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'Cap and Trade Is Dead'

By KIMBERLEY A. STRASSEL

So declares Oklahoma Sen. Jim Inhofe, taking a few minutes away from a Thanksgiving retreat with his family. "Ninety-five percent of the nails were in the coffin prior to this week. Now they are all in."

If any politician might be qualified to offer last rites, it would be Mr. Inhofe. The top Republican on the Environment and Public Works Committee has spent the past decade in the thick of Washington's climate fight. He's seen the back of three cap-and-trade bills, rode herd on an overweening Environmental Protection Agency, and steadfastly insisted that global researchers were "cooking" the science behind man-made global warming.

This week he's looking prescient. The more than 3,000 emails and documents from the University of East Anglia's Climate Research Unit (CRU) that have found their way to the Internet have blown the lid off the "science" of manmade global warming. CRU is a nerve center for many of those researchers who have authored the United Nations' global warming reports and fueled the political movement to regulate carbon.

Their correspondence show a claque of scientists massaging data to make it fit their theories, squelching scientists who disagreed, punishing academic journals that didn't toe the apocalyptic line, and hiding their work from public view. "It's no use pretending that this isn't a major blow,"

glumly wrote George Monbiot, a U.K. writer who has been among the fiercest warming alarmists. The documents "could scarcely be more damaging." And that's from a believer.

This scandal has real implications. Mr. Inhofe notes that international and U.S. efforts to regulate carbon were already on the ropes. The growing fear of Democrats and environmentalists is that the CRU uproar will prove a tipping point, and mark a permanent end to those ambitions.

Internationally, world leaders finally acknowledged that the recession has sapped them of their political power to impose devastating new carbon-restrictions. China and India are clear they won't join the West in an economic suicide pact. Next month's summit in Copenhagen is a bust. Instead of producing legally binding agreements, it will be dogged by queries about the legitimacy of the scientists who wrote the reports that form its basis.

The next opportunity to get international agreement is in Mexico City, 2010—a U.S. election year. Democrats were already publicly acknowledging there will be no domestic climate legislation in 2009 and privately acknowledging their great unease at passing a huge energy tax on Americans headed for a midterm vote.

Add to that the CRU scandal, which pivots the focus to potential fraud. Republicans are

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launching investigations, and the pressure is building on Democrats to hold hearings, since climate scientists were funded with U.S. taxpayer dollars. Mr. Inhofe's office this week sent letters to federal agencies and outside scientists warning them not to delete their own CRU-related emails and documents, which may also be subject to Freedom of Information requests.

Polls show a public already losing belief in the theory of man-made global warming, and skeptics are now on the offense. The Competitive Enterprise Institute's Myron Ebell argues this scandal gives added cover to Blue Dogs and other Democrats who were already reluctant to buck the public's will and vote for climate legislation. And with Republicans set to pick up seats, Mr. Ebell adds, "By 2011 there will hopefully be even fewer members who support this. We may be close to having it permanently stymied." Continued U.S. failure to act makes an international agreement to replace Kyoto (which expires in 2012) a harder sell.

There's still the EPA, which is preparing an "endangerment finding" that would allow it to regulate carbon on the grounds it is a danger to public health. It is here the emails might have the most direct effect. The agency has said repeatedly that it based its finding on the U.N. science—which is now at issue. The scandal puts new pressure on the EPA to accede to growing demands to make public the scientific basis of its actions.

Mr. Inhofe goes so far as to suggest that the agency might not now issue the finding. "The president knows how punitive this will be; he's never wanted to do it through [the EPA] because that's all on him." The EPA was already out on a legal limb with its finding, and Mr. Inhofe argues that if it does go ahead, the CRU disclosure guarantees court limbo. "The way the far left used to stop us is to file lawsuits and stall and stall. We'll do the same thing."

Still, if this Democratic Washington has demonstrated anything, it's that ideology often trumps common sense. Egged on by the left, dug in to their position, Democrats might plow ahead.

They'd be better off acknowledging that the only "consensus" right now is that the world needs to start over on climate "science."

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