U.S. HOUSE OF REPRESENTATIVES

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July 14, 2005

The Honorable Joe Barton
Chairman
Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, DC 20515

Dear Mr. Chairman:

I am writing to express my strenuous objections to what I see as the misguided and illegitimate investigation you have launched concerning Dr. Michael Mann, his co-authors and sponsors.

First, your Committee lacks jurisdiction over this matter. Both the National Science Foundation and climate change research are under the purview of the House Committee on Science. This is in no way my central concern about your investigation, but I raise it at the outset because it may have legal implications as you proceed. Jurisdiction is also relevant because the insensitivity toward the workings of science demonstrated in your investigative letters may reflect your Committee's inexperience in the areas you are investigating.

My primary concern about your investigation is that its purpose seems to be to intimidate scientists rather than to learn from them, and to substitute Congressional political review for scientific peer review. This would be pernicious.

It is certainly appropriate for Congress to try to understand scientific disputes that impinge on public policy. There are many ways for us to do that, including hearings with a balanced set of witnesses, briefings with scientists, and requests for reviews by the National Academy of Sciences or other experts.

But you have taken a decidedly different approach – one that breaks with precedent and raises the specter of politicians opening investigations against any scientist who reaches a conclusion that makes the political elite uncomfortable.

Rather than bringing Dr. Mann and his antagonists together in a public forum to explain their differences, you have sent an investigative letter to Dr. Mann and his colleagues that raises charges that the scientific community has put to rest, and ask for detailed scientific explanations that your Committee undoubtedly lacks the expertise to review.

This is utterly unnecessary given that Dr. Mann's articles have prompted a spirited and appropriate (and often technically complex) debate in the scientific community that has played out in readily available journals. Moreover, the only "charge" that has been leveled against Dr. Mann that might prompt Congressional notice – that he was refusing to share data – has been soundly rejected by the National Science Foundation, and those who continue to raise the charge are well aware of that.

Therefore, one has to conclude that there is no legitimate reason for your investigation. The investigation is not needed to gain access to data. The investigation is not needed to get balanced information on a scientific debate. The investigation is not needed to prompt scientific discussion of an important issue.

The only conceivable explanation for the investigation is to attempt to intimidate a prominent scientist and to have Congress put its thumbs on the scales of a scientific debate. This is at best foolhardy; when it comes to scientific debates, Congress is "all thumbs."

The precedent your investigation sets is truly chilling. Are scientists now supposed to look over their shoulders to determine if their conclusions might prompt a Congressional inquiry no matter how legitimate their work? If Congress wants public policy to be informed by scientific research, then it has to allow that research to operate outside the political realm. Your inquiry seeks to erase that line between science and politics.

There are numerous scientific debates ongoing about climate change. Data and conclusions get challenged all the time. Are we going to launch biased investigations each time a difference appears in the literature?

I hope you will reconsider the investigation you have launched and allow the scientific community to debate its work as it always has. Seeking scientific truth is too important to be impeded by political expediency. That's a position that Members on all sides of the climate change debate should share.

Sincerely,

SHERWOOD BOEHLERT
Chairman