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# THE WEEKLY CLOSER

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

"It's only a matter of time before someone is hurt or killed by ELF terrorists."

Lyle Fox  
President

Building Industry Association of Washington  
*Seattle Post-Intelligencer*, September 21, 2005

## SCIENCE AND STANDARDS

*Dr. David Legates: "Scientists Must Demand That Results and Conclusions Stand Up To Independent Verification."*

On Tuesday, Canada's *National Post* printed an op-ed by Dr. David R. Legates titled "Where's the data?: Holding science to prospectus standards would stop climate researchers from launching misrepresentations like the 'Hockey Stick'". Legates discussed the need for improved standards for science, pointing specifically to the June 2005 query by the U.S. House Energy and Commerce Committee. The Committee is looking at how a number of climate studies receiving federal funding have been reviewed – or not properly reviewed as the case may be.

Legates firmly believes that such a query is warranted, stating, "Although critics contend the issue is about scientific freedom, the questions actually pertain to disclosure, due diligence and the need for access to publicly funded scientific data when public policy is at stake. In reality, the investigation is not only entirely proper, but long overdue."

Legates pointed to the example of the Mann "Hockey Stick" graph that purports to show a tie between anthropogenic emissions and global warming:

- "The Hockey Stick stands in stark contrast to a long-held view, amply supported by work of other researchers, that the last 1,000 years were characterized by a warm beginning (the Medieval Warm Period), a rapid cooling around A.D. 1500 (the Little Ice Age), and a latter-day recovery from this cooler period. The Hockey Stick became entwined with energy policy when the [Intergovernmental Panel on Climate Change] replaced this traditional view and featured the Hockey Stick prominently in its 2001 assessment of climate science -- in a section

written by Mann himself. It surprises many to learn that the IPCC assessment often is written by scientists who dominate the debate about specific issues.”

- “Clearly such scientists have axes to grind and, in Mann's case, he used the IPCC as a forum to promote his own research. Other IPCC authors admonished Mann to include other, less Hockey Stick-like representations in his assessment. They were ignored in the final report, however, and, owing to the influence that the IPCC reports carry, the Hockey Stick became a public icon, enthusiastically promoted by supporters of the hypothesis of greenhouse warming.”
- “*Nature* took the extremely unusual step of requiring Mann and co-authors to provide a new archive of data and a new verbal description of their methodology. But even with this revised release, key aspects of the Hockey Stick remain impossible to replicate -- and replication is a hallmark of scientific inquiry. Mann continues to refuse requests for full disclosure, telling *The Wall Street Journal* that to do so would amount to ‘giving in to intimidation.’”
- “Moreover, since Mann was the author of the section of the IPCC that touted his own research before others had the opportunity to critically re-examine his work, serious questions must be raised about conflicts of interest within the IPCC and how it came to promote speculative findings that had not been independently evaluated and which since have been shown to be flawed.”

Legates closed his piece by stating that the House Energy and Commerce Committee has “uncovered a real problem in science -- one that extends far beyond the climate-change issue,” and suggested that “[s]cientists must demand that results and conclusions stand up to independent verification. Yet since the climate-change community has failed to impose such standards on itself, it cannot be surprised if legislators have opted to do the job for them.”

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## ***IN THE NEWS...***

### **E&ENews PM**

#### **La. DEQ backs Inhofe hurricane bill, as enviros raise questions**

September 20, 2005

By Darren Samuelsohn

Senate legislation that would give the U.S. EPA broad authority to waive laws and regulations during the Hurricane Katrina cleanup has garnered the initial backing of Louisiana officials.

Mike McDaniel, secretary of the Louisiana Department of Environmental Quality, said today his office supports the general ideas behind the GOP-written legislation under consideration on Capitol Hill. In a prepared statement provided to E&ENews PM, McDaniel said the bill from Senate Environment and Public Works Committee Chairman James Inhofe (R-Okla.) would apparently help his state avoid significant hurdles it faces in trying to restore electricity, drinking water and sewer services.

“It makes no sense to strangle recovery with the usual slow, bureaucratic processes common to our environmental regulatory programs,” said McDaniel, who was appointed to his post last year by Gov. Kathleen Blanco (D).

“There are ways to expedite the processes for environmental clearances without sacrificing the environment, and we are confident that with EPA and DEQ oversight we can proceed at an accelerated pace while maintaining appropriate levels of environmental protection,” McDaniel said.

Inhofe and Louisiana Republican Sen. David Vitter last week introduced the environmental waiver bill, S. 1711, and GOP aides have signalled that the measure could fast move toward law. “If the administration needs it, they’re going to get it,” said Andrew Wheeler, Inhofe’s staff director, in an interview Friday.

Amy Call, a spokeswoman for Senate Majority Leader Bill Frist (R-Tenn.), said today that legislative recommendations responding to Katrina are still coming in from top Republican and Democratic panel leaders, including Inhofe. But Call said no schedule has yet been released for moving the hurricane-related bills.

On Capitol Hill, several lawmakers said in brief interviews today that they were still getting up to speed on the Inhofe-led proposal. “I want to see what Jim has proposed and what the impact will be,” Missouri Republican Sen. Kit Bond said. “But it’s something we need to consider.” . . . .

Click [here](#) for the full text of the article.

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## The New York Post

### Big Board Caves In

September 19, 2005

By Christopher Byron

DID I miss something, or weren't we supposed to have gotten out of the terrorist-appeasement business?

The question arises because of some disturbing recent developments at the New York Stock Exchange, where President Catherine Kinney has been field-

testing a new approach to institutional leadership that is strange to say the least: Talk the talk, but don't walk the walk . . . and don't explain why.

We'll get more deeply into Kinney's perplexing behavior. But for the moment it is enough to know that her actions have abruptly catapulted the NYSE into one of the strangest — and scariest — situations in its 213-year history.

Specifically, rumors were flying up and down the trading floor last week that Kinney herself had succumbed to a campaign of threats and intimidation from an international animal-rights fringe group called Stop Huntingdon Animal Cruelty (SHAC). Rumors had it that without seeking the approval of the board of directors, Kinney had ordered the Big Board to dump its planned listing of a New Jersey company that performs drug testing on animals.

The exchange clearly knew what it was letting itself in for when it agreed, early this summer, to consider Life Sciences Research Inc. for a listing. SHAC has for years been conducting a well-publicized international terrorist campaign to drive Life Sciences out of business.

SHAC had already been linked in press reports to an assault on Life Sciences' CEO in Britain four years ago, when three hooded men leaped from the bushes in front of his house as he was returning home one evening and beat him nearly to death with pickax handles. SHAC insists it was not involved. . . .

In recent weeks, the SHAC Web site has been listing the direct-dial office phone numbers and e-mail addresses of dozens of the NYSE's top officials.

For the NYSE to have agreed to list Life Sciences shares for trading on the Big Board may have been gutsy, but it was certainly unnecessary. And it was plainly idiotic, having issued a press release announcing that trading would begin on Sept. 7, to invite the company's top officials for a celebratory breakfast, only to inform them, mere minutes before the opening bell, that there'd been a change of plans and the listing would be "postponed" indefinitely.

According to Life Sciences' Chief Financial Officer Richard Michelson, who attended the traditional breakfast, the bombshell news of the exchange's about-face was delivered to the group by Kinney herself, who cleared her throat, looked at the Life Sciences brass seated around here and declared, "Well, there's no way to sugarcoat this, but the listing will not be taking place today. It is being postponed."

Once her stunned listeners were able to gather their thoughts, they began asking her to explain why. Had the Big Board found some skeleton in the company's closet? Some financial irregularity? Anything?

No, explained Kinney. It was nothing like that.

Well, what then?

"[Kinney] just wouldn't say," Michelson said. "She kept questioning us about SHAC and the animal-rights people," he said. "But she simply wouldn't say why the NYSE had changed its mind." . . .

TWO days later, I contacted a member of the board of directors who agreed to speak if not identified by name. The member said no one on the board was informed, adding, “Security is the biggest hot-button issue imaginable at the exchange, and I cannot believe something of this magnitude would have happened without the board being briefed.”

At week’s end a wall of silence had descended around the exchange, with officials refusing to answer questions of any sort regarding the Life Sciences matter, from The Post or indeed any other media outlet.

The stonewalling even extended to the NYSE’s seeming defiance of a U.S. Senate Committee, which early last week opened its own probe of the Big Board’s behavior. Sources in Washington said the committee had been unable to get the exchange to even return phone calls.

This is certainly not the sort of behavior one would have expected from an institution that had been at the forefront of post-9/11 calls for Americans to show defiance of terrorists by going about their business unintimidated and unafraid.

Yet with the exchange suddenly in the crosshairs of a terrorist group, “going about one’s business” seems to be the last thing on the minds of the Big Board’s top brass. And as history teaches clearly enough, trying to appease lunatics simply brings on the need for more — and greater — appeasement to come.

Why the modern world has spawned a guerrilla movement of people who think that puppies are entitled to the same rights as people is beyond our purposes here — though the truth of the matter may be no more complicated than unraveling the politics of a generation of people raised on singing mice, sexless dogs, and all the other anthropomorphized creatures that sprang from the mind of Walt Disney.

How many children watched Bambi’s father be gunned down by that despicable lower life form known as a Man, and grew up to believe that rats, cats and monkeys all ought to come within the embrace of the equal protection clause of the Constitution is anyone’s guess. But beyond the world of animal rights loom even wackier belief systems — like the fair treatment for trees movement and the brown shirts of eco-terrorism.

These are the people Kinney and her bunch will hear from next: Delist Weyerhaeuser and Georgia Pacific or we’ll blow up your house!

How foolhardy and shortsighted to have let this all happen. And ultimately how sad, for by seeming to appease SHAC — and not even attempting to spin the facts more favorably afterward — Kinney and Co. have hung a great big “Kick Me” sign around their necks and invited every wacko group on earth to come to the corner of Broad and Wall for a free kick.

Click [here](#) for the full text of the op-ed.

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Bill Holbrook, Communications Director  
Matt Dempsey, Deputy Press Secretary