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From: Printing & Publishing 3Ds [<mailto:PPSS3DS@LISTSERV.ARIZONA.EDU>]  
On Behalf Of 3D Memos  
Sent: Tuesday, July 19, 2005 2:03 PM  
To: PPSS3DS@LISTSERV.ARIZONA.EDU  
Subject: University's response to House Committee on Energy and Commerce request of a faculty member

July 19, 2005

TO: Deans, Directors, and Department Heads

FROM: Peter Likins, President  
George Davis, Executive Vice President and Provost  
Leslie Tolbert, Vice President of Research, Graduate Studies, and  
Economic Development

RE: University's response to House Committee on Energy and Commerce request of a faculty member

Last month, UA professor Malcolm Hughes (Laboratory of Tree-Ring Research), along with two colleagues at other universities, received letters from U.S. Representatives Joe Barton, Chairman of the U.S. House Committee on Energy and Commerce, and Ed Whitfield (R-Ky), a member of that Committee, requesting that they lay out their professional qualifications and release the data and the records of grants for every study they have published during their scientific careers (letters available at [http://energycommerce.house.gov/108/Letters/06232005\\_1570.htm](http://energycommerce.house.gov/108/Letters/06232005_1570.htm)). The three scientists have now responded to the Committee. Their letters and many other documents related to the case are available at <http://branch.ltrr.arizona.edu>, and background details are provided below.

We write to tell you about the UA's reaction to the situation. As a matter of institutional policy, the University, through its many academic and support personnel offices, assists, supports, and counsels our faculty in carrying out scholarly research, publishing that research within the context of peer review, responding to legitimate public inquiries, and defends faculty in the face of illegitimate attacks. In the current case, Prof. Hughes has conferred with his dean and department head, as well as the Vice President for Research and legal counsel, worked with our Federal Relations staff, and received assistance with media inquiries from News Services.

As adamantly as we support the role of inquiry and vigorous debate in the normal unfolding and communication of research discoveries, we are wary when we detect the possibility of external influence. Thus, as leaders at the University of Arizona and as scholars, we strenuously object to the request made by Rep. Barton, which reaches so far beyond the determination of the quality of the climate data of Prof. Hughes and his colleagues. The request is not directed to achieving valid public policy based on

independent scientific research. In fact, its tone creates the appearance of an attempt to intimidate faculty members performing peer-

reviewed scholarly research along commonly accepted standards. We agree with Dr. Alan Leshner, CEO of the American Association for the Advancement of Science, that the Congressional request is so broad and non-specific as to "give the impression of a search for some basis on which to discredit these particular scientists and findings, rather than a search for understanding" (July 13, 2005, letter to Rep. Barton; <http://www.aaas.org/news/releases/2005/0714letter.pdf>). While the University willingly complies with legitimate requests for information in the public domain, we also must protect the integrity of the

scientific process used to produce the studies in question, and we will defend the right of our faculty member to pursue his highly respected research unimpeded.

If understanding the scope and causes of global climate changes is the goal of the Congressional committee, we think that relevant scientists should be gathered to present their results for scientific and public scrutiny. We applaud the offer of Ralph Cicerone, President of the National Academy of Sciences, to create an independent expert panel to assess the state of scientific knowledge in climate trends (July 15, 2005 letter to Rep. Barton).

#### Background

On June 23, 2005, Reps. Joe Barton (R-Texas), chairman of the House Committee on Energy and Commerce, and Ed Whitfield (R-Ky) wrote to UA professor Malcolm Hughes and his colleagues Michael Mann (University of Virginia) and Raymond Bradley (University of Massachusetts), requesting extensive original data and grants information. Rep. Barton also wrote to the National Science Foundation, asking for a list of all grants and awards the NSF had made in climatology and paleoclimatology in the past decade and for information about the roles of individuals in the grant-review process. The three scientists had presented results ("Global-Scale Temperature Patterns and Climate Forcing Over the Past Six Centuries," *Nature*, 1998, and "Northern Hemisphere Temperatures During the Past Millennium: Inferences, Uncertainties, and Limitations," *Geophys. Res. Lett.*, 1999) suggesting that temperatures in the Northern hemisphere had been warmer in the 1990s than in the preceding 1000 years. Their results, along with those of many other scientists, were used by the United Nations in 2001 to conclude that emissions of "greenhouse gases" have caused a recent warming of the earth. Dr. Hughes and his colleagues made available on the website of *Nature* ([www.nature.com](http://www.nature.com)) in July 2004 the entire dataset along with extended explanations of algorithms used in the publications in question, and the data from "proxy records of climate" have been freely available for several years. In December 2003, the NSF declared in writing that the three scientists had fully complied with NSF policies regarding public access to data generated in federally-funded projects.

Numerous academic groups and others have decried Rep. Barton's request. U.S. Representative Henry Waxman (D-Ca), himself a member of the House Committee on Energy and Commerce, wrote to Rep. Barton on July 1, 2005, to voice the opinion that the investigation is "dubious" and that "some might interpret [the letters] as a transparent effort to bully and harass climate change experts who have reached conclusions with which you disagree" (letter available at <http://www.democrats.reform.house.gov/story.asp?ID=886>). U. S.

Representative Sherwood Boehlert (R-NY), Chair of the House Committee on Science, wrote to Rep. Barton on July 14 to register "strenuous objections" to the "misguided and illegitimate investigation" and stating that "the precedent your investigation sets is truly chilling" ([http://www.house.gov/science/hot/climate%20dispute/Boehlert\\_letter\\_to\\_Barton.pdf](http://www.house.gov/science/hot/climate%20dispute/Boehlert_letter_to_Barton.pdf)). The American Association for the Advancement of Science (AAAS), in a July 14 press release, expressed "deep concern" over the demand (<http://www.aaas.org/news/releases/2005/0714letter.shtml>). On July 15, twenty eminent climate scientists, including seven members of the National Academy of Sciences, one a Nobel Prize winner, one a

National Medal of Science recipient, and one a recipient of the Tyler World Prize for Environmental Achievement, wrote to Reps. Barton and Whitfield to say that their request "can be seen as intimidation - intentional or not - and thereby risks compromising the independence of scientific opinion that is vital to the preeminence of American science as well as to the flow of objective advice to the government."