

Dear Mr. Kazman:

This note is to confirm the terms of our agreement to stipulate to a dismissal with prejudice of the above-referenced lawsuit that CEI filed against President Bush and OSTP Director Marburger.

OSTP has revised the former explanatory statement that appeared on the usgcrp.gov website, to reflect the basis for denial of the original Information Quality Act petition. Thus, the statement now reads (new language indicated in brackets): "The National Assessment Overview and Foundation Reports were produced by the National Assessment Synthesis Team, an advisory committee chartered under the Federal Advisory Committee Act[, and were not subjected to OSTP's Information Quality Act Guidelines]. The National Assessment was forwarded to the President and Congress in November 2000 for their consideration." This language has been added wherever the former explanatory statement had appeared on the website and will remain posted for as long as the 2000 National Assessment is accessible on the website.

CEI has agreed to stipulate to a dismissal of its lawsuit with prejudice.

Each side will pay its own fees and costs associated with the litigation.

The stipulation is attached. If you will sign and return, I will have the signed copy electronically filed.

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