

Dissenting Views Offered By
Representatives Ralph Hall, Lamar Smith, Dana Rohrabacher,
Roscoe Bartlett, Vernon Ehlers, Frank Lucas, Judy Biggert,
Todd Akin, Randy Neugebauer, Michael McCaul,
Mario Diaz-Balart, Brian Bilbray, Adrian Smith,
Paul Broun and Pete Olson
H.R. 2407, the "National Climate Service Act of 2009"

Americans need and deserve quality climate information based on accurate and verifiable science. Before we establish new structures and systems to track, gauge, and regulate the causes of climate variability we must ensure the best available technology is in place to inform decision makers at the Federal, state, regional, and local levels. We should be cautious in moving forward until a reliable cohesive national infrastructure for monitoring and modeling climate variability is in place. At its core any regulatory regime requires accurate scientific observations, monitoring, and verification. Putting these requirements off and instead focusing on the establishment of a bureaucratic web, as H.R. 2407 does, we do not believe best advances these goals.

We have a number of concerns with H.R. 2407, the National Climate Service Act of 2009. We are most concerned that, if enacted, H.R. 2407 could lead to creation of an unnecessary and costly operational interagency structure that grants broad, sweeping authority to the Executive branch with little Congressional input and that could evolve into a defacto agency. There remains an absolute dearth of information regarding the cost and benefits of the creation of such an entity. The possible inclusion in H.R. 2454, the American Clean Energy and Security Act, of H.R. 2407, may alter the intent and focus of a National Climate Service, and for that matter a Climate Service Program at NOAA, into advancing the regulation of greenhouse gas emissions across the United State economy through the establishment of a cap and trade system.

Furthermore, the lack of a precise definition of a "climate service" or a "climate product" could allow for significant expansion of the role of the National Climate Service and the Climate Service Program at NOAA beyond the intended purpose of advancing the understanding of climate variability and change at the national, regional and local levels; to provide forecasts and warnings and other information; and to support the development of adaptation and response plans. The reported bill contains language "advancing understanding of climate variability and change at the global level", thus allowing a National Climate Service to be easily integrated into the larger goals of a cap and trade bill such as H.R. 2454. H.R.2407 may facilitate the use of resources to address the causes of climate variability and change rather than the effects.

Climate model data and information upon which any climate services or products are based should be peer reviewed by qualified specialists before dissemination by the Federal government. It is essential for decision makers to know the base-line assumptions and information included in climate models before determining the appropriate course of action to take in response to climate variability. Proper testing and validation of these models and their underlying assumptions should be standard operating procedure. The fact that they are not severely hinders the confidence that can be placed in the information from these models, thereby instilling uncertainty and doubt in the decisions that result from such information.

According to the National Academy of Sciences, despite the fact that observations are the foundation of climate change research programs and operational functions, the U.S. climate observing system is in decline. This includes both ground-based and satellite measurements. H.R.2407 fails to require NOAA to specifically identify and inventory existing climate observing systems, including their current abilities, deficiencies, operational costs, and expected operating life. Without a robust national observation and monitoring infrastructure, decision-makers lack the knowledge to make an informed decision. Before moving forward, it is necessary to identify the technology and infrastructure needed to collect and provide accurate data, develop a strategy for the establishment of a true national infrastructure of observing, monitoring, measuring and verification technologies to convey current state of climate variability at the local, State, regional and national levels, and provide a cost estimate and implementation timeline for such a strategy.

These concerns were raised repeatedly during consideration of this legislation and the majority repeatedly rejected amendments that would ensure the data and information gathered from all observing, monitoring and measuring systems by every agency and country that would be used as the basis for providing climate products and services is accurate and verifiable based on sound science. One amendment would have prevented H.R.2407 from going into effect until the National Academy of Sciences certified that the observation, monitoring, measuring and verification technologies were capable of providing accurate information at the regional, State and local levels. Another amendment would have required the National Academy of Sciences to certify that the observing and monitoring systems in other countries were capable of providing accurate and verifiable data and information before such data and information could be used as part of any climate products or services provided by the Climate Service Program at NOAA or the National Climate Service. Considering the current state of decline of U.S. climate observing and monitoring systems as reported by the National Academy of Sciences, and the fact that U.S. observing systems tend to be the "gold-standard" when compared to foreign observing systems, the requirement that such information and data from non-U.S. observing and monitoring systems be certified as accurate and verifiable demonstrates government accountability.

If the Federal Government uses a National Climate Service as the basis for a cap-and-trade regulatory system, we must ensure that the technologies that provide information and data about any baselines or used for the verification of offsets at the regional, State, and local levels be certified as accurate and verifiable. Decision makers need to have information and data inputs of the highest quality before making decisions with vast social and economic consequences.

In addition to the creation of a National Climate Service, we also have concerns with the creation of a new Climate Service Program at NOAA. The Climate Service Program at NOAA is intended to coordinate the effort of different NOAA line offices including the National Weather Service (NWS), the National Environmental Satellite, Data and Information Service (NESDIS), the National Integrated Drought Information System (NIDIS), and the Office of Oceanic and Atmospheric Research (OAR). Although we support the concept of enhanced coordination for increased efficiency in the use of agency resources and to avoid duplication of efforts, we remain concerned about how this coordination will occur. Standing up such a program prior to the completion of a climate product and service user survey or the development of an implementation plan is premature.

The NWS already provides weather hydrologic and climate forecasts and warnings for the U.S. Its data and products form a national information database and infrastructure which can be used by other governmental agencies, the private sector and the public. The NWS operates the National Centers for Environmental Prediction, which monitor and forecast short-term climate fluctuation, and the Environmental Modeling Center, which develops and improves numerical weather, climate, hydrological and ocean predictions with partners in the research community. The National Hurricane Center, the Storm Prediction Center and the Ocean Prediction Center also are under the leadership of NWS. Furthermore, NWS has a nationwide network of regional support centers, regional climate centers, and other similar community level outlets that provide information and support to local users. These structures and abilities have been cited as the basis for creating a Climate Service Program.

There has been a misconception that Republicans are against the science behind climate change. This notion is not accurate. The amendments offered were intended to ensure that we get the best data and information possible. These amendments were intended to make sure that Congress has an active hand in the development of a National Climate Service that has significant implications, whether or not it is inserted into a larger cap and trade bill. These amendments also sought to ensure the existing responsibilities at NOAA are not forgotten in the face of a brand new service. And finally, these amendments sought to make sure that the technology and infrastructure upon which this whole concept relies is up to the task.

This bill pursues a lofty goal that may come at a significant price without significant benefits. In the face of the refusal by countries such as China and India to participate, our mission should be to focus on American innovation and the development of technologies to accurately monitor, observe, and measure climate variability.

Although we remain concerned with H.R. 2407, we are hopeful that there will be further debate under regular order in the House of Representatives. We look forward to having opportunities to consider amendments under a fair and open rule.

Ralph M. Hall

Barrell

Vernon F. Ehler

Randy Nun

W. Carl Allen

J. J. J.

Pete Olson

Jack D. Lucas

Lamar Smith

Don R.

Brian P. Gilkey

Judy Beyer

Michael T. McCal

Adrian Smith

Paul C. Brown