

297 STATEMENT OF THE HONORABLE JOHN T. DOOLITTLE A
298 REPRESENTATIVE IN CONGRESS FROM THE 4TH CONGRESSIONAL
299 DISTRICT OF THE STATE OF CALIFORNIA

300

301 Mr. DOOLITTLE. Mr. Chairman, and members of the
302 Subcommittee, I appreciate your holding this hearing. I
303 think it's vital that we air these issues.

304 Mr. Chairman, I'm going to leave to the capable scientists
305 that will follow me today, and their testimony, discussion
306 as to whether sound science justifies any ban on the
307 production of CFCs.

308 My own belief is that the question is still very much open
309 to debate.

310 I am convinced, however, that although further research
311 may possibly support a future phase-out of CFC production,
312 to date, there has not been a sufficient showing of
313 scientific evidence to justify the current and rapidly
314 approaching ban date of December 31st, 1995.

315 That's why today I am introducing legislation that, if
316 enacted, would push the ban on CFC production back to the
317 original date set in the Clean Air Act amendments of 1990,
318 which is January 1st, 2000.

319 There are several reasons why I believe we should adopt
320 this policy.

321 First, the so-called scientific findings that precipitated

322 the acceleration were retracted by NASA, the agency that
323 first announced them.

324 Under the Clean Air Act, in the 1987 Montreal Protocol,
325 CFCs were to be phased out with a total ban in production
326 taking effect on January 1st, 2000.

327 But in February of 1992, NASA scientists held an emergency
328 press conference to announce that an ozone hole similar to
329 the ones over Antarctica would soon open over the Arctic and
330 parts of North America. The story was widely reported as a
331 looming environmental catastrophe.

332 Time magazine showcased the impending disaster on the
333 cover of its February 17th issue.

334 Within days, the U.S. Senate voted 96 to zero to
335 accelerate the phase-out. President Bush agreed. According
336 to author, Ronald Bailey, less than a month after its
337 emergency press conference, "satellite data showed that the
338 levels of ozone-destroying chlorine had dropped
339 significantly and provided absolutely no evidence of a
340 developing ozone hole over the United States."

341 NASA waited until April to announce at another press
342 conference that a large Arctic ozone hole had been,
343 quote/unquote, "averted."

344 Did NASA's admission allay the fear and panic whipped up
345 by the earlier prediction of apocalypse?

346 Clearly not. The retraction received far less attention

347 than the initial announcement. And in what must have been a
348 very busy news week, Time magazine buried NASA's admission
349 in four lines of text in its May 11th issue.

350 Thus, despite the fact that the primary threat used to
351 justify acceleration of the CFC ban never materialized, the
352 accelerated phase-out remains in place.

353 The second reason I support returning the ban to its
354 original date is because of the astronomical costs
355 associated with the accelerated phase-out. There is a large
356 amount of CFC-dependent refrigeration and air-conditioning
357 equipment in use today. Higher CFC costs and onerous EPA
358 regulations have already resulted in substantially higher
359 repair costs for these systems.

360 Ben Lieberman of the Competitive Enterprise Institute,
361 whom I believe you will hear from today, has estimated the
362 cost of the accelerated CFC ban, that that cost could reach
363 as high as \$100 billion. Some feel that this estimate is too
364 conservative.

365 But, as it stands, this total represents \$1000
366 per-household tax.

367 Such an enormous drain on the nation's economy would have
368 to be considered, even in the face of a proven environmental
369 catastrophe. Yet, as I have mentioned, and as others will
370 testify, the science behind the accelerated ban remains
371 unsubstantiated.

372 The third reason to delay the ban is because the
373 cost-benefit analysis originally performed by the EPA to
374 justify acceleration was flawed. The EPA under-estimated the
375 costs I just referred to, and over-estimated the benefits.

376 Among the primary benefits, according to the EPA, was
377 protection against melanoma skin cancer. A 1993 study,
378 however, concluded that this cancer is caused by longer
379 wavelength ultraviolet radiation, UVA, which is not screened
380 by ozone, not by UVB, which is.

381 In other words, a rise in the incidence of melanoma cases
382 does not depend on the level of ozone in the atmosphere.

383 Thus, the benefits EPA attributes to banning CFCs at the
384 close of this year have been grossly overstated.

385 Mr. Chairman, in closing, I want to touch upon one more
386 point that was raised in a Wall Street Journal article
387 recently, entitled, "Controversy Is Brewing Over the
388 Effects of Chemicals That Are Replacing CFCs."

389 An official from duPont was asked about the possible
390 harmful effects revealed by the study. The official
391 dismissed the researcher's conclusions, saying they were
392 based on worst-case scenarios.

393 Mr. Chairman, the extreme environmental movement uses
394 everything based on worst-case scenarios. It's dismaying to
395 see that duPont apparently is using that now.

396 From today's testimony, Mr. Chairman, you will discover

397 that worst-case scenarios have been driving this debate.
398 Those of us who are skeptical about the need for an
399 accelerated ban note that under the proponents' own
400 worst-case scenario, the increased risk of skin
401 cancer--imagine this--the increased risk of skin cancer that
402 one would face without the ban is equivalent to moving 60
403 miles closer to the equator, for instance, from Washington,
404 D.C. to Richmond, Virginia, or perhaps Beverly Hills down to
405 where you surf in Lagoon, if that's where you surf. Some
406 place in your district, I'm sure. That Lagoon isn't
407 somebody else's.

408 Instead of responding with scientific facts, some NASA
409 scientists, EPA officials, and extreme environmental
410 organizations have forced this imminent CFC phase-out on the
411 American people using fear and doomsaying.

412 It was the EPA that predicted in 1987 that 3 million skin
413 cancer deaths would occur in the United States unless CFC
414 production were curtailed. And it was NASA that predicted in
415 1992 that an ozone hole would open over much of the United
416 States, Europe and Russia.

417 I hope this Subcommittee today will look at all of the
418 facts involving the use of CFCs and their effect on the
419 environment. I believe we should not allow the prohibition
420 of CFCs to take place until Congress weighs the true costs
421 and benefits of the accelerated ban.

422 Sound science must be the basis for all future decisions
423 we make on this important issue and I commend the Chairman
424 and this Subcommittee for using this forum to search for the
425 truth.

426 [The complete statement of Mr. Doolittle follows:]

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428 *****INSERT*****

429 Mr. ROHRBACHER. Mr. Doolittle, thank you very much for
430 your legislation and your testimony today.

431 Ms. Rivers, do you have some questions that you'd like to
432 ask?

433 Please proceed.

434 Ms. RIVERS. Thank you, Mr. Chair. And thank you,
435 Representative Doolittle.

436 When I hear people say things like the evidence is not
437 sufficient at this time, it perks up my ears and it almost
438 forces me to ask the question, what would you consider to be
439 sufficient evidence for action to be taken in this area?

440 Mr. DOOLITTLE. I think we need a clear scientific
441 conclusion that there is a definite cause for the problem
442 and that so-called problem is producing definite effects.

443 Theories or speculation about it are not sufficient. We
444 need science, not pseudo-science. I think we've been in an
445 era of pseudo-science where these dire consequences are
446 portrayed in order to achieve a certain political objective.

447 Ms. RIVERS. Are you a scientist?

448 Mr. DOOLITTLE. I am not.

449 Ms. RIVERS. You are not. Have you found in peer-review
450 articles or in the broader scientific discourse that people
451 are saying, this really is not a problem?

452 Mr. DOOLITTLE. I have found that there is no established
453 consensus as to what actually the problem. I found extremely

454 misleading representations by the government and government
455 officials that are not founded on sound science.

456 Ms. RIVERS. That's what I was asking about, is not
457 government scientists, necessarily, but peer-review
458 articles, where scientists who are out in academia who are
459 doing this on a regular basis.

460 Could you give me an example of some of the peer-reviewed
461 publications that you consulted in formulating your opinion
462 that there's no science?

463 Mr. DOOLITTLE. Well, you're going to hear from one of the
464 scientists today, Dr. Singer.

465 Ms. RIVERS. Dr. Singer doesn't publish in peer-reviewed
466 documents.

467 Mr. DOOLITTLE. You know, I'm not going to get involved in
468 a mumbo-jumbo of peer-review documents. There's politics
469 within the scientific community, where they're all
470 intimidated to speak out once someone has staked out a
471 position.

472 Ms. RIVERS. Right.

473 Mr. DOOLITTLE. And thankfully, under this Congress, we're
474 going to get to the truth and not just the academic
475 politics.

476 Ms. RIVERS. And when I went to the University of
477 Michigan, one of the first things that I was taught about
478 science is that you look at the methodology of anyone who is

479 making claims.

480 And the general way to feel certain that you're getting
481 good science is that you put your ideas out in a
482 straightforward way in a peer-reviewed publication and you
483 allow others who are doing the same work to make comments,
484 to criticize, to replicate your findings.

485 And what I'm asking you, in your search for good science,
486 is what peer-reviewed documentation did you use to come up
487 with your decision?

488 What good science did you use to rely on?

489 Mr. DOOLITTLE. And my response to you is it is the
490 proponents of the CFC ban that have the burden of producing
491 the good science.

492 I do not have that burden.

493 They have failed to meet their burden and until and unless
494 they meet that burden, we should roll back that date. I
495 believe the extra years that we provide may give that
496 opportunity.

497 Ms. RIVERS. Where I started this line of questioning was
498 with your statement that the reason you oppose this is that
499 there's not sufficient proof. I asked you what sufficient
500 proof would be? You told me good science. I asked you, did
501 you actually consult any of the sources that would be
502 considered good science in scientific circles? And you
503 said, no.

524 It just feels so good to introduce you as the Majority
525 Whip.

526 Mr. DeLay, if you would like to be produced. You've already
527 been introduced.