Renewable Energy Mandates Raise Prices and Cost States Jobs

by James M. Taylor

After repeatedly failing to convince the Colorado legislature to enact a renewable energy mandate, anti-fossil fuel activists have succeeded in placing such a mandate on the November ballot. The proposed measure would require all energy companies servicing more than 40,000 customers to quintuple (from the current 2 percent to a proposed 10 percent) the share of electricity generated from solar, wind, geothermal, biomass, hydro-electricity, or hydrogen fuel cells.

Global Warming Computer Models Are Still Unreliable, New Study Warns

by James M. Taylor

Computerized models of the Earth’s climate are at the heart of the debate over how policymakers should respond to climate change. Global climate models (GCMs)—also called general circulation models—attempt to predict future climate conditions by starting with a set of assumptions about how the climate works and making guesses about what a future world might look like in terms of such factors as population, energy use, and technological development.

Numerous analysts have pointed out, however, that many of the assumptions used in modeling the climate are of uncertain validity. Global warming computer models are still unreliable, new study warns.

Global Warming

Computer ModelsAre Still Unreliable,New Study Warns

by James M. Taylor

Computerized models of the Earth’s climate are at the heart of the debate over how policymakers should respond to climate change. Global climate models (GCMs)—also called general circulation models—attempt to predict future climate conditions by starting with a set of assumptions about how the climate works and making guesses about what a future world might look like in terms of such factors as population, energy use, and technological development.

Numerous analysts have pointed out, however, that many of the assumptions used in modeling the climate are of uncertain validity. Global warming computer models are still unreliable, new study warns.
Claims of Post-9/11 Health Risks Show “Reckless Disregard” for the Truth

by Steven Milloy

The Sierra Club criticized President George W. Bush during the week of August 20 for showing “reckless disregard” by failing to warn the public of health risks allegedly posed by “toxic” smoke from World Trade Center (WTC) rubble. “The desire to reopen Wall Street cannot justify placing civilian safety at risk,” the Sierra Club asserted.

Dubious Data Back Claims

There’s no question residents of lower Manhattan were exposed to smoke, dust, and fumes—including asbestos, mineral fibers, and a soup of chemicals—as a result of the WTC collapse. But the Sierra Club’s claims of increased health problems following the September 11 attacks are based on “sketchy data” and are not supported by the scientific evidence. For example, studies of respiratory illnesses among a sample of lower Manhattan residents following the September 11 attacks revealed no increase in coughing, wheezing, or shortness of breath among a small sample of residents—just as few as 20 to 50 years,” the Sierra Club report said.

Fortunately, the notion that WTC pollution will lead to lung cancer or mesothelioma is utter nonsense. The vast majority of lung cancer occurs among long-term heavy smokers. It’s unlikely that anyone’s exposure to dust, debris, and fumes emanating from the WTC collapse—ever would have led to lung cancer.

With respect to mesothelioma, it is true that long-term exposure to high levels of certain types of asbestos has increased the rates of disease among former asbestos workers, particularly among those who smoked. But this is not the WTC situation.

Though the U.S. Environmental Protection Agency reports asbestos was identified in some airborne dust samples collected following the WTC collapse, the levels were low, and the samples contained chrysotile, the least hazardous type of asbestos. Data, including a 1998 study published in the New England Journal of Medicine, indicate non-occupational exposures to chrysotile asbestos don’t increase cancer risk.

Self-Serving Claims

None of the charges cited in the Sierra Club report, then, constitute evidence that Bush acted with disregard for the public health after the September 11 attacks.

Given the urgent need to get the nation’s financial system up and running as soon as possible after the attacks, Bush’s actions stand in stark contrast to those who have tried to exploit September 11-inspired health fears for their own political and pecuniary benefit. Prominent among these parties have been trial lawyers, Sen. Hillary Clinton (D-New York), and junk scientists working for environmental advocacy groups.

If there has been any reckless disregard with respect to the public health aftermath of the September 11 attacks, it has surely been on the part of the junk-science mob in exaggerating and wildly exploiting understandable fears about the possible consequences of that tragic day in American history.

Steven Milloy (junkman@junkscience.com) is publisher of JunkScience.com, an adjunct scholar at the Cato Institute, and author of Junk Science Judo: Self-Defense Against Health Scares and Scams (Cato Institute, 2001).
CO2 Reductions Falling Short in Great Britain, Proving Costly in Japan

by Iain Murray and Myron Ebell

A new report from Cambridge Econometrics concludes Great Britain’s 20 percent domestic carbon-reduction goal “is likely to be missed by a large margin,” according to a July 30 Bloomberg news report. Cambridge Econometrics also projected emissions from road transportation will rise 14 percent by 2010 from 1990 levels.

In related news, The Guardian reported on July 29 that the U.K. government is planning to “press on with plans to build 120,000 homes in the Thames Gateway flood plain despite accepting the increased chance of flooding disasters due to global warming.” The announcement said, “New homes on floodplains would have to be sited and designed to ensure that they were ‘flood resilient.’”

This action, placing current needs over future worries, may reflect the current state of public opinion in the U.K. A BBC poll, taken in mid-July to coincide with a series of BBC television programs pushing the alarmist case on global warming, found that climate change finished at the bottom of the public’s concerns among a list of seven “important issues” facing the U.K., below even immigration.

“Although the United States is not implementing costly greenhouse gas taxes, rising energy prices due to other reasons provide a glimpse of what the Kyoto Protocol would do to the U.S. economy.”

Japan May Tax Fossil Fuel Use

The government of Japan is considering taxing consumers of fossil fuels, including petroleum and coal, in its latest plan to meet greenhouse gas reduction targets. To ensure Japanese business does not suffer, steelmakers and other businesses using coal and oil as fuel would be given tax waivers or receive lower rates.

The Japanese environment ministry expects revenues of roughly 600 billion yen (US $5.4 billion) per year from the new greenhouse gas taxes. With approximately 45 million households in Japan, the new taxes will cost each household roughly $120 per year.

Specific tax amounts will be determined according to the nation’s overall carbon dioxide emission volume and will be added to gasoline prices, fees, and the like. Under the ministry’s draft proposal, a tax of slightly more than 1 yen (US $0.009) would be imposed for each liter of gasoline. The revenues would be used to finance energy-saving policies.

The ministry is presenting its proposal to the Liberal Democratic Party’s environmental research council. According to an August 3 report from Asia Pulse/Nikkei, the ministry hopes to incorporate the proposal into a fiscal year 2005 tax reform.

Higher Energy Prices Hurting U.S. Economy

The release being learned in Britain and Japan are not being lost on U.S. consumers. Although the United States is not implementing costly greenhouse gas taxes, rising energy prices due to other reasons provide a glimpse of what the Kyoto Protocol would do to the U.S. economy.

Rising energy prices are slowing the growth of the U.S. economy. The rate of annual growth in gross domestic product declined from 4.5 percent in the first quarter of 2004 to 3 percent during the second quarter. Consumer spending also dropped, from a growth rate of 4.1 percent to a meager 1 percent in the second quarter.

Although economists predict the economy will rebound over the next few months, analysts say rising oil prices are the biggest threat to the recovery. The price of crude oil is up 35 percent since January 1, at around $44 per barrel on the New York Mercantile Exchange.

Sung Won Sohn, chief economist at Wells Fargo Bank, told the Boston Globe on July 31, “Rising oil prices and inflation are the biggest concerns I have. It’s like a tax, and that will hurt consumers and the economy in general.”

Economists generally agree that long-term high oil prices hurt consumer spending, one of the primary drivers of economic growth.

Coldest Month in Four Years

The need for carbon dioxide reductions is being cast into doubt by recent temperature trends. The global temperature report for July 2004 from the University of Alabama in Huntsville (UAH) Earth System Science Center found the month was the coolest in four-and-a-half years and the coolest July in a dozen years.

The data show the global temperature was 0.21°C (about 0.38°F) below the 20-year average for July. This followed a June temperature about 0.02°C below average, Only three months in the past 41 had been below this norm.

Dr. John Christy of UAH said, “This was the coolest July since 1992, when global temperatures were cooled by dust thrown into the atmosphere by the Mount Pinatubo volcano.” A color map of temperature anomalies is available at http://climate.uah.edu.

Kilimanjaro Ice Melt Not Due to Global Warming

Addressing a related controversy, Georg Kaser of the University of Innsbruck and colleagues from the University of Massachusetts-Amherst and the Tanzania Meteorological Agency provided more proof, in a new paper published in the International Journal of Climatology (24: 929-939), that the snows of Kilimanjaro are disappearing due to factors other than global warming.

In “Modern Glacier Retreat on Kilimanjaro as Evidence of Climate Change: Observations and Facts,” Kaser et al. “develop a new concept for investigating the retreat of Kilimanjaro’s glaciers, based on the physical understanding of glacier-climate interactions.” The authors wrote, “The concept considers the peculiarities of the mountain and implies that climatological processes other than air temperature control the ice recession in a direct manner. A drastic drop in atmospheric moisture at the end of the 19th century and the ensuing drier climatic conditions are likely forcing glacier retreat on Kilimanjaro.”

The authors refer to another study, soon to be published in the Journal of Geophysical Research. According to Kaser et al., “Mölg and Hardy (2004) show that mass loss on the summit horizontal glacier surfaces is mainly due to sublimation (i.e. turbulent latent heat flux) and is little affected by air temperature through the turbulent sensible heat flux.”

Iain Murray (imurray@cei.org) is a senior fellow at the Competitive Enterprise Institute, where he specializes in the debate over climate change and the use and abuse of science in the political process. Myron Ebell (mbebel@cei.org) oversees global warming and international environmental work at CEI and chairs the Cooler Heads Coalition, a subgroup of the National Consumers Coalition that focuses on climate change issues.

www.TSAugust.org

For facts on environmental issues go to www.tsaugust.org

See reports on:
Hydrogen, Renewable Energy & Wind Farms, Kyoto and Global Warming and the latest report—


TSAugust

The second of August when most delegates signed the Declaration of Independence
Asian Pollution Threatens States' Clean Air Goals

Harvard study shows clean air standards may be impossible to meet

by James A. Hoare

Scientists from Harvard University and six countries have discovered that Asian pollution plumes have crossed the Pacific Ocean and blanket the United States all the way to the East Coast. The discovery has raised a host of new questions regarding the feasibility of strict new pollution standards in the United States.

The discovery of the plumes marked the first time Asian pollution has been discovered on the U.S. East Coast. The dark, sooty plumes contain smog-forming particulate matter and ozone pollutants that are strictly regulated by the federal government.

Asian Soot May Render Regional Goals Unfeasible

Metropolitan regions that fail to meet federal air quality standards regarding soot and ozone are forced to enact expensive pollution control programs that some observers say will make little difference when the source of the pollution is Asia.

“We have to be concerned whether the cost of continuing to ratchet up emission controls is not going to be offset by growing pollution coming to us from Asia,” said Harvard University’s Daniel J. Jacob, deputy mission scientist for the pollution study, as reported in the August 5 Christian Science Monitor.

“At some point, it may be cheaper to sell pollution control equipment to China,” Jacob added, “there’s a lot of interest in the community about this influence of Asian pollution and whether it can compromise our ability to achieve regional air quality objectives.”

Surprising Extent of Asian Pollution

The six-week study was conducted from July 5 through the middle of August. Scientists participating in the study tracked numerous air masses as they traveled across the United States and crossed the Atlantic Ocean into Europe. Detailed analysis of the composition of the pollution particles enables scientists to pinpoint their place of origin.

Although scientists had documented occasional incidents in which Asian pollution had reached the continental United States, and although computer models had predicted such pollution could reach the U.S. East Coast, scientists were surprised by both the magnitude of the pollution reaching the East Coast as well as the season in which the pollution traveled so far.

“We knew the transport from Asia was efficient in the spring, but we didn’t know it was so prevalent in the summer,” study leader Robert Talbot, director of the University of New Hampshire’s Atmospheric Investigation, Regional Modeling, Analysis, and Prediction program, told the Globe. “I think what you’re going to see in five to 10 years’ time, when you get a better handle on the long-range transport, is that pollution is traveling from continent to continent and there may need to be some new agreements put into place.”

Talbot added, “I don’t think we had the knowledge that it was quite so extensive and quite so long-range. Papers are starting to appear saying it may be difficult for several Pacific cities to meet pollution standards because of Asia.”

The research “is critical to setting emissions standards,” said Jacob, as reported in the August 5 Christian Science Monitor. Otherwise, he said, “you could find that your efforts are being defeated by ozone pollution” from somewhere else.

Said Jacob on the September 7 Jim Lehrer NewsHour, “What you’re going to see is the transport basically around the world of this gas, to the point where emissions from Asia affect North America, emissions from North America affect Europe, emissions from Europe affect Asia, and you have this dance of pollution around and around the world. We’re all breathing each others’ exhaust.”

Daniel J. Jacob
Harvard University

New England Too Quick to Blame Midwest

By documenting the amount of Asian pollution making its way to the United States, the Harvard University study and similar ongoing research calls into question claims by Eastern states that pollution emanating from Midwestern U.S. industry is causing a significant portion of East Coast pollution.

According to the Globe, “[Talbot] believes that the results of a parallel New England Air Quality Study may surprise this region, which often claims the mantle of the ‘tailpipe of the nation’ and is too quick to blame other regions for creating the smog that drifts in on prevailing winds and gets stuck here.”

“I think there’s quite a bit of pollution generated within the region that we’re not really recognizing,” said Talbot. “There could be some eye-opening results in that respect.”

James A. Hoare (jhoare@mcgivneyandkluger.com) is managing attorney at the Syracuse, New York office of McGivney, Kluger & Gannon.
National Geographic Promotes Global Warming Myths

by Jay Lehr, Ph.D.

Like most young people growing up in the 1940s and 1950s, I depended on National Geographic to satisfy my curiosity about the world around me. It was a major reason why I chose a career in science. So I was disappointed to see the great magazine of my youth compromise its reputation recently by taking an obviously politically motivated position on the issue of global warming. For me this fall from grace was tantamount to the time long ago when I learned the truth about Santa Claus.

Acceptance of Regional, Anecdotal Data
National Geographic’s September issue contains a lavishly illustrated 74-page feature on climate change that focuses entirely on bits and pieces of data that seem to support the theory that human activity is causing global warming. No mention is made of the many prominent scientists who say we know too little to make this attribution or to predict future climate change.

“I was disappointed to see the great magazine of my youth compromise its reputation recently by taking an obviously politically motivated position on the issue of global warming. For me this fall from grace was tantamount to the time long ago when I learned the truth about Santa Claus.”

On a global level, when all the Earth’s ice is measured, we find as much is currently thickening as is thinning. Similarly, when we ignore short-term regional trends and focus on global temperatures as measured by satellites, no warming trend is found. We have plenty of anecdotes that seem to suggest a trend toward climate change, but little evidence or proof that warming is happening on a global scale or that mankind is responsible for it.

Small Increase in Greenhouse Gases
The gases that absorb infrared radiation from the sun and create the greenhouse effect are mainly water vapor, carbon dioxide, methane, and nitrous oxide. Water vapor and water in clouds absorb nearly 90 percent of the infrared radiation, while carbon dioxide, methane, and the other minor greenhouse gases together absorb little more than 10 percent of the infrared radiation.

Therefore, most of the greenhouse effect is natural and caused by the different forms of water in the atmosphere. However, human activities over the past 100 years—such as burning wood, coal, oil, and natural gas—have increased the concentration of greenhouse gases in the atmosphere by an amount equivalent to a 40 percent increase in carbon dioxide alone. This is an increase of only 2 percent in total greenhouse gases.

Most Warming Preceded Rise in CO2
The average global temperature of the Earth has increased roughly 0.6°C over the past 120 years. Much of the observed temperature rise occurred before 1940, whereas most of the additional carbon dioxide (more than 80 percent) entered the atmosphere after 1940. Obviously, human activity cannot be blamed for a temperature rise that occurred before the major increases in these gases occurred.

From 1940 to 1970, carbon dioxide built up rapidly in the atmosphere. According to the simplistic reasoning of the alarmists, the temperature of the Earth should also have risen rapidly. It did not.

When scientists analyzed the relationship between atmospheric CO2 levels and temperatures dating back 250,000 years, inferred from ice cores drilled in Greenland and the Antarctic, they found that sometimes the concentration of CO2 was high when the temperature was low, and sometimes the CO2 was low when the temperature was high. (1)

Blame it on the Sun
So what drives global climate, if not greenhouse gas concentrations? Well, maybe it’s the sun.

There are three variables affecting the Earth’s orbit—orbit shape, tilt, and wobble—which profoundly affect weather patterns. The Earth’s orbit does not form a circle as it moves around the sun—it forms an ellipse, passing further away from the sun at one end of the orbit than it does at the other end.

On the other hand, the tug of other planets on the Earth causes its orbit to change shape. It shifts from a short, broad ellipse that keeps the Earth closer to the sun, to a long flat ellipse that allows it to move farther from the sun and back again.

As the Earth is orbiting, it also spins around an axis that tilts lower and then higher during a 41,000-year cycle. Close to the poles, the contrast between winter and summer is greatest when the tilt is large. The Earth wobbles because it is spinning around an axis that tilts back and forth. Thus, a temperature drop occurs in the Northern Hemisphere when it tilts away from the sun; then the same thing happens in the Southern Hemisphere and again in the North, in a 22,000-year cycle.

We know from simple physics that the additional energy added to the climate system by the doubling of atmospheric CO2 is about four watts per square meter (W/m2)—a very small amount of energy when compared to the 342 watts per square meter added by the sun’s radiation at the top of the atmosphere, and small also when compared to natural variations in the amount of radiation the sun sends toward the Earth.

The possible increase in energy stored in the atmosphere due to human activity is also small when compared to uncertainties in the computer simulations of the Earth’s climate used to predict global warming.

For example, knowledge of the amount of energy flowing from the equator to the poles is uncertain by an amount equivalent to 25 to 30 W/m2. The amount of sunlight absorbed by the atmosphere or reflected by the surface is also uncertain, by as much as 25 W/m2. Some computer models include adjustments to the energy flows of as much as 100 W/m2. Imprecise treatment of the effect of clouds may introduce another 25 W/m2 of uncertainty into the basic computations. (2)

These uncertainties are many times larger than the four W/m2 input of energy believed to result from a doubling of CO2 concentration in the atmosphere. It is difficult to see how the climate impact of the four W/m2 can be accurately calculated in the face of such huge uncertainties. As a consequence, forecasts based on the computer simulations of climate may not even be meaningful at this time.

No Need to Panic
But suppose the computer models, for all their flaws, somehow turn out to be correct. Suppose the anecdotes about glaciers melting, butterflies changing their migration patterns, and so on all do point to global warming. What should we do?

Even assuming the worst-case scenarios, delaying substantial cuts in CO2 emissions for the next 25 years would produce an additional global temperature rise of no more than a few tenths of a degree by the year 2100. (3) That means we have at least 25 years in which to sharpen our understanding of climate, seek more accurate predictions, and find new technologies to address the alleged problem. With the U.S. federal government alone spending some $3 billion a year on climate change research, it would seem to be a sure bet that our knowledge will be much more complete a quarter-century from now.

If an incremental warming of a few tenths of a degree, spread over decades, should in fact occur, it would constitute no hazard to ecosystems or human well-being. Economists and agricultural scientists say it would probably be beneficial. Hence, given all of these variables, policies made in haste or based on poor information are likely to have a destructive impact on the U.S. and world economies and the well-being of their citizens.

National Geographic’s decision to present only the alarmist perspective on this important issue means it missed an opportunity to truly educate its readers. Most of us laughed at the absurd science fiction displayed in this summer’s global warming movie, “The Day After Tomorrow.” Seeing similar mistakes and exaggerations appear in a respected and influential magazine is no laughing matter.

Dr. Jay Lehr (e3@spowre.com) is science director of The Heartland Institute.

References
by Patrick J. Michaels, S. Fred Singer, and David H. Douglass

How many times have we heard from former Vice President Al Gore and assorted European politicians that “the science is settled” on global warming? In other words, it’s “time for action.” Climate change is, as recently stated by Hans Blix, former United Nations chief for weapons detection in Iraq, the most important issue of our time, far more dangerous than people flying fuel-laden aircraft into skyscrapers or possibly detonating back-pack nukes in Baltimore Harbor.

Well, the science may now be settled, but not in the way Gore and Blix would have us believe. Three bombshell papers have just hit the refereed literature that knock the stuffing out of Blix’s position and that of his company, the United Nations, and its Intergovernmental Panel on Climate Change (IPCC).

The IPCC states repeatedly:
1. We have reliable temperature records showing how much the planet has warmed in the past century.
2. Computer projections of future climate, while not perfect, simulate the observed behavior of the past so well they are a reliable guide for the future.

Therefore, they say, we need to limit carbon dioxide emissions (i.e., energy use) right now, despite the expense and even though the cost will fall almost entirely on the United States, gravely harming the world’s economic engine while exerting no detectable change on climate in the foreseeable future.

Urban Heat Islands Skew Data

The IPCC claims to have carefully corrected the temperature records for the well-known problem of local “urban,” as opposed to global, warming. But this has always troubled serious scientists, because the way the U.N. checks for artificial warming makes it virtually impossible to detect the urban “heat island” effect in recent decades—the same period over which our cities have undergone the greatest growth and sprawl.

The surface temperature record shows a warming rate of about 0.17º Celsius (0.31º Fahrenheit) per decade since 1979. However, there are two other records—one from satellites, the other from weather balloons—that tell a different story. Neither annual satellite nor balloon trends differ significantly from zero since the satellite record started in 1979. These records reflect temperatures in what is called the lower atmosphere, or roughly between 5,000 and 30,000 feet.

Four years ago, a distinguished panel of the U.S. National Academy of Sciences concluded there is a real disparity between the reported surface warming and the temperature trends measured in the atmosphere above. Since then, many investigators have tried to explain the cause of the disparity, while others have denied its existence.

Balloons Show Little Warming

So, which record is right: the U.N. surface record showing the larger warming, or the other two?

There’s another record, from seven feet above the ground, derived from balloon data recently released by the U.S. National Oceanic and Atmospheric Administration (NOAA).

In two research papers in the July 9 issue of Geophysical Research Letters, two of the authors of this article (Douglass and Singer) compared the NOAA record for correspondence with the surface record and the lower atmosphere histories. The odd-record-out turns out to be the U.N.’s hot-surface history. This is a double kill, both on the U.N.’s temperature records and on its vaunted climate models. That’s because the models generally predict a warming rate that increases with height above the Earth’s surface (outside of local polar regions). But neither the satellite nor the balloon records can find it. When this was noted in the first satellite paper published in 1990, some scientists objected that the record, which began in 1979, was too short. Now we have a quarter-century of concurrent balloon and satellite data, both screaming that the U.N.’s climate models have failed, as well as indicating its surface record is simply too hot.

If the U.N.’s models are wrong as one goes up in the atmosphere, then any correspondence between them and surface temperatures is either pretty lucky or the product of some unspecified “adjustment.”

Economic Assumptions

After four years of one of the most rigorous peer reviews ever, Canadian economist Ross McKitrick and another of the authors of this article (Michaels) published a paper searching for “economic” signals in the temperature record. McKitrick was initially queried by what several climateologists had noted as a curiosity in both the U.N. and satellite records: Statistically speaking, the greater a nation’s gross domestic product, the more it warms. The research showed that somewhere around half of the warming in the U.N. surface record was explained by economic factors, which can include changes in land use, quality of instrumentation, and upkeep of records.

This worldwide study added fuel to a fire started a year earlier by the University of Maryland’s Eugenia Kalnay, who had calculated a similar 50 percent bias due to economic factors in the U.S. records.

So, to all who worry about global warming, you may rest assured that the science is indeed settled. The “skeptics”—the strange name applied to those whose work shows the planet isn’t coming to an end—have won.

Patrick J. Michaels (pmichaels@cato.org), senior fellow in environmental studies at the Cato Institute, is author of the forthcoming book Meltdown: The Predictable Distortion of Global Warming by Scientists, Politicians, and the Media. S. Fred Singer (comments@sepp.org) is emeritus professor of environmental sciences at the University of Virginia. David H. Douglass (douglass@pas.rochester.edu) is professor of physics at the University of Rochester.
Editor’s note: Senator Pete Domenici (R-New Mexico) has suggested imposing a new tax on the nuclear power industry to fund an alleged budget shortfall for the Yucca Mountain nuclear waste repository. Over the past 20 years, the industry has already paid more than $23 billion to the federal Nuclear Waste Fund for disposal of nuclear waste. The following letter, which urges that monies in the Nuclear Waste Fund be set aside for the Yucca Mountain project, is being circulated for signature by Conservatives for Balanced Electricity Reform.

CONSERVATIVES FOR BALANCED ELECTRICITY REFORM

September 2004

The Honorable J. Dennis Hastert
Speaker
United States House of Representatives
Washington, DC 20010

Dear Mr. Speaker:

We are writing to thank you for your longstanding support for the Department of Energy’s Yucca Mountain Project and to encourage you to work to fully fund the program for FY 2005 without raising taxes on utility customers across the country.

According to Energy Secretary Spencer Abraham, if the project is not funded at adequate levels, there will be an approximate 70% reduction-in-force and an estimated 2,400 lost jobs. A shutdown of the program would result in an enormous challenge of replacing federal and contract workers and would cause an indefinite delay in meeting DOE’s 2010 target for opening the repository.

The Senate’s proposed legislation to impose fees on nuclear power industry customers is not the solution to this budget dilemma. Imposing a half-a-billion dollar tax hike on this important industry and forcing them to pay for a government mishandling of the budget is not the way we, as conservatives, believe a Republican-controlled Congress should proceed.

If the industry is forced to pay these enormous new taxes, the financial impact passed on to consumers will be devastating, especially to low-income citizens and seniors on fixed incomes. This is simply a fiscal landmine that requires a creative and credible solution.

As you know, the industry and consumers of electricity from nuclear power plants have paid more than $23 billion to the U.S. government for disposal of used nuclear fuel in a permanent repository. The government has spent around $8 billion to date, leaving a balance of nearly $15 billion in the Nuclear Waste Fund.

Ratepayers and companies should not be subjected to an increase in the fees while a large surplus of funds exists in the Nuclear Waste Fund. Therefore, we overwhelmingly support the reclassification of the industry’s annual Nuclear Waste Fund Contributions to provide for funding of future year project expenses for Yucca Mountain. It puts to an end the need for the program funding to compete with unrelated programs in the budget process.

Ronald Reagan championed the free market and railed against government programs that over-regulated and imposed “surcharges” on business that make our economy thrive. We, like President Reagan, place pro-growth policies and lower tax philosophy at the center of the Republican agenda. We are surprised that some in Congress would propose tax increases on a specific industry as the solution to this budget problem.

We strongly support your efforts to fund the Yucca Mountain Project, but we will actively oppose any legislation that imposes a surcharge on the nuclear industry and will encourage other members of Congress to vote against such action.

611 Pennsylvania Avenue SE #914
Washington, DC 20003
(202) 547-8602 • (202) 547-8632 fax

David Keene, Co-Chair • Stephen Merrill, National Chair • Grover Norquist, Co-Chair • Craig Shirley, Co-Chair
Isn't it time you joined a think tank?

The right public policy choices could save the lives of millions of people starving in Africa and around the world.

Did you know that?

The Heartland Institute is a national nonprofit organization devoted to informing elected officials and the public on important public policy issues. It publishes Environment & Climate News, as well as monthly newspapers on taxes, health care, and school reform and other publications addressing a wide range of topics.

We invite you to join the more than 1,600 individuals, foundations, and corporations who want to make the world a better place. Have the satisfaction of knowing you are working with others to restore the individual freedom and limited government that made this country great.

$29 Members receive:
- Membership certificate
- The Heartlander,
a monthly newsletter
- Free policy studies
- Invitations to events

$49 Members will also receive:
- 20 percent off admission to all events
- Any two of our four monthly newspapers (a $72 value!)

$99 Members will also receive:
- All four monthly newspapers (a $144 value!)
- Free Heartland books and major publications
- Recognition in The Heartlander and the Anniversary Benefit program

Yes! I want to become a Heartland Institute member.

<table>
<thead>
<tr>
<th>Membership</th>
<th>Additional Contribution</th>
<th>Please send me additional information about The Heartland Institute.</th>
<th>Please send me information about advertising in Heartland publications.</th>
</tr>
</thead>
<tbody>
<tr>
<td>$29 Basic</td>
<td>$1,000 $250 $50</td>
<td></td>
<td></td>
</tr>
<tr>
<td>$49 Sustaining</td>
<td>$500 $100 $25</td>
<td></td>
<td></td>
</tr>
<tr>
<td>$99 Premium</td>
<td>Other __________________</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

☐ My check in the amount of $_______ is enclosed. ☐ Charge $_______ to my ☐ Visa ☐ MC ☐ Am Ex

ACCOUNT NUMBER
EXPIRATION DATE
SIGNATURE
NAME
HOME PHONE
TITLE/COMPANY
WORK PHONE
ADDRESS
CITY-STATE-ZIP

The Heartland Institute is an independent nonprofit organization founded in 1984. Contributions are tax deductible under Section 501(c)3 of the Internal Revenue Code.

Please return this form to:
The Heartland Institute
19 South LaSalle St. #903
Chicago, Illinois 60603
fax 312•377•5000

www.heartland.org
Scientific Evidence Puts the Lie to Concerns Over Genetically Engineered Food


by Jay Lehr, Ph.D.

To the untrained eye, a recent essay by Steven Druker, executive director of the Alliance for Bio-Integrity, “Why Concerns about Health Risks of Genetically Engineered Food Are Scientifically Justified,” may appear to be a studious, even erudite argument against the rapid adaptation of agricultural biotechnology. To the experienced genetic scientist, however, his argument ignores widely accepted facts. Druker replaces those facts with well-articulated falsehoods and unsupportive claims from anti-biotech activists favoring collectivist approaches to human population control.

I will condense Druker’s essay into the following nine recurring themes, and then generally and specifically refute them by describing the facts and phenomenally successful record already achieved in the development of safe and healthy food products created through biotechnology.

Druker’s Anti-Biotech Themes

Druker argues the following points:

1. Genetic engineering is inherently riskier than traditional breeding.

2. Transplanted genes act independently of the host organism’s intricate control system.

3. Foreign genes enter the host DNA hap-hazardly and disrupt the region into which they enter.

4. There is mounting evidence of genetically engineered (GE) plants with substantial and unexpected alterations in chemical composition.

5. There have been suspicious changes in safety of GE foods.

6. GE foods contain unique hazards.

7. GE foods contain unique hazards.

8. The government has allowed GE foods to be marketed without testing.

9. The Food and Drug Administration (FDA) falsely claims expert consensus regarding the safety of GE foods.

10. Millions of new genetic variations of plants produced through hybridization, mutation breeding, and other traditional methods of genetic improvement are field-tested each year, and dozens enter the marketplace without any government review. Many such products are from wider crosses—hybridizations in which genes have been moved from one species or one genus to another-to create a plant variety that would not exist but for man’s intervention.

Domesticated organisms have been systematically and gradually modified to enhance commercially important traits that are commonly of little advantage in the native environment and often place the organism at a competitive disadvantage.

The National Research Council (NRC), in a paper titled “Field Testing Genetically Modified Organisms: Framework for Decisions,” concluded, “No conceptual distinction exists between genetic modification of plants and microorganisms by classical methods or by molecular techniques that modify DNA and transfer genes.”

While Druker quotes numerous skeptics in his commentary various national and international groups—including the American Medical Association, the United Kingdom’s Royal Society, the United Nations’ Food and Agriculture Organization, and the World Health Organization—have repeatedly echoed or extended the NRC’s conclusion.

Biotec Increases Control over Breeding

The seminal recombinant DNA (recombinant DNA is the formation in offspring of genetic combinations not present in parental germ lines) experiment was described in a 1973 paper, “Construction of Biologically Functional Bacterial Plastidize in Vitro,” by Stanley Cohen and Herbert Boyer, which was delivered at a bioreactors afternoon conference in Hawaii.

Cohen and Boyer first isolated a ringlet of DNA called a “plasmid from the cytoplasm of bacteria.” They then used certain natural enzymes to splice a gene from another organism into the plasmid, and then re-introduced the resultant recombinant or chimeric, plasmid DNA back into the original species of bacterium. When these modified bacteria were cultivated, the plasmids containing the gene of interest (e.g., Drosophila melanogaster stably incorporated into the bacteria cytoplasm, the new gene functioned in its new environment, and “recombinant DNA technology” and the new biotechnology were born.

Breeders had first achieved interspecies hybridization in the early twentieth century, transferring “alien” genes between different but related species. Next came ways to perform even wider crosses, between members of different genera (organizationally different but related species). Next came ways by only the introduction of a single genetically and compositionally unique DNA segment to a different species. New plant varieties thus differ from their antecedents, managing thousands or tens of thousands of entirely new genes into the crop plants.

For example, many if not most of the bread wheat and durum pasta wheat varieties grown by farmers in the United States are the products of wide-cross-breeding programs in which different species of plants (some even from an entirely different genus, such as ryegrass, or weed species such as goat grass, were artificially crossed with wheat.

By enabling plant breeders and biologists to identify and transfer single genes encoding specific traits of interest, recombinant DNA techniques have greatly refined the less precise brute-force methods of “conventional” genetic modification. Indeed, if a new plant variety differs from its antecedent by only the introduction of a single gene, it is far easier to assess its agronomic traits, and to perform pharmacological, toxicological, and ecological testing, than if thousands of new genes are introduced or modified, as in conventional plant breeding.

Government Excessively Risk-Averse

The National Institutes of Health (NIH) established the Recombinant DNA Advisory Committee (RAC) in the mid-1970s and implemented the first version of the Guidelines for Research with Recombinant DNA Modified Organisms. This move sent a powerful message that the scientific community and the federal government were taking the speculative risk scenarios seriously, a message that has affected and afflicated biotechnology regulation worldwide ever since.

In order to measure the public that sufficiently over-sight was in place, the guidelines ended up being overly risk-averse. They used what has proved to be a peculiar and large invalid set of assumptions that exaggerated the potential risks associated with the process of gene transfer and with recombinant DNA-modified organisms.

Regulators’ endorsement of the myth that using recombinant DNA technology for gene transfer conveys new or unique risks and therefore requires more burdensome oversight has helped erect a variety of obstacles to genetic research and development. These include vasty excessive data requirements and complex, arbitrary, and often flawed algorithms to measure such characteristics as transmission of pollen and potential allergenicity, even though recombinant DNA technology significantly decreases the likelihood of interspecies hybridization causing these conditions.

Amazing Track Record of Safety for Biotech

For more than a quarter-century, scientific research on gene-spliced microorganisms has been conducted in tens of thousands of minimal-containment laboratories in the United States and Europe alone. In spite of millions of “incidental releases” measuring on the order of one hundred million recombinant microorganisms per worker per day from standard, minimal-containment laboratories, a single adverse reaction has been observed in humans, animals, or the environment.

Before deciding to commercialize a food plant containing a gene that codes for a potent toxin such as a preservative or a pesticide harmful to humans, one had better be very sure that the toxin will not be expressed in the edible parts of the plant, or ensure that potential risk is managed in some other way. But there is no evidence that modification of an organism by way of recombinant DNA techniques in itself confers inherent or new risk, compared to the introduction of similar traits by using conventional techniques.

That is not the same as saying there is no risk, or even that the risk is invariably negligible, but it does mean the risks are the same types as those which plant breeders and farmers have been successfully managing for decades, and in some cases for centuries.

Nonetheless, Druker and other opponents of genetically modified plants warn that because the unknowns far outweigh the knowns, the use of gene-spliced organisms will eventually run amok and lead to catastrophic Andromeda Strains and Jurassic park.

Biotec Routinely Subjected to Rigid Testing

Millions of new genetic variations of plants produced through hybridization, mutation breeding, and other traditional methods of genetic improvement are field-tested each year, and dozens enter the marketplace without any government review.

(Author’s note: This commentary relies on the NRC’s conclusion “No conceptual distinction exists between genetic modification of plants and microorganisms by classical methods or by molecular techniques that modify DNA and transfer genes.”)

Although Druker quotes numerous skeptics in his commentary various national and international groups—including the American Medical Association, the United Kingdom’s Royal Society, the United Nations Food and Agriculture Organization, and the World Health Organization—have repeatedly echoed or extended the NRC’s conclusion.

Transparent Anti-Biotech Agenda

Druker portrays his skepticism as that of an idealistic David fighting mighty, exploitative, exploitative, exploitative...
Genetically Modified Food

Naturally, the magnitude of financial resources available to anti-biotech activists is staggering. Greenpeace alone, a leading anti-biotech group, is a $110-million-a-year operation. Environmental zealots have battled biotechnology for more than two decades, although not one of their organizations has demonstrated any evidence to support their claims.

North Carolina State University survey researcher Thomas J. Hoban, who has long studied public attitudes about biotechnology, has said the protest groups really only promote self-serving myths about what consumers know and think about biotechnology. These groups try to shape public opinion for their own benefit, rather than reflecting true consumer interests.

Not all anti-biotechnology activism comes from bomb-throwers like Greenpeace and Friends of the Earth. Other groups, such as the Center for Science in the Public Interest and the Pew Initiative on Food and Biotechnology, claim not to oppose biotech but only to want it properly regulated. They are more subtle, and therefore arguably more insidious, than anti-biotech players who show their colors unambiguously, given that biotech is already heavily regulated.

Anti-biotechnology activists have attempted to deconstruct science in order to discredit it. As Ellen Haas, a biotech critic who became undersecretary of agriculture in the Clinton administration, said in the 1993 book, The Emerging Global Food System, “You can have 'your science' or 'my' science or somebody else's science. By nature there is going to be a difference.” The absurdity of that statement indicates Haas has no idea what science really is.

The agenda of the anti-biotech activists is to control what research is performed, what tools are used, and what products are brought to market—and they are not persuaded by scientifically reasonable arguments or empirical evidence. Although anti-biotech activists have attempted to deconstruct science in order to discredit it, as Ellen Haas, a biotech critic who became undersecretary of agriculture in the Clinton administration, noted in the 1993 book, The Emerging Global Food System, “You can have ‘your science’ or ‘my’ science or somebody else’s science. By nature there is going to be a difference.” The absurdity of that statement indicates Haas has no idea what science really is.

The agenda of the anti-biotech activists is to control what research is performed, what tools are used, and what products are brought to market—and they are not persuaded by scientifically reasonable arguments or empirical evidence.

**Tilting the Playing Field**

Druker's claims of inadequate safety testing are in fact bizarre. An October 1997 article in Trends in Biotechnology by Hurter and Miller calculated the cost of field-testing gene-spliced plants to be as much as 20 times higher than for virtually identical plants created through older, less-precise genetic techniques. An example of why this is true is the 2001 EPA rule requiring repeated, case-by-case reviews of gene-spliced plants that contain a plant-incorporated protein (a defense against pests) before the initial trial. The EPA rule requires the reviews be repeated when trials are scaled up to larger size or to additional sites, and again at commercial scale. Conventional cross-breeding is not subject to such rules.

Not a single conventional crop could meet the requirements being imposed by the U.S. Department of Agriculture on gene-spliced plants—nor should those crops have to meet such requirements. Conventional plant breeding would grind to a halt if it were subjected to the regulatory regime that the USDA and EPA apply to gene-spliced products.

**Manipulating the Market, Public Opinion**

Certain agricultural producers, seeking to compete as a market-entry barrier to limited competition, ally themselves with extremists who vilify the new biotechnology and demand excessive government regulation. Proponents who benefit from unnecessary mandates play along; the result is a venal coalition that conspires against the public interest while pretending to be public-spirited.

As Dr. Henry L. Miller and Gregory Conko note in The Frankenfood Myth, “No one should make the mistake of assuming that the protection of society from technologi- risk is part of the anti-biotechnology activists' agenda. Most proponents of the precautionary principle are more anti-business, anti-technology, and anti-establishment than they are pro-safety. They are consummate opportunist. In their zeal to oppose business interests and disparage technologies they don't like, or that they have decided we don't need, they seize on whatever opportunities appear. They are never silent, never still, and never satisfied.”

**Ignoring the Evidence**

In 2001, the European Commission’s Directorate-General for Research released a report that described some 81 different research projects on the safety of gene-spliced organisms, all funded by the European Union. This 15-year, $64 million investigation concluded not only that gene-spliced crops posed no new risks to human health or the environment, but also that the more precise technology and the intensified regulatory scrutiny focused on them probably make them safer than conventional plant breeding.

During the past quarter-century, tens of thousands of field trials of recombinant-modified plants have been performed worldwide, and more than a hundred million acres are planted with commercial recombinant DNA-modified crops annually. Not once has a gene-spliced crop plant caused any demonstrable harm to human health or the natural environment, and the results of risk-assessment experiments have been uniformly reassuring.

To the contrary, public health benefits have been fully documented. For example, gene-spliced corn was crafted by splicing into commercial corn varieties a gene from the bacterium bacillus thuringienses, which codes for a protein that is toxic to corn borer pests. As it fends off the insect pests, certain gene-spliced corn also reduces the levels of fumonisim, a toxic fungus often carried into the plants by the insects. Lowering the amount of fumonisim in turn reduces the levels of fumonisim, a potent fungal toxin that can lead to fatal diseases in horses and swine that ingest infected corn, and can cause esophageal cancer and other maladies in humans.

Using the gene-spliced corn for food processing lowers the levels of fumonisim and also the concentration of insect parts likely to be found in the final product.

But merely because anti-biotechnology extremists have demanded it, companies such as Heinz and Gerber have chosen to forgo such genetically improved sources of foods, which could yield healthier and safer products. Worse still, Gerber has announced it will shift to organic corn, which is especially prone to insect, fungal, and bacterial infestations and—because raising corn with-out insecticides and other chemicals is labor-intensive and lowers per-acre yields—will be far more costly. The organic corn will also be likely to have greater amounts of fumonisim, insect parts, and bacterial contamination.

Miller and Conko poignantly explain in their book, “For many reasons, including those pertaining to economic equity and justice—the poor suffer most from unnecessarily high consumer prices—it is tragic when biotech products’ acceptance and potential growth are even minimally limited or delayed. For the inhabitants of less-developed countries, justice delayed is justice denied.”

**Need to Understand Actual Risks**

It is important to recognize that life is filled with risks, and the production, distribution, and sale of food are not exceptions. There is more risk in rejecting new technologies and products, and in establishing a public policy principle against innovation. When public policy discriminates against the use of a product or technology with benefit and risk characteristics that are overwhelmingly positive, which is the case with the new biotech today, all of society loses.

Dozens of scientific organizations have examined the risk inherent in the modification of organisms with gene-splicing techniques, and none has produced evidence that they pose any new or unique risks. To the contrary, there is overwhelming evidence that the benefits of the greater precision and power of these molecular techniques, gene-spliced organisms and products made from them are actually safer and more predictable.

**Anti-Biotech Activist Wrong on All Counts**

Druker is wrong on all nine counts. The facts are actually as follows:

1. Genetic engineering is not riskier than conventional breeding.
2. Transplanted genes do not act independently of their hosts.
3. Foreign genes do not enter their host haphazardly.
4. Genetic engineering does not cause plants to develop substantial and unexpected alterations in chemical composition.
5. No animals eating GE plants have been adversely affected.
6. GE foods contain no unique hazards.
7. GE foods have been and are still tested extensively.
8. There is an expert consensus in support of GE food.
9. There is no evidence of any foodborne illness having ever occurred in humans as a result of long-term, low-level exposure to any particular food.

Dr. Jay Lehr (@3geepower.com) is scientist director for The Heartland Institute.
affected by oil and natural gas recovery in the Arctic National Wildlife Refuge (ANWR), shows more than two out of three residents of the state support such resource recovery. With ANWR recovery being blocked by East Coast senators thousands of miles away, both of Alaska’s U.S. Senate candidates have built their campaigns around the argument that a vote for them is a vote to tap a portion of ANWR’s wealth of natural resources.

“I think I have a record as one of the strongest advocates for ANWR, particularly in regards to helping change the attitude of people within the party that I belong to,” said Knowles at a June 1 press conference.

“While people do not dispute the fact that Knowles claims to favor ANWR ... he’s part of a party that is very anti-ANWR,” countered Murkowski spokesman Elliot Bundy in the June 5 Fairbanks Daily News-Miner. “People need to take his claim that he can influence his party with a grain of salt.”

Job Creation Message Attractive

The I’m-more-pro-ANWR-than-you-are tone of the Alaska U.S. Senate race has been prevalent from the beginning. Knowles is taking great pains to remind Alaskans that his support for ANWR is longstanding and, at times, brash. As far back as February, before the campaign began to heat up, Knowles gave an impassioned pro-ANWR speech at a Washington, DC event celebrating Alaska.

“ANWR is our nation’s largest untapped source of oil, and responsible energy development in Alaska can be done in a way that protects the environmental values we cherish,” Knowles told the crowd. “And the tens of thousands of jobs ANWR development would create across the country can help us work our way out of the current jobless recovery.”

Knowles has fine-tuned his message, emphasizing now that because a major discovery of a massive petroleum reserve off-limits to resource recovery because the lake is “the largest, most productive freshwater lake” in northern Alaska. Discovery of a massive petroleum reserve in the lake region has reenergized oil and natural gas-rich NPR was set aside in 1923 specifically for resource recovery. The campaign by environmental activists and a number of Eastern politicians has enraged many local residents, who fear it will further hamstring Alaska’s economy. Alaskans point out that the oil-and-gas-rich NPR was set aside in 1923 specifically for resource recovery. The campaign by environmental activists and a number of Eastern politicians has enraged many local residents, who fear it will further hamstring Alaska’s economy.

Knowles told the press, “With all due respect to the party’s nominee, on the issue of responsible development of the coastal plain and meeting America’s energy needs, John Kerry is just wrong.”

Murkowski countered that Kerry’s repeated public condemnations of ANWR resource recovery since the Knowles rebrand show how little influence Knowles will have over his fellow Democrats. To the contrary, argued the Murkowski campaign, a vote for Knowles will merely reward and empower the party that has imposed its will on the people of Alaska.

“If Tony Knowles goes to Washington, he leaves Alaska and joins forces with the Kennedy-Kerry team, who wouldn’t know a caribou if it dropped in for a bowl of clam chowder,” stated a pro-Murkowski television ad that aired in the state this summer.

Democrat’s Allies Impeding Makeover

Complicating matters for Knowles, former U.S. Secretary of the Interior Bruce Babbitt, a prominent Democrat, is leading a campaign to close additional large sections of the National Petroleum Reserve (NPR) from resource recovery. The campaign by environmental activists and a number of Eastern politicians has enraged many local residents, who fear it will further hamstring Alaska’s economy. Alaskans point out that the oil-and-gas-rich NPR was set aside in 1923 specifically for resource recovery.

Babbitt argues the Teshekpuk Lake region of the NPR should be rendered off-limits to resource recovery because the lake is “the largest, most productive freshwater lake” in northern Alaska. Discovery of a massive petroleum reserve in the lake region has reenergized oil production efforts and promises to reenergize the local economy. “We are at the 11th hour, but it’s not too late for public opinion to be heard to prevent this from happening,” said Babbitt, according to the Reuters news service.

Pro-Recovery Democrats

Knowles is attempting to distance himself from the Babbitt campaign and other anti-recovery statements made by his Eastern allies by publicly campaigning with other Democrats who favor resource recovery in ANWR and other such regions of the country. In a July 8 press conference, Knowles appeared in Washington, DC with Chris John, a U.S. Senate candidate from Louisiana, and Brad Carson, a U.S. Senate candidate from Oklahoma. John and Carson are both Democrats who agree with Knowles on ANWR.

“We support changing the tone in the U.S. Senate,” said Knowles at the press conference. “We’re putting partisanship and special interests on notice: We’re coming to town.”

“We need more Democrats in the U.S. Senate willing to work across the political aisle,” Carson said. “Having Democrats willing to stand up for strong energy policy will make a difference.”

Polls show the race between Knowles and Murkowski remains very tight. A KTUU television poll released September 7 showed Knowles with 45.6 percent and Murkowski with 44.5 percent of the vote.

James Hoare (jhoare@mccgivneyandkluger.com) is managing attorney at the Syracuse, New York office of McCgivney, Kluger & Gannon.

INTERNET INFO

For more information about U.S. Senate candidates Tony Knowles (D) and Lisa Murkowski (R), visit their campaign Web sites at http://www.tonyknowles.com and http://www.lisamurkowski.com, respectively.
Environmental Groups Distort Bush Record
Activists ignore, distort meaning of court decisions guiding presidential policy

by Gary Baise and Bryan Brendle

A
s the November elections draw near, many environmental activist groups are actively misrepresenting President George W. Bush’s environmental policy record and focusing their attacks on issues affecting key electoral battlegrounds in the West.

Most recently, anti-Bush environmentalists disseminated an erroneous reinterpretation of a Supreme Court ruling in a high-profile wetlands case and a mischaracterization of the Bush administration’s treatment of the Clinton-era “roadless rule,” which a federal court declared to be in violation of federal statutes.

President Urged to Defy Court
In an August 12 report titled “Reckless Abandon: How the Bush Administration Is Exposing America’s Waters to Harm,” the Natural Resources Defense Council (NRDC), Sierra Club, and other groups criticized the Bush administration’s wetlands policy will open for private development tens of millions of acres of current federal lands policy will open for private development tens of millions of acres, but they nevertheless urge the Bush administration to ignore the U.S. Supreme Court’s 2001 ruling in Solid Waste Association of Northern Cook County v. Army Corps of Engineers (SWANCC) when implementing wetlands policy.

The Court’s SWANCC decision clearly stated that the Army Corps of Engineers may not use the Migratory Bird Rule, a provision of the Endangered Species Act, as a basis for claiming jurisdiction over wetlands. The August 12 report criticized Bush for implementing policies consistent with that ruling.

The August 12 report also criticized the Bush administration for not asserting jurisdiction over wetlands under Clean Water Act Section 404. The report’s criticisms rely greatly on a “roadless rule” in which the SRDC and Sierra Club criticized the Bush administration for ordering “staff not to assert CWA jurisdiction over ... "isolated" waters on the basis that the Alaskan and endangered wetlands are used as a habitat for federally protected species.” The report clearly alludes here to the Migratory Bird Rule, which the Supreme Court unambiguously stated may not be used as a basis for asserting federal wetlands authority.

The report goes on to criticize the administration for centralizing wetlands designations, such decisions were made on an ad hoc basis by different departments, spawning extensive litigation and mass confusion among landowners, environmental groups, and state and local regulators.

What the authors of the report may have wished to characterize as a give-away to industry and agriculture is in fact an attempt to establish a clear standard under which all wetlands stakeholders may make rational and predictable land-use decisions.

Bush Record Defended
The Council of Republicans for Environmental Advocacy (CREA) roundly criticized the NRDC report in an August 12 story on PRNewswire.

“The [NRDC] report focuses on 15 jurisdictional wetlands decisions made by the Army Corps of Engineers without disclosing to the American public that the Corps makes roughly 100,000 jurisdictional decisions each year. Apparently, these organizations agreed with approximately 99,985 wetlands decisions made by the Corps—a whopping 99.99 percent,” said CREA President Italia Federici.

“These organizations, with the support of President Bush, are trying to eliminate the Army Corps of Engineers regulatory program,” the PRNewswire story noted. “In reality, President Bush increased the budget for this program by more than 20 percent from $148 million to $150 million in FY 2005. These groups are absolutely misleading the American public. They do not want to disclose all of the relevant information because the full, complete picture would portray President Bush and his Administration in a favorable light,” said Federici.

For its treatment of the roadless rule promulgated during the waning days of the Clinton administration, in January 2001, President Bush’s treatment of the roadless rule was critical. That rule, established by the Secretary of Agriculture through the U.S. Forest Service, banned logging, among other activities, on more than 50 million acres of federal land in the Northwest.

The roadless rule’s apparent inconsistency with federal statutes such as the Wilderness Act and National Environmental Policy Act spawned nine separate lawsuits in federal trial courts in Alaska, Idaho, North Dakota, Utah, Wyoming, and the District of Columbia. In response to one of those lawsuits, on May 10, 2001, the Bush administration in Idaho issued a preliminary injunction halting implementation of the rule. The U.S. Court of Appeals for the Ninth Circuit later reversed the injunction, effectively reinstating the rule.

In the U.S. District Court for the District of Wyoming, however, a federal judge declared the rule illegal on the grounds that the Wilderness Act requires roadless designations to follow “clear and unambiguous statutory language” in which the rule clearly had not done. To end the confusion and litigation, the Bush administration has proposed to rescind the rule altogether through a proposed rulemaking process in which comments will be received through November 15, 2004.

If the Bush administration had not issued its proposal for a rulemaking, the likely result would have been regulation through the court system—and the creation of a nationwide patchwork of rules as diverse as the court system itself.

Gary Baise (gbaise@baisemiller.com) and Bryan Brendle are attorneys with the Washington, DC-based law firm of Baise and Miller PC specializing in legislative and regulatory affairs focusing on energy, environment, and agricultural issues.

INTERNET INFO
The U.S. Supreme Court’s 2001 ruling in Solid Waste Association of Northern Cook County v. Army Corps of Engineers is available online at http://supct.law.cornell.edu/supct/html/00-1179.25.html. It is also available through PolicyBot,™ Point your Web browser to http://www.heartland.org, click on the PolicyBot™ icon, and search for document #01410.

More information on the Bush administration’s proposed rulemaking on roadless areas is available online at http://roadless.fs.fed.us/
mandates
Continued from page 1

activists closely watch colorado vote
The measure marks the first time activists have succeeded in placing a renewable energy mandate on a statewide ballot. To date, 16 states have enacted renewable energy mandates, but all were enacted by state legislatures. Although Colorado power companies currently generate 2 percent of the state’s electricity from renewable sources, the state’s power companies are not required by law to meet any renewable power mandates.

Elise Jones, a spokesperson for the Colorado Environmental Coalition, one of the groups that has actively supported the renewable power mandate, said she is hopeful the initiative will serve as a model for other anti-fossil fuel activists around the country.

“If it passes, it may provide a precedent to jump-start similar efforts in other states,” Jones was quoted as saying in the August 5 issue of Greenwire.

Mandate Would Raise Prices
“But the prospects for Colorado’s renewable energy law are not certain,” reported Greenwire. “Several bills containing RPS [renewable portfolio standards] provisions have been defeated in the state legislature.”

Motivating the Colorado legislature’s opposition to renewable power mandates is the hefty price the state’s citizens would have to pay for purchasing renewable energy. Anti-fossil fuel activists frequently argue the costs of producing renewable energy are declining, but even accounting for declines, the costs remain significantly higher than those associated with generating energy from traditional sources.

ExxonMobil’s A Report on Energy Trends, Greenhouse Gas Emissions and Alternative Energy, released earlier this year, reported, “Currently, the most competitive renewable source is wind power.” However, the report noted, “It relies largely on government subsidies to be economical.”

According to the ExxonMobil study, it typically costs approximately 3-1/2 cents per kilowatt hour to generate power from coal. By comparison, it typically costs more than 4 cents per kilowatt hour to generate power from the wind. Other renewable sources of power generation are even more expensive. Solar power, for example, typically costs 15 cents per kilowatt hour.

ReNewables Hurt Environment
Wind power, in addition to costing approximately 20 percent more to produce, raises serious environmental concerns. Even though “wind farms” of giant, power-generating wind turbines are currently few and far between, they are responsible for tens of thousands of bird and bat kills every year. Many of the victim species are endangered. As a result, a multitude of environmental groups, including the Audubon Society, oppose wind power.

All other sources of renewable power also have opponents within the environmental movement. For example, hydro-electricity requires the construction of large dams that alter the natural state of rivers and impede movement of fish, including the reproductive journeys of an endangered salmon. To generate hydro power in any commercial quantity requires covering vast amounts of undeveloped land with unsightly power corridors. Geothermal power often results in toxic waste that is unacceptable to the communities in which plants are sited.

Rate Increases, Job Losses Seen
“Imagine the general population greatly supports renewable energy, as do we, but I think if they delve into the issue more they would realize that this initiative would be far too costly,” said Steven Star, a spokesman for the electric power company Xcel Energy Inc., as quoted in the August 5 Greenwire.

According to Xcel, the Colorado renewable power mandate would cost consumers $580 million to $1.6 billion dollars per year in increased energy costs.

“From our perspective, we are very concerned about the negative impact on Colorado’s consumers and economy from the provisions in this poorly drafted initiative,” Mac McLennan, spokesperson for Citizens for Sensible Energy Choices, told Greenwire.

“Our members will be those who are concerned about possible rate increases as a result of the initiative, folks who are worried about mandating future energy sources and reliability, because the wind doesn’t blow all the time,” added McLennan in the July 28 Denver Post.

Consumers Avoid High Prices
“Anti-fossil fuel activists around the country are using a psychological strategy of trying to persuade consumers to purchase more expensive renewable energy voluntarily.”

Arizona power supplier APS allows its customers to choose the sources of the power they purchase. Faced with the much higher costs associated with solar power generated in the state, however, Arizona citizens have elected to purchase less than 1 percent of their electricity from conventional sources since the program began.

Similarly, power suppliers in New York and Massachusetts give their customers the option of purchasing renewable power. In Massachusetts, only 1.5 percent of eligible consumers have opted to pay the higher prices for renewable energy since it has been made available. In New York, an even smaller 0.6 percent of residents have agreed to pay the higher cost of generating renewable power since the program began.

“We believe it is inappropriate for the government to create a market by requiring the purchase of the product,” observed Dianna Orf of the Colorado Mining Association, as reported by Stateline.

“I believe that Renewable Portfolio Standards are the most disingenuous device yet devised by regulators and legislators and governors to create markets for renewable energy producers, shift the high costs to electric customers, and hide them in monthly bills,” added Glenn Schlee, a former White House official and president of the Energy Market and Policy Analysis consulting firm.

“Participants in a wind opposition group that I help coordinate have learned of this and are objecting to their legislators,” said Schlee.

Kansans Weigh Renewables
Although Colorado is the only state where a renewable power mandate is on the November ballot, the renewable energy debate is raging in many other states as well.

In Kansas, anti-fossil fuel activists are intensively lobbying state legislators to subsidize renewable energy or enact restrictive renewable energy mandates.

Although Kansas produces a greater percentage of its power from wind farms than do most other states, activists in the state are not satisfied. Bruce Snead of the Kansas Energy Council complained that Kansas does not quite rank in the top ten in the nation in terms of wind power. “We are behind the curve,” said Snead in the August 2 Kansas City Star. “Woefully behind.”

“Incentives and mandates are considered key for developers and utilities because wind energy traditionally has cost more than coal-generated electricity,” noted the Star.

However, subsidies, tax credits, and mandates come at a social cost. “Are you willing to fund investment tax credits and not education?” asked State Rep. Carl Holmes (R-Liberal), who heads the state’s House Utilities Committee.

Audubon Fights Wind Farm
In Maine, environmental groups have rallied to oppose plans to build a wind farm of 400-foot-tall turbines in Aroostook County. On June 30, Maine Audubon filed an appeal of the proposed project with the state’s Department of Environmental Protection.

“Data from wind farms has shown that turbines can pose a serious and lethal threat to raptors, bats, and migratory songbirds,” read a statement on the Maine Audubon Web site. “Tall, lighted structures pose particular collision hazards as lights attract birds to towers, especially during times of fog, mist, and low clouds. Problems tend to be more pronounced on the Maine Audubon Web site is http://www.maineaudubon.org.

California Solar Would Cost $1 Billion
In California, activists are supporting an expensive mandate to require the state to spend $1 billion on incentives for solar power generation. The proposal, formulated by the state’s Environmental Protection Agency, dwarfs all prior efforts to fund or require the purchase of solar technology.

“California is so far ahead of any other state there’s no comparison,” said Bernadette Del Chiaro of Environment California, as reported August 5 by the Associated Press.

The proposal would not only force state taxpayers to foot the $1 billion bill for the incentives, but also would require that more than half the state’s new home buyers purchase solar generating systems if the $1 billion in subsidies fail to generate sufficient consumer interest. The proposal would require 15 percent of new home buyers to install solar generating systems by 2006, 25 percent of new home buyers to install solar generating systems by 2007, 35 percent by 2008, 45 percent by 2009, and 55 percent by 2010.

California Governor Arnold Schwarzenegger (R), who voiced his support for solar energy during his campaign for office, has yet to state whether he supports this specific proposal.

James M. Taylor (taylor@heartland.org) is managing editor of Environment & Climate News.
Kerry’s Proposed Increase in Mining Fees Alienates Nevadans

by James M. Taylor

Mining is the second largest industry in Nevada, and voters there are carefully studying the mining policies and proposals of presidential candidates George W. Bush (R) and John Kerry (D). In the week of August 9, both candidates focused on their mining positions in attempts to win undecided voters in this swing state.

Kerry Proposes Higher Mining Fees

On August 9, Kerry championed revisions to the federal 1872 Mining Law that would increase the fees paid by mining companies. He also proposed that mining companies pay a new 8 percent royalty on precious metals recovered from federal lands.

According to the August 10 Greenwire, Kerry justified the changes in the law and the imposition of new fees as a means to raise more money for federal spending, including national park funding. According to Greenwire, Kerry predicted his proposal would raise an additional $120 million per year for the next five years.

In a state Bush narrowly carried in 2000 presidential election, Kerry appears to be fighting an uphill battle against mining interests in Nevada, which produces 81 percent of the nation’s gold.

On August 10 Greenwire, Interior Secretary Gale Norton noted on August 10 that the Bush mining fees are “modest” in comparison to the Kerry proposal.

As reported by the Las Vegas Review-Journal, Norton said, “Senator Reid has expressed strong displeasure with the Kerry plan. Jack Gerard, president of the National Mining Association, said the Kerry plan would cost between 18,000 and 44,000 jobs ‘and result in a net loss to the federal treasury of $400 million to $500 million based on an independent analysis,’ the Las Vegas Sun reported on August 12.

‘Sen. Kerry obviously has not done his math,’ the Sun article quoted Gerard as saying. ‘He would destroy the highest paying jobs in Nevada, Arizona, and New Mexico . . . to pay for entry-level service industry jobs[,] and [would] devastate mining communities throughout the West in the bargain.’ Gerard added.

The Sun, “John Kerry’s proposal to increase mineral royalties to raise money for national parks has drawn strong opposition from officials and mining interests in Nevada, which produces 81 percent of the nation’s gold.”

Need for New Funding Questioned

According to the August 10 Greenwire, Interior Secretary Norton reported the National Park Service under Bush “has more funds per employee, per acre, and per visitor than at any time in its history, and [all of this] is 20 percent higher than 2001.”

“John Kerry wants to pay for his expensive proposals on the backs of our miners and rural residents, but he needs to reassess his promises if he thinks destroying Nevada jobs is the ticket to the White House,” Ensign said.

James M. Taylor (taylor@heartland.org) is managing editor of Environment & Climate News.

---

Listen to the stories the mainstream media won’t dare talk about!

Every Saturday 12:30pm e.s.t on WTBQ 1110AM Warwick, Florida NY and over the World Wide Web, www.scamsandscandals.com

Award winning entrepreneur and author Tai Aguirre pulls no punches when he goes after the most incredible scams-n-scandals going on anywhere!


Scares by reports of risks to your health from food, consumer products, and the environment? Fear no more. This book, by science writer Steven J. Milloy, debunks numerous health scares and scams, from silicon breast implants to global warming. Learn how to separate junk science from the real thing and protect yourself from those who profit by lying about your health.

“Milloy is one of a small group that devotes time, energy, and intelligence to the defense of truth and science. His new book deserves widespread reading, quotation, and responsive action.”

—Dr. Philip Abelson, Science Advisor American Association for the Advancement of Science

216 pages • cloth $18.95 • at bookstores • call 1.800.767.1241 • visit www.cato.org
Warming

Continued from page 1

dubious merit, with biases that tend to project catastrophic warming. As a consequence, these analysts argue, climate models have many limitations that make them unsuitable as the basis for developing public policy.

Study Documents Computer Limitations

Computerized climate models have very little usefulness in the formation of public policy toward climate change, particularly for policy decisions as critical as ratification of the Kyoto Protocol, according to a July 7 study, “The Science Isn’t Settled: The Limitations of Global Climate Models,” released by The Fraser Institute.

The study notes current global climate models have two significant limitations.

— “Though politicians ... claim that ‘the science is solid,’ even a cursory inspection of the many problems with computer climate models suggests it is anything but.”

DR. KENNETH GREEN
THE FRASER INSTITUTE

They rely on observed data, including surface station readings, weather balloons, and satellites, which are of uncertain value and accuracy due to the short length of the record and the need for adjustments to correct for artificial discontinuities such as instrument and satellite changes. Moreover, the models project future climate trends not only by extrapolating from observed data, but by including “fudge factors” and other complex adjustments that make the projections very unreliable.

“Climate models oversimplify many poorly understood climate processes, and results from the models can be contradictory,” said Dr. Kenneth Green, author of the paper and director of risk, regulatory, and environment studies at The Fraser Institute. “Clearly, the data generated do not provide a meaningful foundation on which to base sound public policy decisions, especially something as significant as the decision to ratify Kyoto.”

“Land surface temperature records are biased by the ‘urban heat island effect,’” the study notes. “Failure to account for local warming in cities led to some claims of dramatic warming in the 1980s and 1990s and, while adjustments are made today and the predictions of warming significantly reduced, some researchers believe the adjustments to be inadequate.”

Bizarre Assumptions about Economic Growth

“It is also misleading to estimate concentrations of greenhouse gases based on dubious assumptions about the future,” the study observes. “These scenarios depend on other models of projected growth of population, economies, and energy use. Some projections are so dubious that MIT’s Dr. Richard Lindzen, a lead author of one of the IPCC [Intergovernmental Panel on Climate Change] science reports, has referred to them as children’s exercises.”

The study continues, “As researchers Ian Castles, formerly the head of Australia’s national office of statistics, and David Henderson of the Westminster Business School and formerly the chief economist of the OECD, point out, when estimating potential future climate changes, IPCC’s modelsers inappropriately compared future estimates of GDP in terms of exchange rates rather than purchasing-power parity. This produces GDP estimates that are significantly inflated, leading to estimates of greenhouse-gas producing activity that are similarly inflated. Castles observes that if such assumptions are correct, then the average income of South Africans will have overtaken that of Americans by a very wide margin by the end of the century. Because of this economic error, the IPCC scenarios of the future also suggest that relatively poor developing countries such as Algeria, Argentina, Libya, Turkey, and North Korea will all surpass the United States.”

Green notes, “Canada’s ratification of the Kyoto Protocol, which many Canadian legislators vow to reverse, relied largely on frightening scenarios generated by computer climate models that are simply not sophisticated enough to serve as meaningful guides to instituting public policy. Though politicians ... claim that ‘the science is solid,’ even a cursory inspection of the many problems with computer climate models suggests it is anything but.”

 Reality Check

Green makes several recommendations that he says would provide a “reality check” on the science of climate modeling:

■ Reexamine the science of climate change and stop grounding policy in the output of computer models of limited utility.

■ Redirect some resources from greenhouse-gas reduction efforts toward research efforts to improve the state of weather and climate forecasting.

■ Acknowledge that published scenarios of future greenhouse gas concentrations are skewed toward improbably high growth in emissions and, therefore, climate models using those scenarios will tend to project unrealistically intense warming.

■ Acknowledge that models cannot accurately predict the absolute amount of warming (or other climate change) resulting from a particular scenario of greenhouse gas concentrations.

■ Recognize that some climate changes (both natural and human-caused) are climate surprises, events that are not anticipated in advance (and, by definition, are not properly incorporated into models).

■ Perform full and transparent economic and risk analyses of the costs and effectiveness of proposed greenhouse gas control actions, including alternatives.

■ Redirect some resources away from greenhouse gas controls and toward researching probabilities of different climate change outcomes.

■ Redirect some of the resources currently focused on greenhouse gas mitigation toward research programs that will help people adapt to climate change regardless of origin.

Order Your Copy of Hot Talk, Cold Science Today!

“Hot Talk, Cold Science dares to point out that ‘the Emperor has no clothes.’ Is there evidence to suggest ‘dismalcible human influence on global climate? Of great interest, this book demonstrates that the evidence is sketchy and incomplete.”

ARTHUR C. CLARK, SCIENTIST AND AUTHOR 2001: A SPACE ODYSSEY

The Independent Institute, 1997; 110 pages, $14.95, ISBN: 0-945999-75-5
California’s Draconian Auto-Emission Standards Won’t Reduce Global Warming

by Jay Lehr, Ph.D.

California’s state legislature is currently considering a proposal to limit carbon dioxide emissions from cars and trucks in hopes of staving off global warming. Gov. Arnold Schwarzenegger (R) has expressed support for the law and promised to fight any challenges by automakers or the federal government.

The proposal stems from a law, AB 1493, signed by former California Gov. Gray Davis in 2002, that requires the California Air Resources Board (CARB) to set emission standards this year for carbon dioxide and other greenhouse gases. In particular, CARB is required to produce regulations limiting greenhouse gas emissions from automobiles.

CARB recently issued its draft regulations and was expected to submit its final proposal to the state legislature on January 1, 2005. Schwarzenegger repeatedly stated in his campaign for governor that he supports AB 1493.

Under CARB’s proposed regulations, California consumers would pay several hundred dollars more for every vehicle they buy, as a result of the state’s effort to cut tailpipe emissions from most new vehicles by nearly 30 percent over the next decade.

California is the only state that can set its own vehicle pollution standards, because it began regulating air pollution before the federal government did. Other states can adopt either the federal vehicle pollution standards or those established by California.

Based on Questionable Assumptions

Wishful thinking aside, reducing carbon dioxide emissions from California cars and trucks cannot have any effect on the global climate, owing to a few simple facts of physics.

Transportation accounts for about one-third of all carbon dioxide emissions in California. The new cars and trucks covered under the proposed regulation account for only a few percent of total transportation emissions each year, and the proposed law would reduce those emissions by about 30 percent. As a result, the law would reduce California’s carbon dioxide emissions by about 1 percent.

As a whole, the United States accounts for about one-quarter of global human greenhouse gas emissions each year, a share that is falling fast as developing countries industrialize. California is responsible for around 5 percent of that, so even with its highly industrialized economy and large and affluent population, the state accounts for only about 1 percent of global greenhouse gas emissions.

Carbon dioxide makes up only 4 percent of the Earth’s greenhouse gas component. In the past 60 years, mankind has increased carbon dioxide concentrations in the atmosphere by about 30 percent, mostly by burning fossil fuels. A 30 percent increase in a gas that constitutes only 4 percent of the greenhouse effect means the human presence on Earth may have increased the total greenhouse effect by just over 1 percent.

Laboratory physics tells us that a doubling of the concentration of carbon dioxide in the atmosphere, which scientists say may occur by the end of this century, would increase the amount of trapped heat by about four watts per square meter of surface area. (These are the same watts you use to measure the energy of your light bulbs, so picture a very dim four-watt bulb.) The sun continuously contributes immensely more heat than this—some 342 watts per square meter—to the outer layer of the Earth’s atmosphere. Thus, we humans may increase the total heat available at the Earth’s surface by no more than 1 percent.

Greenhouse Reduction Would Be Minute

So ... simple facts and the laws of thermodynamic physics tell us the proposed California law would likely reduce the human impact on world climate in the order of 1 percent of 1 percent of 1 percent of 1 percent. That means the proposed law would solve about one millionth of 1 percent of the global warming problem.

Even this overstates the possible effects, however, since improving fuel economy to reduce car and truck emissions is likely to encourage people to drive more, leading to more congestion and more emissions, and other changes in behavior in California and in other states that would cancel out some or all of the possible emission reductions.

The number of absurd assumptions required to believe this new regulation would actually protect the environment exceeds the odds against winning a record-breaking Powerball lottery. California, however, is the state that requires bags of sand for backyard sandboxes to bear labels saying “this product is known by the State of California to cause cancer” and pays bounties to lawyers who sue home businesses that make such environmentally suspect products as scented candles.

Schwarzenegger really should know better. Having defeated so many villains in the movies, he ought to recognize that global warming is an almost entirely natural and unthreatening process that can’t even be fought, much less beaten.

Dr. Jay Lehr (e3@e3power.com) is science director of the Heartland Institute and editor of Wiley’s Remediation Technologies Handbook and other major science reference books.
Texas Court Gives Cave Bugs More Rights than Humans

by William Perry Pendley

I
n 1983, Dr. Fred Purcell and his brother purchased an interest in 216 acres in Travis County near Austin, Texas. The property lies within 1,200 acres that sit at the intersection of two major highways in a rapidly growing commercial and residential area. The Purcells’ property, on which they installed water and wastewater gravity lines, force mains, lift stations, and other utilities, contains a number of caves.

In 1988 and 1993, the U.S. Fish and Wildlife Service identified a number of cave and sinkholes in which the cave bugs were known to live, to a nonprofit environmental organization. But then, in 1995, after Dr. Purcell cleared brush from his property, the FWS told him he was under criminal investigation for “taking” endangered species. In 1998, after years of stonewalling by the federal agency— which drew a rebuke from a federal judge—the FWS barred the Purcells from using their property.

Court: Cave Bugs Affect Interstate Commerce

In 1999, the Purcells and their partners sued the FWS, contending that application of the ESA to the Texas cave bugs violated the Commerce Clause in much the same way that a federal law banning guns on school yards had been declared unconstitutional by the U.S. Supreme Court in United States v. Lopez in 1995.

In 2003, a three-judge panel of the U.S. Court of Appeals for the Fifth Circuit upheld the lower court’s decision,

Wetterer said, “There clearly was a problem with paperwork and we took quick steps to rectify it. We were charged for criminal negligence and pleaded not guilty” at an arraignment in early August. The case is scheduled for trial October 19.

Wetterer said “a vast amount of paper work” is required for ships the size of Arctic Sunrise, which measures nearly 163 feet long, has a gross weight of 949 tons, and carries a helicopter. The ship had all the documents that are required by the U.S. government and the Netherlands, where the ship is registered, he said. “It’s not a friendly territory for us,” he said, referring to Alaska, “and we don’t find a lot of agents willing to give us a lot of help.”

Group Lobbied for the Laws It Violated

The actions of the ship’s master would appear to violate the spirit of a statement Greenpeace issued on November 13, 2003, commemorating the first anniversary of the sinking of the oil tanker Prestige off the coast of Spain.

“In order to prevent new oil spills,” said Paul Horsman of Greenpeace, “regulations need to force both the shipping industry and the charterers to operate under the highest standards of ships and crews.”

Wilson described Arctic Sunrise as a “real well-designed vessel with an icebreaker hull that carries 128,000 gallons of fuel,” The Freedom over the Web site said the ship had a 500-ton armament and was once a seal-hunting vessel the group had confronted in 1986 in Hobart, Tasmania to protest the French government’s construction of an airstrip through a penguin habitat in the Antarctic.

“An icebreaker forced the ship, unsurfled the Greenpeace flag, and locked himself in the crow’s nest,” according to the Web site. “The Greenpeace ship was carrying the Arctic Sunrise Ventures Ltd., since the ship’s Norwegian owners would never have sold it to Greenpeace.”

Steve Stanek (stanek@mc.net) is an Illinois-based freelance writer.

Greenpeace

Continued from page 1

he had read the letter and would comply with the order, the ship left Ketchikan, according to Craig Wilson, section manager for financial responsibility and prevention initiatives at the DEC.

“They said they were moving to avoid cruise ships [which was allowed under the order], but they steamed west 18 hours,” Wilson said, calling the action the high-seas equivalent of a motorist speeding away from a police officer after being stopped for a moving violation.

Greenpeace Faces Serious Penalties

The DEC asked the Alaska attorney general to impose civil penalties and a criminal charge on the Arctic Sunrise’s master and vessel agent. Civil fines range from $500 to $100,000.

The criminal charge, for disobeying the order to stay at anchor, is a Class A misdemeanor. It carries a fine of up to $200,000 for the organization, and one year in jail and a $10,000 fine for the person directly responsible for the violation, Wilson said. Wilson said he could not understand why the ship steamed out of Ketchikan in violation of the order.

“It’s not unheard of for a vessel to come in without a sea plan or certificate,” he said. “We typically resolve it in 24 hours. By close of business on July 15, Greenpeace was fully in compliance. They had everything they needed.”

The Greenpeace ship was carrying activists through Southeast Alaska to protest logging in the Tongass National Forest. It stayed in Alaska waters about three weeks, according to Wilson.

Greenpeace General Counsel Tom Wetterer said, “There clearly was a problem with paperwork and we took quick steps to rectify it. We were charged for criminal negligence and pleaded not guilty” at an arraignment in early August. The case is scheduled for trial October 19.

Wetterer said “a vast amount of paperwork” is required for ships the size of Arctic Sunrise, which measures nearly 163 feet long, has a gross weight of 949 tons, and carries a helicopter. The ship had all the documents that are required by the U.S. government and the Netherlands, where the ship is registered, he said. “It’s not a friendly territory for us,” he said, referring to Alaska, “and we don’t find a lot of agents willing to give us a lot of help.”

Group Lobbied for the Laws It Violated

The actions of the ship’s master would appear to violate the spirit of a statement Greenpeace issued on November 13, 2003, commemorating the first anniversary of the sinking of the oil tanker Prestige off the coast of Spain.

“In order to prevent new oil spills,” said Paul Horsman of Greenpeace, “regulations need to force both the shipping industry and the charterers to operate under the highest standards of ships and crews.”

Wilson described Arctic Sunrise as a “real well-designed vessel with an icebreaker hull that carries 128,000 gallons of fuel,” The Freedom over the Web site said the ship had a 500-ton armament and was once a seal-hunting vessel the group had confronted in 1986 in Hobart, Tasmania to protest the French government’s construction of an airstrip through a penguin habitat in the Antarctic.

“An icebreaker forced the ship, unsurfled the Greenpeace flag, and locked himself in the crow’s nest,” according to the Web site. “Despite this, Greenpeace bought the Arctic Sunrise in 1995 using a company called ‘Arctic Sunrise Ventures Ltd.,’ since the ship’s Norwegian owners would never have sold it to Greenpeace.”

Steve Stanek (stanek@mc.net) is an Illinois-based freelance writer.

New from Hoover Institution Press

You Have to Admit

It’s Getting Better
From Economic Prosperity to Environmental Quality

Edited by Terry L. Anderson

The authors reveal that, contrary to popular belief, economic growth is not the antithesis of environmental quality; rather, the two go hand in hand if the incentives are right. They show how, by focusing our energies on developing and protecting the institutions of freedom—such as property rights and the rule of law— rather than on regulating human use of natural resources through political processes, we can have our environmental cake and eat it too.

2004, 212 pages

To Order...

call 800.935.2882, fax 650.723.6826 or visit us online at www.hoover.org

HOOVER INSTITUTION

. . . ideas defining a free society

HOOVER INSTITUTION, Stanford University

Toll-Free: 877.466.8374   Fax: 650.723.1687

info@hoover.stanford.edu   www.hoover.org
Biotech: Enormous Potential Compromised by Self-Interest, Bad Science, and Excessive Government Regulation

a review of The Frankenfood Myth: How Protest and Politics Threaten the Biotech Revolution

by Jay Lehr, Ph.D.

In The Frankenfood Myth: How Protest and Politics Threaten the Biotech Revolution, food safety experts Henry Miller and Gregory Conko have written a brilliant account of how self-interest, bad science, and excessive government regulation have profoundly compromised the potential of the new biotechnology. This book is a call to action for policymakers to resist a destructive political process that is currently denying enormous potential benefits to consumers throughout the world.

Many Benefits Outweigh Small Risks

The authors make a persuasive case not only that the benefits of food biotechnology far exceed the risks, but also that there has been an abject failure in the formulation of public policy. The result has been, they argue, gross over-regulation of the technology and its products, disincentives to research and development, and fewer choices and inflated prices for consumers.

Norman Borlaug, 1971 Nobel Prize winner for agriculture, writes in the foreword of this excellent book, “As a plant pathologist and breeder, I have seen how the skeptics and critics of the new biotechnology wish to postpone the release of improved crop varieties in the hope that another year, or decade, of testing will offer more data, more familiarity, more comfort. But more than a half-century in the agricultural sciences has convinced me that we should use the best that is at hand, while recognizing its imperfections and limitations. Far more often than not, this philosophy has worked, in spite of constant pessimism and scare-mongering by critics.”

Important Weapon

Feeding the anticipated global population of more than eight billion people in the coming four decades poses a major challenge. The new biotechnology can help us do things we could not do before, and to do it in a more precise, predictable, and efficient way. The crucial question today is whether farmers and ranchers will be permitted to use that technology.

For a decade, the authors tell us, the United States has produced ever-larger quantities of gene-spliced, insect-resistant corn that yields as much as, or more than, the best traditional hybrids, with far less need for chemical pesticides. No other crops have been, they argue, grossly over-regulated.

“The exception of nuclear power, there is perhaps no better example of the power of the irrational fear of new technology overcoming the potential benefits than foods produced with the new biotechnology, or gene-splicing techniques.”

An Ages-Old Tradition

The history of agriculture is a story of genetic modification. For thousands of years, farmers and agriculturists have selected and crossed plants with desirable characteristics in order to increase yields, improve resistance to pests and disease, and add or enhance other useful traits. Traditional techniques involved cross-pollination of plants, which results in the more-or-less random mixing of vast numbers of genes, sometimes entire genomes.

Along with the desired traits, however, may come undesirable ones, such as weddiness or susceptibility to disease. Even so, the overall result of thousands of years of use of such gradual, incremental improvement has been an enormous improvement in agriculture, which has led to cheaper, more nutritious, and more varied food.

Thirty years ago came the advent of modern biotechnology, with its promise of more precise means of improving plant characteristics. These modifications are less likely to cause unintentional, unwanted changes.

Irrational Fear Breeds Tangible Harm

Miller and Conko address the problems of the new biotechnology that have arisen not from limits of technology itself or from the science underlying it, but from the politics, biases, and hidden agendas of activist groups in opposing it. The authors note that widespread adoption of the Precautionary Principle and similar policy approaches would surely diminish greatly the rate of adoption and diffusion of new technologies like biotechnology and all the promise they represent.

The resulting economic misfortune is by no means democratic: Although the wealthy nations will pay a price, the poor peoples of the world will be most harmed.

For example, Miller and Conko document that the same biotechnology that has allowed American farmers to dramatically increase crop yields has also made it possible for America to assist starving people in other nations during times of crop failure or domestic strife. Nevertheless, anti-biotech activists have successfully pressured the governments of Zambia and Zimbabwe to reject American food assistance, even during times of mass starvation, because of speculative, unsupported claims of biotech risks.

As the authors explain, “These developments in Africa illustrate one of the absurd problems created by groundless fears about technological change and the potentially dangerous over-regulation to which they give rise. Consumers demand assurances of perfect safety from industries and governments, but such assurances can never be made. When we demand something approaching zero risk, the resulting attempts at caution are often done with a tunnel vision that blinds us to the potentially vast human costs of such an effort. Tragically, many precautionary cures are far worse than the maladies they are meant to prevent.”

Similarly, the authors note, “Supreme Court Justice Steven Breyer cites the examples of an EPA ban of asbestos pipe, shingles, coating, and paper, which the most optimistic estimates suggest would prevent seven or eight premature deaths over thirteen years at a cost of approximately a quarter of a billion dollars.”

Breyer notes that such a vast expenditure can be expected to cause more deaths simply by reducing the resources available for other public amenities than it would prevent from the asbestos exposure.”

Henry Miller, M.D., is a research fellow at Stanford University’s Hoover Institution. Gregory Conko is director of food safety policy at the Competitive Enterprise Institute. They have created in this book a resource that should convince any open-minded opponent of biotechnology that their arguments simply do not hold water.

Dr. Jay Lehr (e3@e3power.com) is science director for The Heartland Institute.
Want more customers, sales, and profits?

Advertise your service or product in the next issue of Environment & Climate News!

Once you’ve had a chance to review our media kit, we’re confident you’ll agree that Environment & Climate News is the perfect place to reach:

Landowners
Loggers
Elected Officials
Foresters
Farmers
Miners
Grassroots activists
Engineers
and more!!

3 ads for just $1,800*

1st ad $1,200 . 2nd ad FREE . 3rd ad 1/2 price ($600)

Where else can you reach more than 20,000 readers for just 5 cents each!
Call today, offer ends December 31st!

To request a media kit, please call Nikki at 312.377.4000, or send email to nikki@heartland.org

* based on a 1/4 page ad