



## Professor Wants to Use RICO to Punish “Climate Change Deniers”

Michael E. Kraft, professor emeritus at the University of Wisconsin-Green Bay, suggested in an op-ed in the *Providence Journal* on April 11 that the Department of Justice should use RICO statutes to punish “climate change deniers.”

“Those who intentionally misled the public about climate change should be held accountable,” Kraft concluded his article.

Kraft went so far as to refer favorably to those who would use the Racketeer Influenced and Corrupt Organizations Act (RICO) to pursue charges against major fossil fuel companies for “knowingly deceiving the public — and investors — about the dangers of climate change.”

Kraft began his article with a reasonable enough premise:

Most of us recognize the value of science in dealing with complex problems that pose significant risks to public health and well-being.

Thus we expect reputable science to be reported and used in helping us make difficult policy choices, such as what to do about climate change.

Scientific findings and associated uncertainties should be scrutinized carefully and debated vigorously within the scientific community and among the public.

No honest scholar or scientist could take issue with such statements.

Where Kraft goes off track, however, is in selectively labeling those whose position on climate change is different from his own as deniers and asserting, “denying the best scientific evidence we have is neither smart nor safe.”

Then, making a comparison between climate science and medical science’s finding on the health effects of tobacco use, he goes on to write:

Dismissal of well-established climate science has parallels to decades of debate over tobacco use and its effects on health. Tobacco companies long denied any causal relation between smoking and disease even when their own studies showed the opposite to be true.

What makes this comparison invalid is that, while scientific evidence that tobacco use was detrimental to humans’ health was irrefutable, the theory that carbon emissions resulting from the burning of fossil fuels creates “global warming” is far from being scientifically established. To the contrary, there is a wealth of credible data collected by independent scientists with no connection to the energy industry, indicating that alarmist forecasts of runaway global warming are wrong (indeed, satellite data has





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shown that global warming has been on pause for almost two decades). And even when average global temperatures were rising, there is nothing indicating that these rises were caused by human activity (i.e, were anthropogenic); they were much more likely to have resulted from naturally occurring cycles.

A large number of scientists who dispute that “global warming” or climate change is caused by human activity gathered in Paris last December to take part in a conference hosted by the Heartland Institute, the Committee for a Constructive Tomorrow (CFACT), and the Competitive Enterprise Institute. This conference was designed to counter much of the propaganda being disseminated at a nearby United Nations “climate” summit.

As *The New American* [reported about the alternative conference](#), dubbed “Day of Examining the Data,” the conference featured numerous presentations, each one debunking multiple elements of the [increasingly discredited anthropogenic \(man-made\) global-warming theory \(AGW\)](#).”

Among the scientists speaking at the realist conference, noted the *TNA* article, were Dr. Robert Carter, former chief of the School of Earth Sciences at James Cook University. “Global warming is not happening,” Carter explained at the Paris conference.

During his presentation, Carter disputed the claim that CO<sub>2</sub>, which is exhaled by humans and critical to life, especially plant life, is “carbon pollution” that must be regulated. Quite the contrary, he said, noting that even at current atmospheric concentrations, the Earth and the plants it supports are “starving” for more CO<sub>2</sub>. He explained that during the past, CO<sub>2</sub> concentrations in the Earth’s atmosphere were 10 to 15 times higher than today.

“Attempting to stop climate change is an exercise in utter futility,” Carter added, noting in an interview with *The New American* that nobody would seriously consider trying to “stop” other naturally occurring climatic events such as earthquakes or volcanic eruptions.

Another respected scientist at the conference was University of Virginia Professor Emeritus Dr. Fred Singer, founder of the Science and Environmental Policy Project (SEPP) and the Nongovernmental International Panel on Climate Change.

“There has been no statistically significant warming in 18 years,” Singer told the summit, using a slide comparing observed temperatures with the various false predictions made by “climate models” relied upon by the UN. These UN models all predicted warming as CO<sub>2</sub> increased.

“The models don’t work. We should not use them to make policy,” Singer added.

Another article in *The New American* in January, [“Meet the Climate Realists,”](#) profiled several other scientists who dispute that carbon emission released by humans results in global warming. These scientists have suffered personal attacks and threats to their careers as a result of championing science that contradicts the assertions made by anthropogenic global warming theorists such as Kraft.

Kraft’s reference to RICO was based on an exchange between Senator Sheldon Whitehouse (D-R.I.) and Attorney General Loretta Lynch during Lynch’s testimony on March 9 before the Senate Judiciary Committee. (We wrote about that exchange in [our article on March 10](#).) Part of the testimony went as follows:

**Whitehouse:** Madame attorney general, the similarities between the mischief of the tobacco industry pretending that the science of tobacco’s dangers was unsettled and the fossil fuel industry pretending that the science of carbon emissions dangers is unsettled has been remarked on widely, particularly by those who study the climate denial apparatus that the fossil fuel industry has erected.



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Under President Clinton the Department of Justice brought and won a civil RICO action against the tobacco industry for its fraud. Under President Obama the Department of Justice has done nothing so far about the climate denial scheme.

A request for action by the Department of Justice has been referred by you to the FBI. My question to you is, other than civil forfeitures and matters attendant to a criminal case, are there other circumstances in which a civil matter under the authority of the Department of Justice has been referred to the FBI?

**Lynch:** Senator, thank you for raising that issue and thank you for your work in this area. I know your commitment is deep. This matter has been discussed. We have received information about it and have referred it to the FBI to consider whether or not it meets the criteria for what we could take action on. I'm not aware of a civil referral at this time. I will look into that and get back to you. But I'm not aware of a civil referral outside of the one that you just raised.

Kraft posed the rhetorical question: "Is there a parallel [between DOJ's case against the tobacco companies and] current controversies over climate change science? Some members of Congress say there is." He then referred to the Whitehouse-Lynch exchange we quoted above.

But Kraft apparently agrees with those who think that going after fossil fuel companies is not enough. He writes:

Some ask whether such inquiries should be limited to fossil fuel companies. What about extending the liability, they say, to certain think tanks and advocacy groups?

Some such groups have been heavily funded by the fossil fuel industry and have misrepresented climate change risks to the public. That might be a tougher sell, given rights to free speech, but it could be given consideration.

Kraft realizes that extending the witch hunt to think tanks and advocacy groups threatens the right to free speech but apparently thinks that going after them is worth a shot anyway. Such a heavy-handed approach is typical of the global warming lobby and their political and academic allies. Typical of such intolerance is Secretary of State John Kerry, who in a speech delivered last November 10 at Old Dominion University in Norfolk, Virginia, said: "The science tells us unequivocally, those who continue to make climate change a political fight put us all at risk. And we cannot sit idly by and allow them to do that."

In a recent [article reprinted by \*The New American\*](#), former U.S. Representative Ron Paul also discussed the danger to free speech posed by Loretta Lynch and our government in the name of silencing "climate change deniers." Noted Paul:

These climate change censors claim that the argument over climate change is settled and the deniers' success in blocking congressional action is harming the public. Therefore, the government must disregard the First Amendment and silence anyone who dares question the reigning climate change dogma. This argument ignores the many reputable scientists who have questioned the magnitude, effects, and role of human action in causing climate change.

It is bad enough for a government bureaucrat to launch an attack on political dissidents, since politicians have long had a reputation for playing "dirty pool." It is quite another thing for a so-called "academic," a member of a profession that supposedly invites discussion of subjects in an arena of free speech, to advocate the suppression of diverse opinions. By siding with those who would use the power



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of government to silence free discussion, Kraft violates the very premise with which he began his opinion piece: “Scientific findings and associated uncertainties should be scrutinized carefully and debated vigorously within the scientific community and among the public.”

Calling out the RICO attack dogs to silence those with whom one disagrees is not any freedom-loving, open-minded individual’s idea of “vigorous debate.”

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