

The Week That Was 2010-05-22 (May 22, 2010) Brought to you by SEPP (www.SEPP.org)

The FORUM by SEPP and Virginia Scientists and Engineers for Energy and Environment (VA-SEEE) is being rescheduled to TENTATIVELY 5 pm on Sunday June 20 in the Auditorium of the Ernst Community Cultural Center of the Annandale Campus of Northern Virginia Community College at 8333 Little River Turnpike, Annandale. Topics will include some of the latest developments in global warming issues. All are welcome. To defray the costs of the auditorium, a donation of \$5.00 per person is suggested. Firm commitments will be announced as soon as possible. (www.vaseee.org)
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Quote of the Week

“Never doubt that a small group of thoughtful people can change the world.” – Margaret Mead

THIS WEEK:

By Ken Haapala, Executive Vice President, Science and Environmental Policy Project

The Fourth International Conference on Climate Change held by the Heartland Institute ended Tuesday. The conference featured 74 speakers on a diversity of topics relating to climate change. Perhaps Professor Richard Lindzen of MIT summed up the results of the conference best. He said we should no longer be called skeptics. Skepticism implies an existence of a plausible scientific position. Global warming alarmism is no longer plausible.

Not everyone agrees as to the causes of the recent warming, which is as developing science should be. However, over the four conferences there seems to be a direction of convergence in ideas. One, the IPCC’s assumptions that increasing water vapor will amplify carbon dioxide-caused warming is wrong. The temperature change from a doubling of carbon dioxide is likely to be no more than 1 degree Celsius. Two, the IPCC models likely have causation as related to clouds backwards – lack of clouds causes warming not the other way around. Three, natural variations of the climate system that are ignored by the IPCC are important to climate change. An example is the Pacific Decadal Oscillation. Also, natural variations may be influenced by changes external to the earth, such as solar activity and cosmic radiation. Not everyone agrees as to the extent of external influences.

Also coming from different directions, the work of Lindzen, Spencer, and others indicates that the climate system has a negative feedback mechanism -- a dampening effect on carbon dioxide-caused warming rather than suggest are suggesting that a doubling of atmospheric carbon dioxide will produce a warming of no more than 0.5 degrees Celsius, well within natural variation.

The work of a number of scientists, such as Don Easterbrook, suggests we are entering into a cold period. If so, there is significant reason to be concerned. The work of climate pioneer HH Lamb demonstrated that cold periods are harmful to mankind and warm periods are generally beneficial.

There is much to be learned, such as what causes El Niños similar to the one that now appears to be ending? The El Niño caused the global temperatures of the first part of the year, as measured from satellites, to be significantly warmer than normal. Of course, alarmists will claim that this warming is “proof” of human-caused global warming. However, the IPCC rejects the idea that El Niños cause warming; thus such claims by alarmists contradict the IPCC. Ian Plimer speculates that El Niños may be caused by undersea volcanoes, which certainly is intriguing.

If governments would only get away from the egocentric view that humans are the cause of climate change, we may begin to understand the actual causes and be able to adapt to changes as Lamb so hoped.

The proceedings of the full conference are being posted on the web site of the Heartland Institute, <http://www.heartland.org/>. It is well worth a visit or several visits to listen to illuminating lectures on issues relating to climate change.

Just in time to support the Kerry-Lieberman Cap and Tax bill, the National Academy of Sciences published three reports advocating action on global warming. This is a dangerous step for the Academy because if it is wrong, and the earth cools, it is likely the Academy will significantly lose the trust of the American public. The reports are referenced below, and the science to justify them will be discussed in future issues of TWTW.

The Kerry-Lieberman bill is the topic in several articles below. As discussed in last week's TWTW, the Kerry web site says, in effect, that the revenues raised by the bill will have three cuts. The first cut goes to the green industry, the second cut to the Federal Government for deficit reduction, and the final cut to the consumer. An article on the bill from the Wall Street Journal is reproduced below as well as a rebuttal from Senators Kerry and Lieberman. Strangely, the good Senators fail to mention the cut to the Federal Government.

As mentioned in prior TWTWs, the most powerful lobbying group pushing for Cap and Tax is USCAP, an alliance of Big Business and Big Green – large non-profit organizations claiming an environmental agenda. The IRS requires all non-profits to file a form 990 stating, among other things, total revenues. Forbes published a list of the 200 largest charities in the US for 2009. Of these, five are members of USCAP. In descending order by revenues in the Forbes list they are: The Nature Conservancy, World Wildlife Fund, Environmental Defense Fund, Natural Resources Defense Council, and National Wildlife Federation. Their total revenues in 2009 exceeded \$1,500,000,000 (\$1.5 Billion).

http://www.forbes.com/lists/2009/14/charity-09_The-200-Largest-U.S.-Charities_Name_8.html

Yesterday was the final day to respond to EPA's announcement for public comment on its plans to address "ocean acidification." SEPP recommended that: "EPA should do nothing. The science is misleading, inadequate, and any actions based on it are most likely to be destructive and wrong." Lowering a chemical solution with a pH between 7.9 and 8.2 by 0.2 does not acidify it but merely lessens its alkalinity.

Last week, TWTW carried an excerpt of the testimony by John Everett to a joint Senate hearing on the subject. Dr. Everett stated that hydrochloric acid and other acids were used to mimic dissolved carbon dioxide in tests studying the possible effects of increased atmospheric carbon dioxide. He kindly provided SEPP with specific references. Such procedures were used in both laboratory and field experiments. Indeed, the April 15, 2009 EPA announcement requesting supporting data for its hypothesis referenced tests using such procedures.

Natural rain water contains dissolved carbon dioxide and has a pH of about 5.6. Apparently, EPA would have Americans believe that during a drought they can water their gardens with hydrochloric acid with a pH of 5.6 to mimic the effect of rain.

SEPP also recommended that to properly apply the scientific method, EPA should solicit research challenging its hypothesis, not research supporting it.

Several articles referred to below discuss the status of Virginia Attorney General Cuccinelli's demand to the University of Virginia to produce documents relating to the work of Michael Mann while at the University. Apparently, Cuccinelli has agreed to extend the deadline to July 26 as well as reduce the scope of the demand. We shall see what follows.

Finally on a bright note, a Federal judge in California has injected a modicum of sanity to Federal water allocations in the Central Valley. Judge Wanger ruled that federal regulators must consider the impact of their regulations on human communities. This will not bring the thousands of acres of dead orchards back to life but the orchards, fallow farmland, and extremely high unemployment serve as a reminder of the cruelty and inhumanity of certain "green" regulations. Please see the article "Water Sanity For Central California" below.

[SEPP Correction: last week we incorrectly called the Domesday Book, the Doomsday Book. Perhaps this error was caused a psychological aversion to tax records.]

ARTICLES: [For the numbered articles below please see the attached pdf.]

1. Just Don't Call It a Climate Bill

John Kerry rearranges cap and tax – and hopes no one notices

Editorial WSJ, May 17, 2010

http://online.wsj.com/article/SB20001424052748703339304575240353420875226.html#mod=todays_us_opinion

[SEPP Comment: Letter rebuttal from Kerry and Lieberman follows]

2. Fred Singer's published comments on an article in the Charlottesville (VA) Daily Progress "UVa inquiry defended: Cuccinelli calls it case of possible fraud."

May 21, 2010, for the article see *News You Can Use*.

http://www2.dailyprogress.com/cdp/news/local/education/article/uva_inquiry_defended_cuccinelli_calls_it_case_of_possible_fraud/56285/P10/

3. States divided over new EPA rules: New regulations force jurisdictions to choose sides

By Shannon Goessling, Washington Times. May 21, 2010

<http://www.washingtontimes.com/news/2010/may/21/states-divide-over-new-epa-rules/>

4. The Green Jobs Myth

IBD Editorials, May 20, 2010

<http://www.investors.com/NewsAndAnalysis/Article/534696/201005201839/The-Green-Jobs-Myth.aspx>

5. Water Sanity For Central California

IBD Editorial, May 20, 2010

<http://www.investors.com/NewsAndAnalysis/Article/534728/201005201852/Water-Sanity-For-Central-California.aspx>

6. Are You Ready For Global Cooling?

IBD Editorials, May 21, 2010

<http://www.investors.com/NewsAndAnalysis/Article/534878/201005211905/Are-You-Ready-For-Global-iCoolingi-.aspx>

NEWS YOU CAN USE:

Cap-and-Tax

The Media Is Ignoring Kerry's Cap-and-Trade

By William Yeatman, May 17, 2010

<http://www.globalwarming.org/>

The Senate needs to act now on the climate bill

Editorial, Washington Post, May 19, 2010 [H/t Conrad Potemra]

<http://www.washingtonpost.com/wp-dyn/content/article/2010/05/18/AR2010051804440.html>

Challenging the Orthodoxy

Prominent Princeton Scientist Dr. Happer Testifies to Congress: 'Warming and increased CO2 will be good for mankind'

'CO2 is not a pollutant and it is not a poison and we should not corrupt the English language by depriving 'pollutant' and 'poison' of their original meaning'

By Marc Morano, Climate Depot, May 21, 2010

<http://www.climatedepot.com/a/6645/Prominent-Princeton-Scientist-Dr-Happer-Testifies-to-Congress-Warming-and-increased-CO2-will-be-good-for-mankind>

[SEPP Comment: The full testimony can be found at the following:]

<http://globalwarming.house.gov/files/HRG/052010SciencePolicy/happer.pdf>

Global Average Sea Surface Temperatures Poised for a Plunge

By Roy Spencer, May 20, 2010

<http://www.drroyspencer.com/2010/05/global-average-sea-surface-temperatures-poised-for-a-plunge/>

Only morons, cheats and liars still believe in Man-Made Global Warming,

By James Delingpole, Telegraph, UK, May 19, 2010 [H/t ICECAP]

<http://blogs.telegraph.co.uk/news/jamesdelingpole/100040219/only-morons-cheats-and-liars-still-believe-in-man-made-global-warming/>

[SEPP Comment: In spite of the somewhat outrageous headline the article is rational]

Wounded Warmists Attack: It's what Happens 'When Prophecy Fails'

The AGW community is behaving exactly like the UFO cult studied by psychologist Leon Festinger in his classic study of cognitive dissonance.

By Art Horn, Pajamas Media, May 16, 2010 [H/t John Droz, Jr.]

<http://pajamasmedia.com/blog/wounded-warmists-attack-its-what-happens-when-prophecy-fails/?s>

Scientist: Global Cooling is the Real Crisis

Global warming conference participant says reduced sunspot activity may cause extreme cold fatalities, mass starvation

By Jeff Poor, Business & Media Institute, May 17, 2010 [H/t Brad Veek]

<http://www.businessandmedia.org/articles/2010/20100517155839.aspx>

Global Green Meltdown Gains Momentum

By Walter Russell Mead, American Interest, May 14, 2010

<http://blogs.the-american-interest.com/wrm/2010/05/14/global-green-meltdown-gains-momentum/>

Global warming: Give Bjorn Lomborg some credit

By Thomas Fuller, Washington Examiner, May 21, 2010

<http://www.examiner.com/x-9111-Environmental-Policy-Examiner~y2010m5d21-Global-warming-Give-Bjorn-Lomborg-some-credit?cid=examiner-email>

[SEPP Comment: Lomborg challenged the spurious claim that warming will cause an increase in malaria and was pilloried by the political correct.]

Leaked Spanish Report: Obama's Model 'Green Economy' a Disaster

By Christopher Horner, Pajama Media, May 21, 2010

<http://pajamasmedia.com/blog/leaked-spanish-report-obamas-model-green-economy-a-disaster-pjm-exclusive/?singlepage=true>

Tom Karl – Hiding the Decline (at both ends)

By Steve Goddard, Watts Up With That, May 20, 2010

<http://wattsupwiththat.com/>

Triple Crown of global cooling could pose serious threat to humanity

By Kirk Myers, Seminole County Examiner, May 19, 2010 [H/t Climate Depot]

<http://www.examiner.com/x-32936-Seminole-County-Environmental-News-Examiner~y2010m5d19-Triple-Crown-of-global-cooling-could-pose-serious-threat-to-humanity>

Defending the Orthodoxy

Christiana Figueres appointed new UN climate chief to continue global talks

Ban Ki-moon officially announces experienced climate talks negotiator from Costa Rica as successor to Yvo de Boer

Associated Press, Guardian UK, May 18, 2010, [H/t Bob Kay]

<http://www.guardian.co.uk/environment/2010/may/18/christiana-figueres-climate-chief-un>

Climate body chief defends use of 'gray literature'

The head of the UN's climate change panel has defended the use of unproven science to justify climate change by saying the "grey literature" cannot be ignored.

By Richard Alleyne, Telegraph, UK, May 14, 2010 [H/t Bob Kay]

<http://www.telegraph.co.uk/earth/environment/7725266/Climate-body-chief-defends-use-of-grey-literature.html>

[SEPP Comment: Countless times we have been told it was all peer-reviewed]

UK 'will push EU on CO2 targets'

By Richard Black, BBC News, May 20, 2010 [H/t Malcolm Ross]

<http://news.bbc.co.uk/2/hi/science/nature/8694327.stm>

National Academy of Sciences Reports

America's Climate Choices

Advancing the Science of Climate Change

<http://americasclimatechoices.org/panelscience.shtml>

Limiting the Magnitude of Future Climate Change

<http://americasclimatechoices.org/panelmitigation.shtml>

Adapting to the Impacts of Climate Change

<http://americasclimatechoices.org/paneladaptation.shtml>

Scientists' Report Reasserts Man's Role in Climate Change

By Gautam Naik, WSJ, May 20, 2010

http://online.wsj.com/article/SB20001424052748704691304575254691763608402.html#mod=todays_us_front_section

[SEPP Comment: Sea levels will rise by as much as 6.5 feet?]

Three Academy Reports Urge Climate Action

By Richard Kerr, Science Insider, May 19, 2010 [H/t Toshio Fujita]

<http://news.sciencemag.org/scienceinsider/2010/05/three-academy-reports-urge-clima.html>

National Academy Report Calls for Geoengineering Research

By Eli Kintisch, Science Insider, May 19, 2010 [H/t Toshio Fujita]

<http://news.sciencemag.org/scienceinsider/2010/05/national-academy-report-calls-fo.html>

[Quote from the article: "In a move long expected, the U.S. National Academy of Sciences has called for research into solar radiation management (SRM), the brand of geoengineering that involves blocking a fraction of the sun's rays to cool the planet."]

IPCC Inquiry

IPCC review: friend or foe

By Richard Black, BBC, May 14, 2010 [H/t Bob Kay]

http://www.bbc.co.uk/blogs/thereporters/richardblack/2010/05/ipcc_review_friend_or_foe.html

The War on Prosperity

A Renewable Electricity Standard: What It Will Really Cost Americans

By Kreutzer, Campbell, Beach, Lieberman, and Loris, Heritage Foundation, May 5, 2010

<http://www.heritage.org/Research/Reports/2010/05/A-Renewable-Electricity-Standard-What-It-Will-Really-Cost-Americans>

[SEPP Comment: Those on Capitol Hill appear to believe that prosperity can be created by forcing the public to buy an inferior product at an outlandishly high price.]

Shortchanging American Energy Security

By Richard Glenn, IBD, May 21, 2010

<http://www.investors.com/NewsAndAnalysis/Article/534787/201005211815/Shortchanging-American-Energy-Security.aspx>

Opposing the War on Prosperity

Overturning EPA's Endangerment Finding Is a Constitutional Imperative

By George Allen and Marlo Lewis,

Competitive Enterprise Institute, May 19, 2010

http://cei.org/cei_files/fm/active/0/Marlo%20Lewis%20-%20Overturning%20EPA%27s%20Endangerment%20Finding%20-%20FINAL,%20May%202019,%202010,%20PDF.pdf

Sen. Murkowski to Seek Vote on Jettisoning Endangerment Finding: The measure would void a few EPA rules relating to greenhouse gas emissions.

NASC Online, May 19, 2010

<http://www.nacsonline.com/NACS/News/Daily/Pages/ND0519102.aspx>

The EPA's Shocking Power Grab

By George Allen and Marlo Lewis, Forbes.com May 18, 2010

<http://www.forbes.com/2010/05/18/epa-environment-power-congress-opinions-contributors-allen-lewis.html?boxes=Homepagechannels>

Oh Mann! What have you created?

UVa inquiry defended: Cuccinelli calls it case of possible fraud

By Brian McNeill, Education, May 18, 2010

http://www2.dailyprogress.com/cdp/news/local/education/article/uva_inquiry_defended_cuccinelli_calls_it_case_of_possible_fraud/56285/

Cuccinelli says climate change probe is about fraud

Investigation "prudent" says A-G: No infringement on academic freedom

By Karyn McDermott, Richmond Republican Examiner, May 19, 2010 [H/t Debbie Wetlaufer]

<http://www.examiner.com/examiner/x-16143-Richmond-Republican-Examiner~y2010m5d19-Cuccinelli-says-climate-change-probe-is-about-fraud?#comments>

U.-Va hires legal counsel as it prepares for possible fight over Cuccinelli subpoena

By Rosalind Helderman, Washington Post, May 14, 2010

http://voices.washingtonpost.com/virginiapolitics/2010/05/uva_hires_legal_counsel_as_it.html

Global warming: Michael Mann finds a new research plaything

By Thomas Fuller, Washington Examiner, May 21, 2010

<http://www.examiner.com/x-9111-Environmental-Policy-Examiner~y2010m5d21-Global-warming-Michael-Mann-finds-a-new-research-plaything?cid=examiner-email>

Global warming and the dog that didn't bark,

By Thomas Fuller, Washington Examiner, May 15, 2010

<http://www.examiner.com/x-9111-Environmental-Policy-Examiner~y2010m5d15-Global-warming-and-the-dog-that-didnt-bark?cid=examiner-email>

Energy Issues

Reliance on Oil Sands Grows Despite Environmental Risks

By Clifford Krauss and Elisabeth Rosenthal, NYT, May 18, 2010

<http://www.nytimes.com/2010/05/19/business/energy-environment/19sands.html?th&emc=th>

The BP Spill

The Gulf oil slick from space – NOT

By Anthony Watts, Watts Up With That, May 20, 2010

<http://wattsupwiththat.com/2010/05/20/the-gulf-oil-slick-from-space/#more-19751>

[SEPP Comment: Apparently some experts are misreading the aerial photos of the BP oil slick]

Oil Industry Tries to Contain Backlash

By Stephen Power, WSJ, May 17, 2010

<http://online.wsj.com/article/SB10001424052748704314904575250412978453680.html?mod=todays-us-front-section>

Disaster Plans Lacking at Deep Rigs

By Ben Casselmans and Guy Chazan, WSJ, May 18, 2010

http://online.wsj.com/article/SB20001424052748703315404575250591376735052.html#mod=todays_us_front_section

Fishing Ban Is Expanded as Spill's Impact Becomes More Evident

By Matthew Wald and Tom Zeller, NYT, May 18, 2010

<http://www.nytimes.com/2010/05/19/us/19spill.html?th&emc=th>

Legal Consequences of Sloppy Science

Climate Change and the Courts: A curious case of judicial recusal on the Fifth Circuit

Opinion, WSJ, May 18, 2010

http://online.wsj.com/article/SB10001424052748704635204575242361135307650.html?mod=djemEditorialPage_h

Miscellaneous Topics of Interest

The Great Dying of Thermometers

By Joanne Nova, May 21, 2010

<http://joannenova.com.au/>

[SEPP Comment: Splendid 10 second animation of the decline of measuring stations used in NOAA's Global Historical Climatology Network (GHCN) data sets based on a 4 minute animation by Sinan Unur.]

Anthony Watts' Tour of Australia, June 13 to July 1

By Joanne Nova, May 20, 2010

<http://joannenova.com.au/>

[SEPP Comment: For our Australian friends.]

Creatures of Cambrian May Have Lived On

By John Noble Wilford, NYT, May 17, 2010

<http://www.nytimes.com/2010/05/18/science/18fossil.html?th&emc=th>

BELOW THE BOTTOM LINE:

Caterpillar plague on Isle of Wight was caused by climate change, says expert

By Ben Mitchell, The Independent, May 15, 2010 [H/t Watts Up With That]

<http://www.independent.co.uk/environment/nature/caterpillar-plague-on-isle-of-wight-was-caused-by-climate-change-says-expert-1973955.html>

Nissan says Leaf electric car is ‘game changer’ for car sector

By Roland Jackson, AFP News, May 18, 2010 [H/t Toshio Fujita]

<http://www.google.com/hostednews/afp/article/ALeqM5gLfTvPqJrjHleerause7CnCVyvwA>

[SEPP Comment: *Trolling for subsidies*]

ARTICLES

1. Just Don't Call It a Climate Bill

John Kerry rearranges cap and tax – and hopes no one notices

Editorial WSJ, May 17, 2010

http://online.wsj.com/article/SB20001424052748703339304575240353420875226.html#mod=todays_us_opinion

[SEPP Comment: *Letter rebuttal from Kerry and Lieberman follows*]

Despite the most creative rhetoric this side of ObamaCare, voters have figured out that "cap and trade" involves artificial carbon rationing and vast new energy taxes. So the main goal of John Kerry and Joe Lieberman has been attempting to disguise these truths in the climate bill they released to much fanfare last week.

The bill was nine months in gestation once it became clear that the version the House passed last summer—which one of five Democrats opposed—was doomed in the Senate. Yet no one should mistake Kerry-Lieberman for a new approach.

Jim Lucier, an investment analyst at Capital Alpha Partners, calls it the Mr. Potato Head bill. The cosmetic features can be rearranged, but it's still a Mr. Potato Head. This is still cap and tax—except with new and larger subsidies, outright corporate bribes, and the rest of the political palm-greasing that Democrats hope can still lead to a Rose Garden ceremony this year.

The bill sets a 2020 target for reducing CO2 emissions by 17% from 2005 levels, and 83% by 2050, the same as the House. Of course, please don't say this has anything to do with global warming. "We don't want to mix messages here," Senator Lindsey Graham (R., S.C.) said on Earth Day. "I'm all for protecting the Earth, but this is about energy independence."

Mr. Graham helped Messrs. Kerry and Lieberman write the bill before bailing out last month. Their main innovation was to create separate regulations for transportation, utilities and manufacturing. The goal is to buy industry support by offering special short-term favors to each one—but also to hide the taxes that will hit all forms of carbon energy, and thus most goods and services.

Producers and importers of gasoline and jet fuel, for example, would be cordoned off from the wider carbon-permit auctions and instead buy separate, nontradable allowances pegged to the fixed price at which the auction closes. The technical term for this is a "linked fee," but consumers are unlikely to observe the distinction when pump prices rise under this de facto gas tax.

"There is no gas tax, never was a gas tax, will not be a gas tax, I don't know where that came from, but it is just wrong. Period," Mr. Kerry rumbled at a press conference in late April. "There is not even a linked fee, there is not a tax, there is nothing similar." No, except for the gas tax that dare not speak its name.

Messrs. Kerry and Lieberman hope to peel off a few Republicans with sweeteners like more offshore drilling and royalty-sharing for coastal states. Given the Gulf oil leak, liberals may not accept even this

fillip. The bill would also subsidize loan guarantees to expand nuclear power, which is the GOP analogue to Democratic wind turbines and solar panels.

Despite media caricature, the main obstacle to cap and tax isn't Republican intransigence. Energy politics splits on geographic more than partisan lines, and the folks in the hinterlands who rely on coal-fired power and heavy manufacturing will get socked the hardest. Midwest Democrats are Mr. Kerry's real opposition.

Big business is on board for the subsidies, and even the Chamber of Commerce had kind words for this "work in progress." The bill landed with endorsements from such luminaries as John Doerr, a Kleiner Perkins venture capitalist and Al Gore's business partner; John Rowe, the CEO of the nuclear utility Exelon; and Jeff Immelt, CEO of General Electric. Every business or interest that could afford a half-competent lobbyist stands to benefit, at least until cap and tax is in place and environmentalists crack down over time.

Oh, and since America is not a planet, Kerry-Lieberman will have little to no effect on global CO2 concentrations as the Chinese, Indian and Brazilian economies expand. But the bill would impose carbon tariffs on countries that don't adopt similar restrictions, likely leading to a trade war.

The Beltway wisdom says this combination of corporate welfare and economic destruction has little chance to pass this year, but don't be so sure. The left and Mr. Obama know their supermajorities are about to vanish, and they are ideologically willful enough to make one more effort to jam this through the Senate. They just won't call it a gas tax, or cap and trade, or anything close to what it really is.

Letter rebuttal by Kerry and Lieberman

http://online.wsj.com/article/SB20001424052748703957904575252382741211868.html#mod=todays_us_opinion

Your editorial "Just Don't Call It a Climate Bill" (May 17) fails to accurately portray what is fundamentally pro-growth and pro-business legislation. We didn't spend six months with our colleagues on a Madison Ave. rebranding effort; instead we rewrote the book on comprehensive energy and climate legislation. Our bill will create hundreds of thousands of new jobs each year and reduce our dependence on foreign oil by up to 40% in 2030. We reinvest in our energy infrastructure to ensure that America remains the global leader in this \$6 trillion industry; all this while protecting consumers and keeping speculators out of the market.

We disavow one-size-fits-all solutions and instead create a targeted, sectoral approach that responds to the specific needs of various sectors—and that's why industries that opposed previous bills are standing with environmentalists in support of this one. We make new investments in manufacturing to ensure that we build tomorrow's clean energy technologies right here in America, and our reduce- and - refund approach puts money back in the pockets of consumers efficiently and transparently.

Sen. John Kerry (D., Mass.)

Sen. Joe Lieberman (I.D., Conn.) [sic]

Washington

2. Fred Singer's published comments on an article in the Charlottesville (VA) Daily Progress "UVa inquiry defended: Cuccinelli calls it case of possible fraud."

May 21, 2010, for the article see *News You Can Use*.

http://www2.dailyprogress.com/cdp/news/local/education/article/uva_inquiry_defended_cuccinelli_calls_it_case_of_possible_fraud/56285/P10/

AG Ken Cuccinelli is carrying out the job to which he was overwhelmingly elected last November by the voters of the Commonwealth. In this case, he is executing a 2002 Virginia law that passed on a bipartisan basis.

There have been complaints that Cuccinelli does not have hard evidence that Prof Michael Mann broke any laws. Of course; because if he did, it would be the AG's duty to prosecute. However, the AG does have 'probable cause.' The Climategate e-mails suggest a conspiracy to "hide the decline [of global temperature]" using what UK scientist Phil Jones refers to as "Mike [Mann]'s ... trick."

These e-mails also reveal that Mr. Mann might have committed a variety of acts that constitute significant and intentional scientific misconduct, including data manipulation, inappropriately shielding research methods and results from peers, and retaliating against those who publicly challenge his conclusions and political agenda.

However, it may be difficult for Cuccinelli to establish that Mann violated the Fraud Against Taxpayers Act, by presenting false or misleading data related to climate change when seeking state-funded research grants. Mann might claim to have used his best scientific judgment, faulty though it may be.

I am not really concerned with legal issues but am primarily interested in examining the climate data that may have been suppressed – and the tricks used in doing so — all to convince the world that global temperatures were rising and not declining.

The University will have a difficult time standing up to Cuccinelli's demand for Mann's e-mails and other data. Previously, the University had acceded to a request by Greenpeace for the e-mails of Prof Pat Michaels, a well-known climate 'skeptic' and member of the same Department as Prof. Mann. I don't recall any complaints then from the usual defenders of academic freedom.

Worse still, Michaels was fired as Virginia State Climatologist because he dared to express his honestly held scientific views on climate change, which disagreed with those of then-Gov. Tim Kaine (now heading the Democratic National Committee). Let it be noted that there had been no complaints, no outrage, no disapproval whatsoever from the (self-styled) Union of 'Concerned Scientists,' from the American Association for the Advancement of Science, or from the UVA Faculty Senate.

Can you detect a whiff of hypocrisy here?

S. Fred Singer
Prof Emeritus, Department of Environmental Sciences
U of Va

3. States divided over new EPA rules: New regulations force jurisdictions to choose sides

By Shannon Goessling, Washington Times. May 21, 2010

<http://www.washingtontimes.com/news/2010/may/21/states-divide-over-new-epa-rules/>

While Congress wrestles yet again with climate change legislation promoted as an energy bill, the U.S. Environmental Protection Agency (EPA) is charging forward with draconian regulations designed to punish key sectors of our struggling economy while yielding little or nothing in the way of actual

environmental improvement. This week, the EPA published a rule on light-duty vehicle emissions, so the regulations are truly underway.

Neither the EPA nor the Obama administration ever thought it would come to this. The stringent EPA regulations proposed - and now being enacted - were supposed to drive lawmakers to choose a cap-and-trade or tax legislation alternative to preempt the regulations. Legislation has stalled. The EPA regulations have not.

Enter the legal challenges. In addition to Southeastern Legal Foundation's administrative legal challenge and actions with the U.S. Court of Appeals for the District of Columbia, dozens of organizations representing industry, consumers and elected officials have stepped forward to challenge the flawed scientific and legal basis for enacting the regulations.

With millions of jobs at stake in the unprecedented federal regulatory power-grab, 15 states that will bear a huge burden under the new regulations have this year gone to court to stop the EPA. Virginia, Texas, Florida, Alabama and others have argued that carbon dioxide - the greenhouse gas under scrutiny - has not been proven to harm human health or welfare under the Clean Air Act. These states are subjecting the so-called global warming consensus to scrutiny that it cannot withstand. While smearing those who have the temerity to question their edicts, the International Panel on Climate Change (IPCC) and the EPA have been caught red-handed basing their conclusions on "science" that on key issues was shoddy at best and fraudulent at worst. Not even all the king's horses and all the king's men can put Humpty Dumpty back together again.

The issue is carbon dioxide - the gas we breathe out and plant life breathes in, a trace gas comprising only 388 parts out of every million in the atmosphere. While the science becomes more complicated as we measure global systems, this basic knowledge provides the backdrop for what can only be described as a political struggle with a scientific component, as opposed to what it should be - a scientific debate resulting in sound public policy.

The State of New York has entered the fray as one of 16 states supporting the EPA's regulatory drive. New York now argues it is improper to send a case back to the EPA for reconsideration based on new scientific information that shows flaws in an EPA finding. This is puzzling indeed because in 1983, New York argued that new scientific evidence had come to light after the EPA closed its public comment period in a similar Clean Air Act issue. Evidently, New York was for this before it was against it.

Ironically, the EPA has also done a 180-degree turn, standing stubbornly against solid scientific evidence that the IPCC and NASA "science" on climate change is flawed and full of errors and omissions. In the past, the EPA has been willing in many similar circumstances to address scientific evidence that comes to light after it has begun rulemaking.

Why the change of heart? Why the rush to enact trillion-dollar regulations? Why the determined exclusion of critical evidence demonstrating that the rules are based on flawed science? The full-court press by the Obama administration and the EPA, ostensibly designed to force Congress into legislation that would preempt the EPA in this area, rushes forward apace. States like New York cheer them on and say, yes, the emperor's garments are wondrous to behold.

Shannon L. Goessling is executive director and chief legal counsel for Southeastern Legal Foundation, a public interest law firm representing 15 members of Congress and more than a dozen companies and professional associations challenging EPA climate regulations.

4. The Green Jobs Myth

IBD Editorials, May 20, 2010

<http://www.investors.com/NewsAndAnalysis/Article/534696/201005201839/The-Green-Jobs-Myth.aspx>

Jobs: A Spanish economics professor said attempts by his country to create a green economy would fail. Now a Spanish government report confirms his findings, blunting claims that the professor's report was biased.

The professor, Gabriel Calzada Alvarez of Juan Carlos University in Madrid, produced a 41-page study last year on the European experiment of going full bore on the conservation front. He found that "the Spanish/EU-style 'green jobs' agenda now being promoted in the U.S. in fact destroys jobs."

For every green job created by the Spanish government, Alvarez found that 2.2 jobs were destroyed elsewhere in the economy because resources were directed politically and not rationally, as in a market economy.

"The loss of jobs could be greater if you account for the amount of lost industry that moves out of the country due to higher energy prices," the professor told the press.

Alvarez's findings, of course, were rejected by the environmental left, which tried to smear him as a stooge of the oil industry.

But inconveniently for the eco-conscious, his results have been backed up by Carlo Stagnaro and Luciano Lavecchia, a couple of researchers from the Italian think tank Istituto Bruno Leoni.

They found that in Italy, the losses were worse than they were in Spain: Each green job cost 6.9 jobs in the industrial sector and 4.8 jobs across the entire economy.

"Green investments are an ineffective policy for job creation," they say in their report. Despite the other merits of investments in new energy, "to the extent that the 'green deal' is aimed at creating employment or purported as anti-crisis or stimulus policy, it is a wrong policy choice."

Even more inconvenient for the environmental left is a study by the Spanish government. This leaked document supports the Alvarez report. The green lobby can't claim bias in this analysis because the Zapatero administration that compiled it is a socialist government that sees windmills when more rational people see dragons.

According to Chris Horner, a senior fellow at the Competitive Enterprise Institute, who has seen a copy of the report, the "Spanish government now acknowledges the ruinous effects of green economic policy."

Horner wrote this week on Pajamas Media, "This internal assessment preceded the Zapatero administration's recent acknowledgment that the 'green economy' stunt must be abandoned, lest the experiment risk Spain becoming Greece."

Horner wrote that while the government report "does not expressly confirm" the Alvarez findings, "the figures published in the government document indicate they arrived at a job-loss number even worse than the 2.2 figure from the independent study."

As Spain tries to keep its economy from going Greek, the government is lopping off the fat. This means it will have to cut back on subsidies for its alternative-energy initiatives, if not abandon them altogether, as Horner mentioned.

Miguel Sebastian, Spain's trade minister, has said funds for authorized projects won't be reduced. He also has reportedly indicated that new subsidies for wind and solar projects aren't likely to be as generous. It would be no surprise if he backtracked and said all renewable subsidies will be cut.

The findings from Europe contradict President Obama's claim in his State of the Union address that "the nation that leads the clean energy economy will be the nation that leads the global economy." Before he took office, he warned that the U.S. was falling behind nations that are "making real investments in renewable energy."

Now it looks like the U.S. is lucky to be lagging in alternative-energy investment. The Alvarez study says that following the Spanish model, held up by Obama as a standard the U.S. should follow, is likely to cause 6.6 million to 11 million job losses "as a direct consequence were it to actually create 3 to 5 million 'green jobs.'"

Renewable energy is trendy and for many offers political gain. But Washington should shut down the green economy nonsense before too much of other people's money is spent on projects that do more harm than good.

5. Water Sanity For Central California

IBD Editorial, May 20, 2010

<http://www.investors.com/NewsAndAnalysis/Article/534728/201005201852/Water-Sanity-For-Central-California.aspx>

Law: A federal judge has struck a blow for California's water-deprived Central Valley, ruling that draconian federal water cutbacks violate human rights because — surprise! — people also belong in the ecosystem.

Next time a concept like, say "death panels" from the federal government seems far-fetched, consider the ordeal California's Central Valley has endured for the past two years.

Based on a judicial ruling, some of the most prized and productive agricultural land in the country was turned into a wasteland after its water was shut off.

The ruling was derived from an 800-page "biological opinion" put out by regulators enforcing the National Environmental Policy Act, ostensibly to protect a finger-sized fish called the delta smelt and some other wildlife. Regulators complained that smelt were getting ground up in pumping stations that brought river water from California's north to its south, so the water had to stop.

Even the judge was appalled at being forced into the ruling but had no choice, given the law, and tried to cushion the impact.

Tuesday, that same judge, District Judge Oliver Wanger declared to federal regulators that they must consider the impact of their "draconian" actions on human communities, something they've never done up until now.

"Federal defendants completely abdicated their responsibility to consider alternative remedies," Wanger wrote.

He also ripped into the environmental regulators for their junk science "guesstimates," stating that their shut-off "lacked factual and scientific justification, while effectively ignoring the irreparable harm (their regulations) have inflicted on humans and the human environment," according to the San Francisco Chronicle.

It's a landmark ruling that makes a superb use of checks and balances on power, given that up until now, these bureaucrats have never been held accountable for their actions.

It also has a nice symmetry with current laws, given that businesses must examine at great cost the environmental impact of their actions on even the smallest changes to their businesses for the sake of regulators. Now environmentalists are on notice that they'd better start looking at what they do to communities next time they insist on protecting a fly or a fish.

It can't happen too soon. The water shut-off has been a nightmare for California. Huge farms growing the world's finest grapes, peaches, almonds, pistachios, plums and walnuts — as well as cotton, carrots, cantaloupe and the other lush truck crops that come out of California's temperate weather and rich soil — have gone fallow.

Adding insult to injury, water has increasingly been turned into a bargaining chip, with Washington using access to it as political leverage to force local congressmen to vote for unpopular bills like health care reform.

But the worst part of these decisions is the high human cost. California's communities have suffered terrible disruption, with unemployment as high as 45% in some towns and farm workers forced to stand in food lines for bags of Chinese-grown carrots near fields they once harvested.

Socialists of all stripes have an awful record on land issues.

From communist China's harsh uprootings of population to build the massive Three Gorges Dam to Hugo Chavez's expropriations of farms in Yaracuy, Venezuela, there are always great costs from bureaucrats who claim good intentions for their environmental schemes. Even so, it boggles the mind that such disruptions could happen here. But they have.

Fortunately America's democracy, with its separation of powers, has now broken up the environmental regulators' monopoly.

Judge Wanger is a hero for ruling that federal water regulators must consider the impact of their rulings on human communities along with the fish they seek to protect. Americans' rights have been trampled by out-of-control environmentalism, which at times seems to grant more rights to fish and other creatures than humans.

No community should have to bear the entire brunt of a man-made water shortage because of heartless, ignorant bureaucrats.

The judge's ruling has restored some sanity into what has up until now been an atrocious out-of-control bureaucracy.

6. Are You Ready For Global Cooling?

IBD Editorials, May 21, 2010

<http://www.investors.com/NewsAndAnalysis/Article/534878/201005211905/Are-You-Ready-For-Global-iCoolingi-.aspx>

Climate Science: Noted scientists at a Chicago climate conference declare that global warming is not only dead, but that the planet faces a big chill for decades to come. What about those frozen wind turbines?

It's not exactly Copenhagen or Kyoto, but the 700 scientists attending the fourth International Conference on Climate Change, sponsored by the Heartland Institute, had some chilling news of their own in the most liberal sense.

"Global warming is over — at least for a few decades," Don Easterbrook, emeritus professor of geology at Western Washington University, told the gathering. "However, the bad news is that global cooling is even more harmful to humans than global warming, and a cause for greater concern."

Easterbrook and 74 other presenters at the conference said what everyone already knows, having shoveled record amounts of global warming off our sidewalks and driveways last winter.

We don't need computer models to tell us, baby, it's getting cold outside. Of course, the doomsayers will claim that global warming causes global warming. Right.

"Rather than global warming at a rate of about 1 (degree) Fahrenheit per decade, records of past natural cycles indicate there may be global cooling for the first few decades of the 21st century to about 2030," Easterbrook said.

He spoke of natural cycles that have been occurring since the discovery of fire and mankind's first carbon emissions, long before the invention of the wheel and the SUV.

Easterbrook and the other scientists reported on sudden and natural climate fluctuations documented in the geologic record, all before 1945. Two big climate changes occurred in the past 15,000 years, and another 60 smaller changes in the last 5,000 years.

Another presenter, James M. Taylor, an environmental policy expert and a fellow at the Heartland Institute, said that global cooling is happening now.

He pointed to data provided by the Rutgers University Global Snow Lab showing snow records from the last 10 years exceeding the records set in the 1960s and 1970s.

Based on new analysis of ice cores from Greenland to Antarctica, Easterbrook said global temperatures rose and fell from 9 to 15 degrees in a single century or less, a natural phenomenon he called "astonishing."

We see a bit of irony in an early February report that 11, 115-foot-tall wind turbines installed to provide power to 11 Minnesota towns were not functioning because they couldn't handle the record cold temperatures of a harsh winter.

Global cooling, it seems, stalled their fight against global warming.

They should be thawed out by now but Dan Geiger, electrical director for Chaska, Minn., said at the time the city had been receiving inquiries as to why its 160-kilowatt \$300,000 turbine wasn't working.

He told the Minneapolis Star-Tribune it had not worked since mid-November. That's what we call a green energy no-spin zone.

Yes, it's warmer today than it was a century ago, but it was even warmer when Eric the Red settled on Greenland in 986.

The climate there supported the Viking way of life based upon cattle, hay, grain and herring for about 300 years, predating the Industrial Revolution.

By 1100, a colony of about 3,000 was thriving there. But then came the Little Ice Age, and by 1400, average temperatures had declined by about 2.7 degrees Fahrenheit, and the advancing glaciers doomed the Viking colony in Greenland.

They were doomed by global cooling.

In testimony before Congress on May 6, Britain's Lord Monckton noted that "neither global mean surface temperature nor its rates of change in recent decades have been exceptional, unusual, inexplicable, or unprecedented."

He also advised: *"There are many urgent priorities that need the attention of Congress, and it is not for me as an invited guest in your country to say what they are. Yet I can say this much: On any view, 'global warming' is not one of them."*

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