⁶ 28 U.S.C. § 455(a).

⁷ CODE OF CONDUCT FOR U.S. JUDGES, Canon 4 (JUD. CONF. U.S. 2019).

⁸ ENVTL. LAW INST., *Climate Judiciary Project*, <https://www.eli.org/climate-judiciary-project> (last visited Dec. 11, 2025).

⁹ ENVTL. LAW INST., *Spotlight on Judicial Training: Science in the Courts*, <https://www.eli.org/events/spotlight-judicial-training-science-courts> (last visited Dec. 11, 2025) (“Our panel explored the role science and research training play within judicial training process to ensure justice in the context of environmental issues”).

¹⁰ Jason Isaac, *The Environmental Law Institute’s Climate Judiciary Project (CJP) is Corruptly Influencing the Courts and Destroying the Rule of Law to Promote Questionable Climate Science*, AM. ENERGY INST. (2024), <https://americanenergyinstitute.com/docs/americanenergy-eli-climate-judiciary-project.pdf> (noting that “CJP attempts to head-off the obvious ethics problems it created by sharing its ‘educational materials’ online and identifying expert presenters or academics who had a hand in their preparation,” but “they [CJP] do not disclose which experts are connected to ongoing climate litigation, the role they played in crafting CJP curriculum, and whether they have presented at CJP conferences before judges”); see also ENVTL. LAW INST., *Past Judicial Education Trainings*, <https://www.eli.org/judicial-education/past-trainings> (last visited Dec. 11, 2025); Env’tl. Law Inst., *Judicial Education in Action: Americas*, <https://www.eli.org/judicial-education/judicial-education-action-americas> (last visited Dec. 11, 2025); ENVTL. LAW INST., *Curriculum*, <https://cjp.eli.org/curriculum> (last visited Dec. 11, 2025).

¹¹ See, e.g., Michael Wehner, *Detection and Attribution of Climate Change*, ENVTL. LAW INST., <https://cjp.eli.org/curriculum/detection-and-attribution-climate-change> (last visited Dec. 11, 2025) (alleging that “[d]evelopments in attribution science over the past two decades have made possible many robust statements about the human influence on climate. These statements extend to both long-term trends and extreme events, including heatwaves, floods, droughts, and storms. The extension of attribution science to socioeconomic damages and inequality is now underway and is likely to become an important factor in assigning responsibility in legal proceedings.”).

¹² Robin Craig, *Climate Science and Law for Judges: Procedural Techniques Available in Climate Litigation*, ENVTL. LAW INST. (Jan. 2023), <https://cjp.eli.org/curriculum/procedural-techniques-available-climate-litigation>.

because “[n]ot every scientific argument deserves to be taken seriously,”¹³ and that “the social cost of carbon dioxide” is a proper method for calculating damages.¹⁴ All are positions advanced by plaintiffs. Additionally, these topics are all actively litigated issues, and ELI’s *ex parte* advocacy on them raises questions about the impartiality of the judges connected with ELI’s seminars.¹⁵ Despite ELI’s contention that “CJP does not participate in litigation, provide support for or coordinate with any parties in litigation, or advise judges on how they should rule on any issue or in any case,” recent evidence has come to light calling these denials into question.¹⁶

ELI and CJP’s conduct is especially concerning because ELI and CJP characterize their efforts as “neutral” and “objective,” which appears to be questionable at best.¹⁷ Based on their publicly documented affiliations and position statements, the ELI-selected experts who instruct the judges on questions of supposed climate “science” are not neutral third parties, but are known associates of organizations allied with the radical decarbonization movement.¹⁸

CJP boasts that it has educated more than 2,000 judges at the federal and state levels.¹⁹ At the same time, ELI and CJP have concealed the identities of the judges who have attended or

¹³ *Id.*; Paul Hanle & Michael Mastrandrea, *Climate Science and Law for Judges: How Climate Science Works*, ENVTL. LAW INST. (Jan. 2023), https://www.eli.org/sites/default/files/files-pdf/HCSW_Hanle%20Mastrandrea.pdf.

¹⁴ Gary Yohe, *Climate Science and Law for Judges: Risks and Costs of Climate Change*, ENVTL. LAW INST. (Jan. 2023), https://www.eli.org/sites/default/files/files-pdf/Risks%20and%20Costs%20of%20Climate%20Change_full%20report%20formatted.pdf.

¹⁵ Further, pushing judges to develop and enforce these kinds of policies in the first instance violates the Constitution’s separation of powers.

¹⁶ Kamden Mulder, *Climate Activists Are Influencing Judges to Rule In Their Favor Using this ‘Educational’ Program*, NATIONAL REVIEW (Sept. 4, 2025), <https://www.nationalreview.com/news/climate-activists-are-influencing-judges-to-rule-in-their-favor-using-this-educational-program/>; Mandi Risko, *Exposed: Plaintiff Counsel’s Fingerprints on “Independent” Climate Studies*, ENERGY IN DEPTH (Sept. 18, 2025), <https://eidclimate.org/exposed-plaintiff-counsels-fingerprints-on-independent-climate-studies/> (“the Worthington & Caron LLP website links to a draft ‘module’ used by Environmental Law Institute’s Climate Judiciary Project (CJP) to train judges about climate science”).

¹⁷ Editorial, *Judicial Ethics and Double Standards*, WALL ST. J. Aug. 30, 2024, <https://www.wsj.com/opinion/climate-judiciary-project-judges-environmental-law-institute-supreme-court-dick-durbin-sheldon-whitehouse-5256997a> (Sandra Nichols Thiam, director of judicial education at ELI, stated that the Climate Judiciary Project’s goal is the “development of a body of law that supports climate action.”).

¹⁸ *See, e.g.*, Jessica Wentz, *Government Action and Climate Science*, ENVTL. LAW INST. (Jan. 2023), https://www.eli.org/sites/default/files/files-pdf/Government%20Action%20and%20Climate%20Science_full%20report%20formatted.pdf (“We are grateful to our advisors Jonathan Adler, Ann Carlson, Kristie Ebi, Chris Field, Jeremy Fogel, Inez Fung, Michael Gerrard, Geoffrey Heal, Barry Hill, Michael Oppenheimer, Stephen Pacala, Justice Ronald Robie, Judge Michael Simon, and Judge David Tatel for their contributions to the content of the whole curriculum as well as on this module.”); Thomas Catenacci, *Leonardo DiCaprio funneled grants through dark money group to fund climate nuisance lawsuits, emails show*, FOX NEWS (Aug. 15, 2022), <https://www.foxnews.com/politics/leonardo-dicaprio-funneled-grants-dark-money-group-fund-climate-nuisance-lawsuits-emails-show>; *Freedom of Information Act Request to U.S. Department of Energy*, ENERGY POLICY ADVOCATES (May 14, 2021), http://epadvocates.org/Colorado/DC-NNSA_FOIA_1.pdf; *see* Jeff Garberson, *Upset at Climate Denier’s Platform, Santer Set to Leave LLNL*, THE INDEPENDENT (May 26, 2021), https://www.independentnews.com/news/upset-at-climate-deniers-platform-santer-set-to-leave-llnl/article_ce3b98be-be2a-11eb-a910-a358522aa2a6.html.

¹⁹ *See* CLIMATE JUDICIARY PROJECT, *About CJP* (Nov. 2025), <https://cjp.eli.org/about>; Sandra Thiam & Paul Hanle, *Judging in a Changed Climate*, ELI Policy Brief No. 18 (July/August 2022), <https://www.eli.org/sites/default/files/files-pdf/Judging%20in%20a%20Changed%20Climate.pdf>.

participated in ELI and CJP training sessions or conferences, and they have not been transparent about the funding sources for these events.²⁰ However, they have been transparent about the courts and jurisdictions that they are targeting: “[w]hether through dissemination of modules of the curriculum, or by delivery of seminars and webinars, in the next three years we will focus our outreach on states and federal jurisdictions where [climate-related] cases will be heard.”²¹

In light of this information about ELI and CJP, it is concerning that the Federal Judicial Center may have partnered with ELI and CJP on judicial education programming. ELI represents that “CJP began in 2018 in coordination with the [Federal Judicial Center] . . . in response to demand from the judiciary for education about climate science.”²² Concerns about this coordination have drawn significant attention and rightful calls for scrutiny.²³ The extent of this “coordination” is not clear, however. Unlike certain privately funded educational seminars, judges do not have to disclose their attendance at Federal Judicial Center trainings.²⁴

To safeguard its role “to provide accurate, objective information and education” to federal judges, the Federal Judicial Center must review its relationship with CJP and should not continue coordination until ELI and CJP demonstrate that the serious allegations about their conduct are unfounded. Moreover, it is important for the Committee’s oversight to understand the effect that past coordination with ELI and CJP may have had on the outcome of litigation and the fairness of the federal judiciary. Accordingly, we ask that you provide the following material in the possession, custody, or control of the Federal Judicial Center:

1. All documents and communications for the period January 1, 2018, to the present referring or relating to the following:
 - a. CJP or ELI;
 - b. Federal Judicial Center-endorsed or -approved educational programming for federal judges or court staff related to climate change;
 - c. Events that were organized, sponsored, co-sponsored, or otherwise participated in by ELI or CJP, and which involved the Federal Judicial Center; and
 - d. Any ELI or CJP training program, session, or event for federal judges or court staff, along with transcripts and video recordings of any such session or event or portions thereof.
2. Documents sufficient to identify the following:
 - a. All persons who have developed material for, or presented at, Federal Judicial Center programs or events coordinated in any way with ELI or CJP, including any

²⁰ Isaac, *supra* note 10 at 4.

²¹ Thiam & Hanle, *Judging in a Changed Climate*, *supra* note 19.

²² See ENVTL. LAW INST., *About the Climate Judiciary Project*, *supra* note 2.

²³ Senator Ted Cruz, *Left-wing climate activists are trying to manipulate the justice system*, THE HILL (Sept. 26, 2024), <https://thehill.com/opinion/4898981-judicial-center-climate-judiciary-project/>; Isaac, *supra* note 10.

²⁴ See, e.g., ADMIN. OFF. OF U.S. CTS., *Statement of Purpose – Privately Funded Seminars Disclosures* (Oct. 2006), <https://www.uscourts.gov/administration-policies/privately-funded-seminars-disclosure-system/statement-purpose-privately-funded-seminars-disclosure>.

training sessions, presentations, webinars, or any other events that were attended by any federal judges between 2018 and the present; and

- b. All federal judges who have been invited to, or have attended, seminars, conferences, presentations, webinars, or any other events coordinated with ELI or CJP between 2018 and the present.

We ask that you provide these materials and information as soon as possible, but no later than 5:00 p.m. on January 28, 2026.

This letter serves as a formal request to preserve all existing and future records and materials relating to the topics addressed in this letter. You should construe this preservation notice as an instruction to take all reasonable steps to prevent the destruction or alteration, whether intentionally or negligently, of all documents, communications, and other information, including electronic information and metadata, that are or may be responsive to this congressional inquiry. This instruction includes all electronic messages sent using your professional and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.

The Supreme Court has recognized that Congress has a “broad and indispensable” power to conduct oversight, which “encompasses inquiries into the administration of existing laws, studies of proposed laws, and surveys in our social, economic, or political system for the purpose of enabling Congress to remedy them.”²⁵ The Committee is authorized to conduct oversight of “[t]he judiciary and judicial proceedings” and “[f]ederal courts and judges,” pursuant to the Rules of the House of Representatives.²⁶ If you have any questions about this matter, please contact Committee staff at (202) 225-6906. Thank you for your prompt attention to this matter.

Sincerely,



Jim Jordan
Chairman



Darrell Issa
Chairman
Subcommittee on Courts, Intellectual
Property, Artificial Intelligence
and the Internet

cc: The Honorable Jamie Raskin, Ranking Member

The Honorable Henry C. “Hank” Johnson, Ranking Member, Subcommittee on Courts, Intellectual Property, Artificial Intelligence, and the Internet

²⁵ *Trump v. Mazars USA, LLP*, 591 U.S. 848, 862 (2020) (internal quotation marks omitted).

²⁶ Rules of the House of Representatives, R. X, 119th Cong. (2025).