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THE WEEKLY CLOSER

FROM THE SENATE ENVIRONMENT AND PUBLIC WORKS COMMITTEE
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QUOTE OF THE WEEK...

"There's almost a cottage industry out there. Around the globe there's 30 numerical models that are trying to predict climate. And none of them gives you a forecast. I say, look, if these climate models are okay, why don't they tell us next season, next year whether the global temperature's going to rise or not? They don't do that."

Dr. William Gray
Colorado State University
A Hearing to Discuss the Role of Science in Environmental Policy Making
Senate Environment and Public Works Committee
September 28, 2005

WHAT WE LEARNED WEDNESDAY

How could a national bestseller evoke such narrow-minded, even hateful commentary?

"'More silly than scary,' the flier dropped off by the Natural Resources Defense Council said. 'Notable mainly for its nuttiness,' an analysis from the Brookings Institution said. 'Does not reflect scientific fact,' the Union of Concerned Scientists said." (Michael Janofsky, "Michael Crichton, Novelist, Becomes Senate Witness," *The New York Times*, September 29, 2005)

Is Dr. Michael Crichton's *State of Fear* destined to become the left wing's *Da Vinci Code*, the book many love to hate but still, to their chagrin, lingers on the bestseller list? Perhaps we'll know when Crichton's latest work in the emerging eco-thriller genre is released in paperback later next month (if you can't wait, the British mass market paperback is already available online).

The reaction against *State of Fear* only reflects environmental special interests' own state of fear – the fear of becoming irrelevant and out of work as new innovations and cooperative partnerships between federal, state and local authorities and the private sector become the norm for advancing environmental progress. This is a view Dr. Crichton himself embraces – if you take the time to read his Author's Message and appendices, the non-fiction sections in the back of the book:

We need a new environmental movement, with new goals and new organizations. We need more people working in the field, in the actual environment, and fewer people behind computer screens. We need

more scientists and many fewer lawyers. (p. 572, *State of Fear*, hardback edition)

Dr. Crichton echoed that ideal Wednesday in an interview with *The New York Times*' Michael Janofsky: "Still, [Crichton] retains enough of his scientific background to thrust himself into the debate, insisting that the environmental movement 'did a fabulous job in the first 10 years, a pretty good job in the second 10 years and a lousy job in the last 10 years.'" It's time for a change, and that is a perspective gaining momentum globally, as even Britain's Tony Blair, the once staunch supporter of the Kyoto Protocol, steers his country's climate change policy in line with that of the Bush Administration's embrace of technology and innovation. Success after success in converting nations – both developed and developing – to the concept of New Environmentalism translates into certain defeat for Old Environmentalism – the way of trial lawyers, mass fundraising campaigns, Beltway lobbying and, sadly, to the deadly extreme, eco-terror.

Old Environmentalism has itself morphed into "big business" since the movement gained momentum with the first Earth Day celebration in the early 1970s. Today's movement fills its coffers with money reaped by television and print advertisements promoting fear with the swiftness and shortsightedness of a Chicken Little, LLC. The result? Lobbying, and political contributions, overwhelmingly to Democrat candidates in support of a broader, liberal agenda. Why does the League of Conservation Voters (LCV), for example, include in its annual "scorecard" a vote related to funding for global family planning programs in State Department reauthorization bills? To the LCV, more people mean more pollution. Could it be actually read as veiled support for abortion rights? Unfortunately, many in today's movement would seemingly prefer to plant a political distortion in the press, by way of skewed "scorecards," "ratings," sound bites and op-eds, over planting a new tree in a city park. To those, it is *constructive* to be *destructive*.

Dr. William Gray, an esteemed Colorado State University scientist widely recognized as a hurricane prediction pioneer, called attention to the emerging "cottage industry" of climate change modelers, those who make a living with numbers and predictions. Dr. Gray was unfairly badgered by senators yesterday who were opposed to his conclusions regarding global warming causation. One senator sharply accused him of not answering questions before he could even utter a reply. Those accusing Dr. Gray of shattering reputations were themselves guilty of that very crime.

We should not disparage the function of climate modelers, and Dr. Gray would agree; rather we should be mindful of the uncertainties in current modeling and ensure that modelers' work is free from outside influence and potential manipulation that would support a specific agenda or political path. At the moment, there are a number of uncertainties with regard to climate modeling.

In a 2000 edition of *Nature*, four climate modelers noted that, "A basic problem with all such predictions to date has been the difficulty of providing any systematic estimate of uncertainty." This problem stems from the fact that "these [climate] models do not necessarily span the full range of known climate system behavior." According to the National Academy of Sciences (NAS),

“...without an understanding of the sources and degree of uncertainty, decision-makers could fail to define the best ways to deal with the serious issue of global warming.” This fact should temper the enthusiasm of those who support Kyoto-style regulations that would harm the American economy.

Unfortunately, rarely does any scrutiny accompany model simulations. But based on what we know about the physics of climate models, as well as the questionable assumptions built into the models themselves, we should be skeptical of their results. This is exactly the view of the National Academy of Sciences. According to NAS, “Climate models are imperfect. Their simulation skill is limited by uncertainties in their formulation, the limited size of their calculations, and the difficulty of interpreting their answers that exhibit as much complexity as in nature.”

At this point, climate modeling is still a very rudimentary science. As Richard Kerr wrote in *Science* magazine, “Climate forecasting, after all, is still in its infancy.” Models, while helpful for scientists in understanding the climate system, are far from perfect. According to climatologist Gerald North of Texas A&M University, “It’s extremely hard to tell whether the models have improved; the uncertainties are large.” Or as climate modeler Peter Stone of the Massachusetts Institute of Technology put it, “The major [climate prediction] uncertainties have not been reduced at all.” Based on these uncertainties, cloud physicist Robert Charlson, professor emeritus at the University of Washington, Seattle, has concluded: “To make it sound like we understand climate is not right.”

There is much that we as policy makers, lobbyists, activists, reporters and, yes, even scientists do not understand, hence the scheduling of the Committee’s hearing. Even beyond the global warming debate, scientific uncertainties or the misuse of science have led to bad, shortsighted policy decisions. The Committee learned of the tragedy the swift ban against the use of DDT has wrought on public health and society in developing nations. Dr. Donald R. Roberts of the Uniformed Services University of the Health Sciences stated that “DDT science has been misrepresented, [and we, as policy makers] first must understand why this misrepresentation has not helped, but rather harmed, millions of people every year all over the world. Specifically [we] need to understand why the misrepresentation of DDT science has been and continues to be deadly.” Dr. Roberts emphasized that “[t]he misuse of science ... has found fullest expression in the collection of movements within the environmental movement that seek to stop production and use of specific man-made chemicals. Operatives within these movements employ particular strategies to achieve their objectives. By characterizing and understanding the strategies these operatives use, we can identify their impact in the scientific literature or in the popular press.”

Even before a word was uttered by Dr. Crichton, the Old Environmentalists produced fact sheet after fact sheet, talking point after talking point. Committee staff received a mass e-mail from Environmental Defense at 6:28 p.m. Tuesday night disparaging *State of Fear* and the hypotheses woven into its plot. The e-mail was immediately disregarded as the hearing was never intended to celebrate and promote the fiction of Dr. Crichton. It was a narrow-minded assumption on the part of Environmental Defense and those

organizations that left their fliers strewn about the press table in Dirksen 406. It was, in reality, Dr. Crichton's philosophy toward science that was the focus of his testimony, and his basis for writing the novel in the first place. He reminded us that "in the end, it is the proper function of government to set standards for the integrity of information it uses to make policy, and to ensure that standards are maintained. Those who argue government should refrain from mandating quality standards for scientific research—including some professional organizations—are merely self-serving. In an information society, public safety depends on the integrity of public information. And only government can perform that task."

As Dr. Roberts concluded his statement Wednesday, "How long will support continue for policies and programs that favor phantoms over facts?"

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INHOFE APPLAUDS SENATE'S UNANIMOUS PASSAGE OF GULF COAST WATER INFRASTRUCTURE EMERGENCY ASSISTANCE ACT

Senate Also Unanimously Approves Water Resources Research Act Amendments

Sen. James Inhofe (R-Okla.), Chairman of the Environment and Public Works Committee, hailed the Senate's approval of S. 1709, The Gulf Coast Water Infrastructure Emergency Assistance Act of 2005, and S. 1017, Water Resources Research Act Amendments of 2005.

"I am very pleased with the strong bipartisan support and the unanimous approval these two important bills received," Senator Inhofe said. **"The Gulf Coast Water Infrastructure Emergency Assistance Act is critical to Katrina recovery efforts along the Gulf Coast and will help ensure that the three states hit the hardest will receive funding for their water projects expeditiously. Our amendments to the Water Resources Research Act will continue the longstanding partnership between federal and non-federal water researchers under the Act and will help those researchers continue their work to address issues of water quality and quantity."**

S. 1709, The Gulf Coast Water Infrastructure Emergency Assistance Act of 2005

- States currently are unable to forgive the principal on clean water loans. That is, however, possible with regard to drinking water loans. S. 1709 will provide the three states affected by Katrina, Alabama, Louisiana and Mississippi, with that authority. Currently states are only able to fund drinking water projects that appear on their annual intended use plan. The legislation will waive that requirement to ensure drinking water and waste

water systems affected by Katrina are immediately eligible for state funds. Finally, many homeowners may have difficulty testing their wells given the number of potential contaminants in the flood waters. With the provisions in this bill, EPA can conduct testing at their request.

S. 1017, Water Resources Research Act Amendments of 2005

- S. 1017 continues the partnership between the Federal Government and non-Federal water resources researchers, a partnership that is centered at the university community. Specifically, S. 1017 extends the authorization for the State water resources research institutes to provide grants and address water resources management problems, such as the quantity and quality of water supplies, the sources of water contaminants and methods of remediation, and the training of research scientists, engineers and technicians. The Institute-sponsored research funding, authorized by Section 104(b), requires a match of two non-Federal dollars for each Federal dollar.
- The Interstate Research Grants program, Section 104(g), is reauthorized in this bill. The Interstate Research Grants provide competitive Federal grants focusing on regional and interstate water resources problems beyond those affecting a single State and must be matched by at least one non-Federal dollar to each Federal dollar. By continuing and enhancing these collaborative efforts, the Institutes can better address critical issues on long-term water planning and supply that may exceed the resources of any one State.
- The authorized funding levels for the Section 104(b) and 104(g) programs in fiscal year 2005 are \$12 million and \$6 million, respectively. The fiscal year 2005 appropriation for both programs totaled \$6.049 million.

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INHOFE APPLAUDS HOUSE APPROVAL OF ENDANGERED SPECIES LEGISLATION

U.S. Senator James M. Inhofe (R-Okla.), Chairman of the Senate Environment and Public Works Committee, today issued the following statement regarding the House of Representatives' 229-193 approval of H.R. 3824, the Threatened and Endangered Species Recovery Act of 2005:

“I applaud the efforts of House Resources Chairman Richard Pombo for working so diligently to pass a bipartisan ESA bill, and I congratulate both the Republicans and Democrats in the House for passing this bill,” Senator Inhofe said. **“I share Mr. Pombo's belief that the ESA has not achieved all of its objectives and has, in many cases, led to dire consequences for landowners and species alike. I believe that it is essential that Congress pass legislation that would update and improve the ESA to focus on the recovery of species, while safeguarding private property rights. We should do this by working cooperatively with all stakeholders, especially private land owners on whose land more than 70**

percent of species depend for their habitat. It is critical that we make sound scientific decisions in an open and transparent manner with the assistance and support of states and localities. I look forward to receiving H.R. 3824 in the Environment and Public Works Committee and to working with my Senate colleagues on producing ESA legislation this year.”

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IN CASE YOU MISSED IT...

A Lesson From “Political Science 101”



When were the following statements made?

1. “EPA has had to reverse previous policies found to be scientifically flawed and to amend statistical ‘errors’ it used to argue for new policies. And it has a habit of punishing those who dare point out its flaws. Two years ago, six EPA scientists lost their jobs after writing a letter to a newspaper saying that EPA regulations ‘stand to harm rather than protect public health and the environment.’”ⁱ
2. “Major scientific uncertainties and the political and legal constraints of a regulatory agency combine to weaken the scientific basis of decisions made by the U.S. Environmental Protection Agency (EPA)... .”ⁱⁱⁱ
3. “EPA also should reinstitute and strengthen its internal scientific review processes to ensure transparency, account for scientific uncertainty, and improve the analytical bases for its policy decisions.”ⁱⁱⁱ
4. “Many of EPA’s regulatory programs are unscientific and illogical and afford little or no protection to human health or the environment. ... They breed well-deserved cynicism about government’s motives.”^{iv}
5. “... EPA has become too politicized in its actions, too eager to pursue narrow political goals, and too willing to ignore Congressional intent in making regulatory decisions. Political motives rather than workable policies based on sound science and reliable data seem to be the driving force behind this EPA.”^v
6. “EPA’s abuse and misuse of science is no surprise and well known to those who follow the agency closely. ... Its record on electric utility

NOx emissions, long-range transport, and ozone pollution can only be described as shameful.”^{vi}

7. ““This is by far the most politicized EPA I’ve seen in my three decades of working in state governments. ... It is an agency driven more by sound bites than by sound science.””^{vii}

Answer: During the Clinton Era.

8. “Under mounting pressure from environmental groups to ignore the recommendation of the agency’s own scientists, Browner last December scrapped a science-based standard for chloroform in drinking water. In 1998, EPA had proposed raising the Maximum Contaminant Level Goal for chloroform in drinking water from zero to 300 parts per billion. This recommendation had resulted from a thorough review by EPA scientists of toxicological data on human exposure to chloroform going back 20 years, and took into account the principle contained in the agency’s draft cancer guidelines that there are thresholds below which toxins are essentially harmless. But the recommendation was to become the victim of political sabotage, and the agency instead retained a ‘zero tolerance’ rule. In April of this year, however, a federal court rejected EPA’s proposed standard, saying that the proposal was contradicted by the agency’s own review of the ‘best available science.’”^{viii}

Bill Holbrook, Communications Director
Matt Dempsey, Deputy Press Secretary

ⁱ Editorial, “EPA -- Clean it up,” *The Cincinnati Enquirer*, 12/26/2000

ⁱⁱ “Research Gaps, Legalistic Focus Hinder EPA’s Use of Science,” *Resources for the Future*, 8/18/1999

ⁱⁱⁱ *Ibid.*

^{iv} Henry I. Miller, “Environmental Protection, In Name Only,” *The Scientist*, 9/18/2000

^v Allen James, “Politics Play a Plum Part in FQPA,” *Pest Control*, 9/1/2000

^{vi} “Commentary: Political Science at the EPA,” *The Electricity Daily*, 6/19/2000

^{vii} Pranay Gupte and Bonner R. Cohen, “Carol Browner, master of mission creep,” *Forbes*, 10/20/1997

^{viii} *Ibid.*