



Written by [William F. Jasper](#) on February 16, 2013

Obama Vows to Bypass Congress on Climate Change

In his [State Of The Union](#) address on February 12, President Obama made it clear that action by the federal government on global-warming legislation will be a major priority in his second term. He declared that “for the sake of our children and our future, we must do more to combat climate change.”

The president went on to regurgitate the standard boilerplate claims of the global warming alarmists. He averred:



Now, it’s true that no single event makes a trend. But the fact is the 12 hottest years on record have all come in the last 15. Heat waves, droughts, wildfires, floods — all are now more frequent and more intense. We can choose to believe that Superstorm Sandy, and the most severe drought in decades, and the worst wildfires some states have ever seen were all just a freak coincidence. Or we can choose to believe in the overwhelming judgment of science — and act before it’s too late.

President Obama then threw down the gauntlet to Congress, declaring that if they didn’t act soon to enact federal legislation he would act without them:

But if Congress won’t act soon to protect future generations, I will. I will direct my Cabinet to come up with executive actions we can take, now and in the future, to reduce pollution, prepare our communities for the consequences of climate change, and speed the transition to more sustainable sources of energy.

That threat rather openly implies that he intends to ramp up his already brazen agenda of ignoring the Constitution’s limitations on the president’s powers, bypassing Congress, and ruling by executive orders (see [here](#) and [here](#)).

However, our Constitution, which President Obama did “solemnly swear,” on January 21, 2013, to “preserve, protect, and defend” (view video of Obama taking oath [here](#)), does not empower him to do many of the things that he is doing and says he intends to do in the future. As we pointed out here recently ([“Danger: Federal ‘Regulatory Cliff’ Ahead”](#)), the very first sentence of Article I, Section 1 of the U.S. Constitution states: “All legislative powers herein granted shall be vested in a Congress of the United States.” It is difficult to get more plain and definitive than that: “All legislative powers.” Congress is the legislative branch, and it possesses “all legislative powers herein granted.” The President is clearly usurping legislative powers in violation of his oath to the Constitution — and is



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threatening to accelerate this trend. However, much of the “climate change” agenda he is seeking would be unconstitutional even if Congress bowed to his whims, since the Constitution (per the [Tenth Amendment of our Bill of Rights](#)) specifically forbids the federal government — which means all three branches: executive, legislative, and judicial — from trespassing beyond the very limited powers delegated by the Constitution and usurping the more numerous reserved powers of the States and the people. The Tenth Amendment states: “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.”

Even before the Bill of Rights was adopted, the clear understanding of the Founding Fathers was that they had created a strictly limited central government whose powers could be augmented only through the slow and laborious amendment process. “The powers delegated by the proposed Constitution to the federal government are few and defined,” averred James Madison in *The Federalist*, No. 45. “Those which are to remain in the State governments are numerous and indefinite.” The fact that previous presidents — both Republican and Democratic — as well as Congress and the courts have repeatedly violated this essential constitutional restriction on usurpation does not give President Obama free reign to discard his oath and add to the damage already done to our constitutional system.

The “Overwhelming Judgment of Science”?

But what about the president’s appeal to what he claims is the “overwhelming judgment of science”? Many watching or listening to his SOTU address, no doubt, nodded in agreement and applauded, believing him to be stating an unassailable truth. However, does the mere repetition of outlandish claims that have been made by Al Gore, the United Nations Intergovernmental Panel on Climate Change (IPCC), Ted Turner, MSM pundits and reporters, politicized science groups, environmental militants, and NGOs constitute “science”?

Unfortunately for President Obama and the global choir of climate alarmists, the “science” behind their apocalyptic scenarios has been in full-blown meltdown mode for several years, with dozens of major Climategate scandals (see, for instance, [“129 Climate Scandals”](#)) that have exposed many of the top climate scientists as vindictive frauds and their doomsday computer models as error-ridden and/or outright hoaxes. (See [here](#), [here](#) and [here](#).)

Real science is not determined by consensus and is never “settled,” despite President Obama, Al Gore, the United Nations, or any other “authority” declaring otherwise. However, one of the most brazen frauds perpetrated by the global-warming alarmist lobby is that not only is there a consensus among scientists that CO₂ generated by human activities is causing global warming, but an “overwhelming” consensus. This has been repeated so many times that it has achieved the level of assumed truth in many minds; so much so that President Obama’s speechwriters felt confident in asserting it in his SOTU address.

As we have reported many times previously in *The New American* (see [here](#) and [here](#)), the truth is quite the opposite; the number of scientists — including “climate” scientists — who are “true believers” in human-caused global warming (anthropogenic global warming, or AGW) is relatively small, with the vast majority being skeptical or undecided on the matter. Not surprisingly, the scientists who are the most zealous and outspoken climate alarmists are the ones working for institutions (the UN, government agencies, NGOs) that are funding alarmism and have the most to gain (in prestige, perquisites, power, and money) from the policies promoted by the alarmists.



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Thousands of climatologists, paleoclimatologists, meteorologists, atmospheric physicists, geophysicists, oceanographers, geologists, chemists, engineers, astronauts, mathematicians, and scientists in virtually every field — including Nobel Prize winners and scholars of eminent renown — have publicly challenged the alleged scientific underpinnings of the alarmist claims of the UN’s IPCC and other supposed authorities in the climate debate. The following are but a few examples of the evidence that totally demolishes the claims of a consensus in favor of the climate alarmist positions:

- [More than 31,000 scientists](#) in the United States have signed a petition urging the U.S. government to reject the kinds of AGW policies proposed by the UN IPCC and environmental extremists. The Petition Project was organized by Dr. Arthur Robinson of the Oregon Institute of Science and Medicine and Dr. Frederick Seitz, physicist, professor, past president of Rockefeller University, and past president of the National Academy of Sciences.
- Climate Depot and Committee For A Constructive Tomorrow (CFACT) have produced an important 321-page report featuring bios and statements of [more than 1,000 prominent scientists](#) from across the globe who vigorously dissent from the phony “consensus.”
- Forty-nine [former NASA scientists and astronauts](#) sent a letter in April, 2012, to NASA administrator Charles Bolden admonishing the agency for its role in advocating a high degree of certainty that man-made CO2 is a major cause of climate change while neglecting empirical evidence that calls the theory into question. The group included seven Apollo astronauts and two former directors of NASA’s Johnson Space Center in Houston.
- In the past few years, some of the leading and best-known advocates of AGW alarmism have reversed course and have become outspoken critics of the IPCC and the mindless, anti-science “groupthink” that dominates the alarmist ranks. These include: Dr. James Lovelock, global guru of the Green movement, most famous for developing the “Gaia Hypothesis”; Professor Fritz Vahrenholt, a founding father of Germany’s environmental movement; Dr. Denis Rancourt, a professor of physics at the University of Ottawa and a longtime, militant Green activist; Dr. Judith Curry, physicist and the chair of Earth & Atmospheric Sciences at the Georgia Institute of Technology, called (formerly) by some “The High Priestess of Global Warming”; Dr. Mike Hulme, professor of climate change at the University of East Anglia (home of the Climategate e-mails); Dr. Richard Courtney, U.K. atmospheric scientist, liberal-left environmentalist, and an expert reviewer for the UN’s IPCC; Dr. Claude Allegre, a renowned French geophysicist, a former French Socialist Party leader and one of the pioneers of global-warming alarmism; and Dr. Patrick Moore, a leader and founding member of Greenpeace, to name but a few in a long list of defectors.

• Scientists and journalists who have dug into the sources of the alleged scientific consensus on climate change have uncovered a series of incredible frauds. The citations, which appear on the surface to be authoritative surveys representing the consensus of thousands of scientists, turn out to be grossly manipulated data and super-exaggerated numbers. (Articles and studies taking apart the surveys that claim to prove scientific consensus on AGW can be accessed [here](#), [here](#), [here](#), [here](#), and [here](#).)

The scientists publicly dissenting from the AGW groupthink, as we have noted, number in the thousands. Their ranks include a veritable Who’s Who of distinguished scientists, such as:

- Dr. Robert B. Laughlin, Nobel Prize-winning Stanford University physicist, formerly a research scientist at Lawrence Livermore National Laboratory;
- Dr. Werner Kirstein, professor at the Institute for Geography of the University of Leipzig,



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Germany;

- Dr. John Christy, a climatologist of the University of Alabama in Huntsville and NASA;
- Dr. Richard Lindzen, MIT climate physicist and Alfred P. Sloan Professor of meteorology, Dept. of Earth, Atmospheric and Planetary Sciences;
- Dr. William Happer, Cyrus Fogg Bracket professor of physics, Princeton University;
- Dr. Leonard Weinstein, 35 years at the NASA Langley Research Center and presently a senior research fellow at the National Institute of Aerospace;
- Dr. Anatoly Levitin, the head of the geomagnetic variations laboratory at the Institute of Terrestrial Magnetism, Ionosphere and Radiowave Propagation of the Russian Academy of Sciences;
- Dr. Hans Jelbring, a Swedish climatologist of the Paleogeophysics & Geodynamics Unit at Stockholm University;
- Burt Rutan, renowned engineer, inventor, and aviation/space pioneer;
- Dr. Jonathan Jones, professor of physics, Oxford University, U.K.;
- Dr. Willie Soon, Harvard-Smithsonian Center astrophysicist;
- Dr. Syun-Ichi Akasofu, emeritus professor of physics, and founding director, International Arctic Research Center of the University of Alaska Fairbanks;
- Dr. Bjarne Andresen, physicist, and professor, The Niels Bohr Institute, University of Copenhagen, Denmark;
- Dr. Ian D. Clark, professor, isotope hydrogeology and paleoclimatology, University of Ottawa, Canada;
- Dr. S. Fred Singer, physicist and professor emeritus of environmental sciences at the University of Virginia and founding director of the U.S. Weather Satellite Service.

Obama's Claims vs. a "Brutal Gang of Facts"

"There goes another beautiful theory about to be murdered by a brutal gang of facts." That famous maxim by 17th century French writer François VI, Duc de La Rochefoucauld (though often attributed to Benjamin Franklin) fits well the fate of many of the current environmental sacred dogmas.

Marc Morano at Climate Depot was one of the first out of the gate with a brutal gang of facts to provide a [point-by-point rebuttal](#) to Obama's climate claims. James Taylor did likewise at [Forbes.com](#).

We have provided the real facts on each of Mr. Obama's claims many times at *The New American*, but let's examine each of them here briefly:

- "The 12 hottest years on record [for the United States] have all come in the last 15" — In his testimony last in August 2012 before a U.S. Senate committee, Dr. John Christy, a climatologist who monitors global surface and satellite temperatures at the University of Alabama and NASA, [presented evidence](#) demonstrating that, contrary to claims by the White House and the media, the hottest years on record in the United States were in the 1930s, a verdict that is supported by a wide array of climate scientists. Even the Obama administration's EPA, one of the foremost AGW alarmist institutions, provides a [graph on its website](#) showing that the 1930s were indeed much hotter than our most recent 15 years. And Climate Depot provides links to a host of sources debunking the "hottest year" meme



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[here](#);

- Droughts — As we have [reported](#) previously, the global AGW drought scare is based on the predictions of the flawed computer modeling of the Palmer Drought Severity Index (PDSI). A 2012 [study](#) by Princeton University professors Eric Wood and Justin Sheffield published in *Nature* exposes the serious problems with the PDSI. “We’ve known for quite a long time that the PDSI calculation is prone to problems dealing with climate change,” said Columbia University drought and climate researcher Richard Seager after the Princeton study was published.

- Wildfires — James Taylor [points out](#) that the number of wildfires has actually been decreasing over the past several decades, even while the intensity of the fires has been increasing, thanks to forest malpractice by our federal Forest Service, which has drastically restricted forest harvesting (logging) and allowed our forests to become clogged with bug- and disease-infested trees and brush. Taylor notes: “The National Interagency Fire Center reports the number of annual wildfires in the United States has been declining for more than 30 years. In fact, the ‘overwhelming judgment of science’ reveals the number of wildfires rose from the 1950s through the 1970s, as global temperatures declined, and has been declining ever since, as global temperatures have modestly warmed.”

- Floods — Over the past several years, it has become standard AGW “extreme weather” dogma that increased CO2 is simultaneously causing extraordinary hot and cold waves, droughts and floods. In an October 24, 2011 [posting](#) Dr. Roger Pielke, a professor of environmental studies at the University of Colorado at Boulder, took on the flood claims. He cites abundant research to show that “flooding has not increased in the United States over records of 85 to 127 years. This adds to a pile of research that shows similar results around the world.” In a January 15, 2013 [posting](#), he provided additional authoritative data to show that flooding is not beyond normal ranges.

- Hurricanes, tornadoes — As *The New American* [reported](#) last year, Superstorm Sandy was “neither the largest Atlantic storm on record nor the deadliest. The National Hurricane Center reports Olga was the largest in recorded history with a wind extent of 600 miles, more than 100 miles greater than Sandy’s. In terms of death toll, among the top 10 worst U.S. natural disasters reported by LiveScience are the Galveston Hurricane of 1900 which claimed 8,000 lives and the Lake Okeechobee Hurricane of 1928 which killed 2,500.” Neither did it make the top 10 list of costliest hurricanes. ICAT’s Damage Estimator, we reported, “ranks the Great Miami Hurricane of 1926 as number one at more than \$180 billion in 2012 dollars. The Galveston and Lake Okeechobee storms rank second and ninth respectively, and seven of the top 10 occurred before 1961. Hurricane Katrina is number four.” Nor are hurricanes more frequent today. As James Taylor writes, “NOAA reports a long-term decline in strong tornadoes striking the United States. The National Hurricane Center reports that the past 40 years have seen the fewest major hurricane strikes since at least the mid-1800s. Even Hurricane Sandy reminds us that the U.S. Northeast has experienced only one major hurricane strike since 1960, but experienced six major hurricane strikes during the 1930s, 1940s, and 1950s, when global temperatures were cooler.”

Obama Stifles Energy, Claims Credit for Energy Boom

Closely related to the climate myths in the president’s SOTU address were his outlandish claims about the supposed achievements in U.S. energy production, thanks to his administration. David Middleton, in an informative [posting](#) at WattsUpWithThat.com, conducts a point-by-point rebuttal of President Obama’s claims.

For example, he presents this Obama SOTU claim: “That’s why my administration will keep cutting red



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tape and speeding up new oil and gas permits.”

Middleton responds:

Drilling permits that once took 30 days to be approved now take more than 180 days. Even relatively simple things like the approval of development plan (DOCD) revisions are sometimes drawn out to nearly 300 days. As of a year ago, the average delays for independent oil companies are currently 1.4 years on the shelf and almost 2 years in deepwater.

Between the “permitorium” and high product prices, many of the best, most capable drilling rigs have been moved overseas. Once we manage to get permits approved, the delays in obtaining a rig can be almost as long as the permit delays were. In this “dynamic regulatory environment,” wells can’t be drilled quickly enough to compensate for decline rates, much less to increase production.

“We need audacity, and yet more audacity, and always audacity!”

President Obama and his speechwriters have spectacularly failed Climate Science 101. But, then again, so have Al Gore, UN Secretary General Ban Ki-moon, the IPCC, and most of the MSM talking heads. However, almost none have been willing to admit error and reverse course. In fact, the standard operating procedure has been to double down, go on the attack, and scream even more loudly and emphatically about ever more exaggerated climate threats. They appear to be consciously following the counsel of infamous French Revolutionist Georges Danton, affectionately known as “rebel Satan,” who famously advised: “Il nous faut de l’audace, et encore de l’audace, et toujours de l’audace” — “We need audacity, and yet more audacity, and always audacity!”

Photo of President Barack Obama at State of the Union address: AP Images

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