



# CEI UpDate

FEBRUARY 2002 COMPETITIVE ENTERPRISE INSTITUTE VOLUME 15, NUMBER 2

## POISED FOR A BROADBAND BREAKTHROUGH?

### TECH COMPANIES SAY SO, IF FEDS WILL GET OUT OF THE WAY

by James V. DeLong

A coalition of top technology companies recently launched a coordinated campaign to make broadband Internet access a national goal. Those involved do not dream of just 1.5 million bits per second flowing over copper wire DSL or cable company co-ax, either. They want to provide 100 million U.S. homes with access to 100 Mbs Internet connections by 2010, which would mean a trench with fiberoptic cable dug down local streets and either fiber or wireless for the last 10 yards into the home. Meaning they are thinking terrabucks as well as megabits.

The muscle behind the effort is impressive. In January, the CEOs of Dell, Intel, NCR, and Motorola met in Washington, D.C. to release a paper, hold a press conference, and launch a lobbying blitz. The week before, TechNet, a Silicon Valley-based hybrid Political Action Committee and trade association (and compulsory pit stop for any congressional candidate trying to tap tech money) released an almost identical proposal.

For industry to proclaim a vital national need or plump for federal attention is hardly a man-bites-dog story, and the campaign received only passing reference in the media. But it is actually pretty interesting, because tucked in between the lines of these proposals are some dramatic subtexts.

A realistic view of current broadband is that most people already have access to it but choose not to sign up because they do not see products or services worth their money being offered. After all, who cares about downloading movies enough to pay \$50 a month to avoid an occasional trip to the rental store? The basic Internet was a breakthrough because



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## FROM THE PRESIDENT



# ENRON: CRISIS OF CAPITALISM ... OR REGULATION?

by Fred Smith

The Enron experience has many lessons for the thoughtful: the risks facing the *socially responsible* corporation; the dangers of rent seeking; and the ability of the market to respond creatively to such disasters.

Consider first Enron as the perfect model of the politically correct corporation. Enron began as just another energy company, but soon branched out into wind and solar power because (according to the company's web site) it believed that "concern about global warming and the harmful effects of fuel emissions has created new demand for clean and sustainable energy sources." A subsidiary was formed to manage energy use for industrial and commercial firms. The company lobbied aggressively for forced access laws that would allow it to sell electricity over the wires of competitors (ignoring the fact that such rules would weaken the incentives for anyone to invest in upgrading and expanding the grid itself). And it rushed into other new areas with equal abandon, creating a subgroup, Azurix, to purchase water works around the world and another, Enron Broadband Services, to provide high-speed telecommunications.

But Enron found its real passion in energy trading. The company seemed eager to move away from its "Old Economy" roots of actually producing and distributing energy and into the information-oriented "New Economy" world of trading derivatives and hedging. It lobbied aggressively for the U.S. to sign the Kyoto global warming treaty, which would have required massive reductions in the use of carbon-based fuels, hoping to cash-in on scarcity by gaming the treaty's energy rationing and trading provisions for huge profits.

Only a few years ago, Enron seemed invincible: highly regarded on both Wall Street and in Washington. Yet, even then, we now know, the firm was in trouble. Enron was losing money in its water, wind, and solar divisions and soon sold them off. Its hopes for major profits from energy management soon soured as consumers proved reluctant to pay more for *green* power. The Kyoto Treaty wasn't signed. And even the profits from trading derivatives proved illusive.

What can be learned from all this? First, businesses should consider carefully the value of seeking approval from the chattering class. Enron was applauded and defended by leading environmentalists – receiving what British journalist Alexander Cockburn called the *Green Seal* of approval. But green pats on the back do not, as Enron found, convert readily to greenbacks in the bank!

Enron responded to all these disappointments by acting more and more like a dot.com – using stock to finance acquisitions which were then used to stimulate share value increases. Enron then attempted to hide its losses by transferring them to supposedly independent partnerships whose "independence" was largely fictitious. This smacks of fraud, and we already have laws against it. They should be vigorously enforced.

Many in Congress, of course, would go further. More regulations, they assert, are needed to prevent future Enrons. But companies are already heavily regulated and the regulators clearly missed this totally. Rewarding their failures with new powers and expanded resources is unlikely to improve things. And rushing to impose new regulations on an already heavily regulated industry may even stymie the positive, Enron-induced changes already underway in the business world.

Many firms have already announced an end to the practice of allowing the auditor fox to advise the corporate henhouse and are rushing to open their internal operations to external observers, assuring investors that they are not cooking books via off-budget gimmickry. Firms that can't explain what they're doing can expect downgrading by investment analysts and rating agencies. Corporate governance will also improve. Directors will be asking a lot more questions in future Board meetings. And rank-and-file employees throughout America are already rethinking the value of putting all their eggs in one basket.

Markets aren't perfect but marketplace errors encourage positive responses. Those burnt in the Enron failure have learned important lessons, as has almost everyone else in the business world. That pain, therefore, has been accompanied by some gain. Reacting to Enron by expanding the powers and budgets of the same regulatory agencies that failed to catch Enron would reward failure. American business is already regulated heavily; Enron should not become the pretext for increasing that burden.

*Fred Lee Smith Jr*

CEI UpDate

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CEI UpDate is produced 10 times a year by the Competitive Enterprise Institute, a pro-market public interest group dedicated to free enterprise and limited government.

CEI is a non-partisan, non-profit organization incorporated in the District of Columbia and is classified by the IRS as a 501 (c)(3) charity. CEI relies upon contributions from foundations, corporations and individuals for its support. Articles may be reprinted provided they are attributed to CEI.

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ISSN# 1086-3036

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it made textual information available in previously unheard of ways. But if adding speed means nothing but adding

ment money. The wind-up “there is a vital national need” is usually followed by the coda, “therefore, send check.” But in this case, the companies are going out of their way to reject the idea of subsidies. “I want to make sure that all of you understand,” said the head of TechNet to the press, “that we have not asked for tax credits or any other form of federal subsidy for our industry.” They do suggest tax credits to people in “underserved” areas, but this seems more of a bow to political correctness than a bid for corporate welfare.

Instead, the “therefore” clause was a call for deregulation: primarily for restraint by the Federal Communications Commission and for an end to requirements imposed on telephone and cable companies in the name of open access and sharing. The basic contribution of the federal government to achieving the announced goal of broadband access to 100 million homes and small businesses is, well, to do nothing — or, more bluntly, to stop messing things up and to protect the system from the deprivations of local government.

Past cable TV franchising was, at the local level, like the bar scene in Star Wars: “a wretched hive of scum and villainy” as local politicians, fostered and enabled by the U.S. Congress, created a gold rush of corruption and monopoly. Changes in federal law have cut back on the worst of this, but the legacy haunts us yet. Because access to physical rights-of-way is a key factor in broadband deployment, and because localities did not reform voluntarily and still hover hungrily, protection is important.

The idea that the government’s role in a potentially transformative change should be to get out of the way is a congenial idea to those of libertarian bent, but it represents a sea change in the thinking of U.S. big business. As a recent

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graphics it is useful but no big deal. So one subtext to the pro-broadband push is that the tech companies do indeed see high-capacity broadband as genuinely transformative, a technology ranking with electric power, the railroad, or the automobile in its restructuring potential.

To understand this view, one must focus on the restructuring. Paul Strassmann, a former Xerox CIO, wrote that the many sophisticated people who rejected the chance to invest in early copying technology were by no means foolish. The numbers, run through the best available business analysis models, did not add up to likely success. What was missed was the transformative nature of the copier, which, by making possible the infinite duplication of information, allowed organizations to restructure into flatter forms, unlimited by seven readable carbon copies of a typed communication. These new forms were copier-dependent, which spawned new demand, which created new structures. It was hard to anticipate this and impossible to predict in detail, because no one could possibly know how millions of ingenious people would apply the new technology to their individual circumstances of time and place.

To visualize the long-term promise of broadband, forget about movie rentals and look for restructuring potential. To take an obvious example, consider telecommuting. Managers are reluctant to have employees off on their own, cut off from interaction and tethered only by email. But imagine always-on connections complete with virtual reality quality video and instant conferencing, which would be a different cat indeed.

The savings from eliminating commutes and cutting central office overhead would pay for a lot of fiber, and help break through a lot of resistance to change. Think of the benefits for women, who still bear most of the burden of juggling work and family. Think further of the implications for urban forms of transportation, which are dominated by the needs of rush hour. When we talk about the impact of 100 Mbps, we are indeed talking transformation; not quickly or easily, to be sure, but with the slow and inexorable power of a glacier.

The proposals being made contain another built-in guarantee that the coalition’s belief in the transformative power of broadband is genuine: *They do not ask for govern-*

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## **The basic contribution of the federal government to achieving the announced goal of broadband access to 100 million homes and small businesses is, well, to do nothing ...**

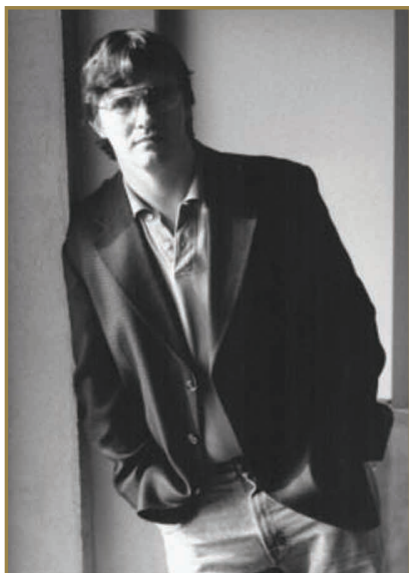
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*Wall Street Journal* column on Enron detailed, businesses talk market, but they are more comfortable competing for favors in the corridors of government power than in the marketplace, a mind-set that seems to be spiraling out of control in the context of the Microsoft antitrust litigation.

If the pro-broadband coalition is serious — if the massed phalanxes of high tech really do think their best long-term option is to commit their futures to the free market and put their muscle behind telecommunication deregulation and an end to broadband policy achieved through civil war among rent seekers jockeying for favors from politicians — then we do indeed have a man-bites-dog story.

*James V. DeLong (jdelong@cei.org) is a Senior Fellow at CEI.*

## Q & A WITH GLENN HARLAN REYNOLDS: DEFENDING CIVIL LIBERTIES IN A TIME OF CRISIS



*Glenn Harlan Reynolds is professor of law at the University of Tennessee at Knoxville, where he specializes in technology and constitutional issues. In addition to publishing numerous newspaper opinion pieces and law review articles, he is co-author of *The Appearance of Impropriety: How the Ethics Wars Have Undermined American Government, Business, and Society*, and co-editor of *Outer Space: Problems of Law and Policy*. A contributing editor with Tech Central Station, Reynolds has testified before Congress on domestic terrorism issues and was one of the first scholars to speak out against using the September 11th tragedy to justify new regulations. His writings on terrorism have warned against allowing "longstanding bureaucratic wish lists" to become "essential anti-terrorist precautions" by the current crisis. More of Reynolds' commentary on terrorism and civil liberties is available on his website at [instapundit.blogspot.com](http://instapundit.blogspot.com).*

**CEI:** Many commentators note that the key problem with the counter-terrorism PATRIOT Act is that it ignores gaps in our federal criminal justice system designed specifically to address terrorism, while introducing broad new measures in a host of other areas.

What factors do you think led Congress to expand the Act into non-terrorism areas?

**Reynolds:** Whenever you see a national crisis, you see bureaucratic wish-lists dusted off and presented as answers. That happened here. Everyone knows this happens, but it still works because members of Congress feel an overwhelming need to do something, and to be seen doing something. Even if it's something destructive and unwise.

**CEI:** One of the provisions struck from the final version would have enabled law enforcement officials to search buildings without having to provide contemporaneous notice. This would have enabled the government to prevent people from challenging the factual correctness of its search warrants. If enacted, would this statute create a moral hazard problem for officials who want to search someone's property but have not yet established probable cause?

**Reynolds:** Yes, of course. We already have too little accountability. Under common law, a judge who issued an improper warrant could be sued; an officer who searched without a warrant could also be sued. Such checks are missing today, and that leads to overreaching.

**CEI:** Would passage of the "Carnivore" provisions — allowing the FBI to sift through email via attaching black boxes to Internet service providers' servers — enable it to invade people's privacy whether or not they are suspected of being involved in a terrorist group?

**Reynolds:** Such powers are inevitably misused.

**CEI:** One of the early versions of the bill contained an expansion of forfeiture powers — an area where governmental abuses have already been well documented. Would loosening forfeiture laws do anything to combat terrorism?

Or would it just create additional moral hazard problems for law enforcement officials?

**Reynolds:** I see no connection between forfeitures and terrorism — other than the desire of many in law enforcement to have a free hand in seizing property.

**CEI:** Congressman Bob Barr (R-GA) recently pointed out that the government can already "... Stop people from going into whatever areas it believes need to be secured from unfettered access ... gather foreign intelligence ... coordinate the intelligence it gathers ... and decide how to disseminate that intelligence." Should the PATRIOT Act have focused on improving the government's ability to do these things rather than giving the government new powers?

**Reynolds:** I'm not convinced that the federal government — which has enormous law-enforcement powers already — needed much in the way of expansion. To the extent that it is fettered, it is mostly by bureaucratic turf-protection rather than statutory inadequacy.

**CEI:** Some scholars have stated they feel that the reason our law enforcement system works so well is that it was designed by the Founders to be flexible to respond to both internal and external threats as they arise. Do you feel there's some truth to that? Or does our system work because it has been one of the most effective at offering protection for civil liberties?

**Reynolds:** Some of both, I think. What's destructive is when government officials act in ways that rob the law of its moral legitimacy. Remember those bumper stickers about the 55 mph speed limit: "It's not a good idea. It's just the law." When people think that way, law enforcement becomes much less effective. Overreaching, lack of accountability, and the laziness and loss of sharpness that those inevitably



create, diminish the legitimacy of law, and make law enforcement more difficult.

**CEI:** Many people have noted that, in this debate, the media has focused on the perceived need for new legislation but has largely ignored many of the factors that led our existing system to fail on September 11th. Is there anything that can be done to help the media understand that there are two sides to this issue and that both sides must be examined before the problems with our system can be properly addressed?

**Reynolds:** The media have an inherent bias in favor of new legislation: it gives them something new and exciting to report on. They generally lack the discipline to follow up and do the difficult reporting involved in seeing if laws actually help.

**CEI:** On a more light-hearted note, this debate has highlighted the hostility of college administrators from across the political spectrum toward the idea of free speech on their campuses. Do you think there's any chance that free speech will make a comeback on campuses as a result of incidents that have occurred around the nation?

**Reynolds:** Free speech is always more popular among people who think they might be censored or punished for

their speech. In the politically correct environment of many campuses, leftists felt that they were the ones doing the censoring and punishing, and their enthusiasm for free speech waned accordingly. I predict a new enthusiasm for robust debate.

**CEI:** Overall, do you think that the debate concerning passage of the PATRIOT Act should be viewed by civil liberties advocates as a positive sign? Or is it a signal that there may be more turbulent waters ahead?

**Reynolds:** Well, although I think the military-tribunals debate was overblown, my take on it was that I'd rather live in a country that reflexively opposes military tribunals than one that doesn't. I think that there's quite a potent civil liberties constituency these days, especially as groups like the ACLU and the NRA cross left/right boundaries to work together. I also think that opponents of a police state have a secret weapon. The federalization of airline screeners was a bad policy decision, but it's a terrible propaganda defeat for big government. The thousands of inept and rude airline screeners who are inflicting themselves on passengers without improving security will now be the most public face of the federal government to a large section of the chattering classes. I predict far less enthusiasm for government as a result.

## Does CAFE Kill?

*Excerpts from remarks given January 17th by Dr. Leonard Evans — one of the nation's foremost experts on auto crashes — at a CEI discussion of the public safety implications of Federal Corporate Average Fuel Economy standards (CAFE) and a report by the National Research Council of the National Academies of Science (NAS) concerning the deadly consequences of the law. A fuller treatment of Dr. Evans' remarks and presentation can be found at the "CAFE Café" at [www.cei.org](http://www.cei.org), or at [www.scienceservingsociety.com](http://www.scienceservingsociety.com).*

"Does CAFE kill? The majority of the NAS panel found that it does indeed do so, through its downsizing effect on cars. Specifically, they concluded that CAFE has contributed to between 1,300 and 2,600 traffic deaths a year. In my view these findings were sensible."

"So when I purchase this larger car, society is on average better off. Now there are many complicated questions about equity, but those issues are in a different arena. But in terms of just the total number of lives, when I purchase a larger car, there is a reduction of risk. I'm safer, and so is society overall."

"The conclusion is that CAFE has caused, and is causing, increased deaths. Higher CAFE standards will generate additional deaths. Now, of course, this does not necessarily mean that we should not have higher CAFE. We all support innumerable policies that result in deaths. As a citizen, I certainly support the policy of not having a hospital at the end of every street, even though I've reached that stage in life where one of the lives lost because of that policy might be my own. We know that not having a hospital at the end of every street will kill people, but we still approve of this policy because we believe the funds could be spent better elsewhere."

"The role of the technical community ought to be to tell the political process that not having a hospital does kill people. It should also be to tell us that having policies that lead to lighter vehicles, as CAFE certainly does, will increase casualties. It's up to the political process, then, to handle it as is politically appropriate. But from a technical point of view, there is no fuzziness or ambiguity of any sort whatsoever regarding CAFE. CAFE kills, and higher CAFE standards will kill even more."



Sam Kazman, Dr. Leonard Evans, and Fred Smith

# The Good, the Bad, AND THE UGLY

## The Good: The Chicken Littles Are Wrong

Though one would never know it by reading newspapers or watching television newscasts — which feature an endless litany of scary, the-sky-is-falling stories suggesting that one plague or another is upon them — Americans in the 1990s saw across-the-board decreases in mortality rates from a range of public health threats, according to a report recently released by the Centers for Disease Control and Prevention (CDC). Though the news was overwhelmingly positive, with mortality rates falling (improving, in other words) in 16 of the 17 “Health Indicators” monitored by CDC, the media, taking their cues from the agency, accentuated the negative by highlighting the fact that mortality rates for some Americans weren’t falling quite as rapidly as for others. Overall, Americans saw age-adjusted mortality rates decline by nearly nine percent in the 1990s. Deaths caused by heart disease fell by more than 16 percent, breast cancer by 18 percent, stroke by nine percent, and lung cancer by seven percent. Mortality caused by suicide was down by 9.6 percent, homicide by 28.4 percent, and from car crashes by 15.2 percent. Though the rate of decrease varied among different ethnic groups, all ethnic and racial groups enjoyed improvements in 10 of the 17 health indicators used in the report, and the disparity in improvements between ethnic groups decreased in 12 of the 17, again indicating overall improvements. “In many ways, Americans of all ages and in every racial and ethnic group have better health today” than they did at the beginning of the 1990s, Surgeon General David Satcher acknowledged upon release of the report, before pledging that CDC would not be satisfied until all statistical discrepancies between groups have been obliterated.

## The Bad: Voice Of Reason on Capitol Hill To Retire

Utah Republican Rep. Jim Hansen’s recent announcement that he will be retiring after this, his 11th term in Congress, means that one less voice of reason and responsibility on environmental and land management issues will be heard on Capitol Hill. As chairman of the House Resources Committee, the 70-year-old Hansen stood as a bulwark against the most radical designs of the environmental lobby and gave voice to private landowners and rural resource workers hit hard by a greening of the federal government during the Clinton era. He was a vigorous opponent of the ex-president’s misuse of the Antiquities Act to designate numerous national monuments opposed by locals, including Southern Utah’s Grand Staircase-Escalante National Monument, and an advocate for reform of the Antiquities Act, Wilderness Act, and Endangered Species Act. Hansen said it was “time to move on” after three decades of public service, and that rather than trading in his position for a lucrative lobbying job, his only post-retirement plans were “to become the world’s greatest fly fisherman.” Should Republicans maintain control of the House, New York Rep. Jim Saxton would likely take Hansen’s place as chair of the Resources Committee, pleasing environmental groups that see Saxton as more sympathetic to their agenda, and leaving westerners without a member of Hansen’s stature who understands issues of importance to them.

## THE UGLY: FARMERS HUNG OUT TO DRY FOR NOTHING BY FEDS

The federal government had “no scientific basis” for cutting off irrigation water to more than 1,000 farmers in the Klamath basin last summer, according to a recent assessment by the National Academy of Sciences (NAS) — whose blunt conclusion not only raises questions about why the Klamath crisis was necessary, but casts even darker shadows on the notion that federal agencies are formulating environmental policies based on sound science. Saying she was “concerned by the weakness revealed by the National Academy of Sciences study,” Interior Secretary Gale Norton (whose handling of the Klamath crisis has been less-than-decisive) ordered the U.S. Bureau of Reclamation and U.S. Fish and Wildlife Service (USFW) to respond to the NAS findings and justify why the irrigation cutoff was necessary. At the time, USFW said that cutting-off water to the farmers was needed to save allegedly endangered sucker fish living in a drought-depleted reservoir. But NAS concluded that there was no scientific reason for altering the normal distribution and management of water in the Klamath Basin, an action that cost the regional economy an estimated \$134 million, sparked a standoff between protesting farmers and federal officers, and led to a \$20 million federal bailout for affected farmers. The Klamath Water Users Association, which represents farmers and others affected by the shut-off, said the report confirms its contention that the actions were unnecessary. “This demonstrates that you’ve got to listen to the folks who live on the ground,” said one representative for the group. “This is probably going to give hope to folks throughout the west.”

**President Fred L. Smith, Jr. points out the central conflict in the allegedly-cozy relationship between Enron and the Bush Administration:**

As Congress probes Enron Corp.'s influence in developing the Bush administration's energy proposals, lawmakers face a difficult task: separating actions taken to please a major campaign contributor from the bona fide policy views of a market-oriented administration ... Fred L. Smith Jr., president of the Competitive Enterprise Institute, said Enron didn't get as much as it had hoped. "The president had an energy program based on making energy more affordable," he said, "while Enron wanted to drive up the cost of coal-generated power."

- *Washington Post*, January 29

**President Fred L. Smith, Jr. examines the aftermath of the Enron bankruptcy and the proposals to increase federal oversight over financial markets:**

**Dee Dee Myers [co-host]:** You say there are regulations in place already. And yet, the SEC had no idea how Enron was managing its books ... [I]n a free market system, don't investors need better information? Don't we need a better regulatory system, so that it can operate efficiently?

**Fred L. Smith:** You don't solve that problem by putting more watchdogs and making them fatter and more sleepy ... The investor community has to be aware that it cannot rely on information that is this badly made and then expect to have to be bailed out by government .... Isn't it clear that what's going on now is the best possible lesson? Those investors who rushed in saying 'wow, we can make a fortune on these kind of investments,' are going to be a little less apt to do it in the future. Do we really want to weaken those incentives? Do we want to anesthetize the investment community and say 'don't worry, in the future, the government cops will protect you, and you don't have to take any more precautions on your own?'

- *Crossfire (CNN)*, January 18, 2002

**General Counsel Sam Kazman explaining the error of a *Wall Street Journal* story on off-label drug uses in a letter to the editor:**

"Your front-page article on pharmaceutical research on unapproved drug uses tries to cast doubt on an activity that most physicians find very useful. Yes, many of the studies are preliminary, and they might be funded by companies seeking higher sales. But physicians are aware of this; as the article concedes, they often have a healthy skepticism about these reports. So what if this off-label research hasn't been reviewed by the Food and Drug Administration? The FDA has its own political self-interest, leading it to be overcautious in approving new therapies."

- *Wall Street Journal*, January 14

## Media



## Mentions

**Senior Policy Analyst Ben Lieberman champions commercial free speech in the leading publication for wine enthusiasts:**

The new year has brought a new round of legal challenges to the federal government's ban on the promotion of wine's possible health benefits on bottle labels and in advertisements. On Jan. 2, the Competitive Enterprise Institute and Consumer Alert — two consumer advocacy groups — filed an opening brief in their appeal of a June 2001 U.S. District Court ruling on the issue ... Ben Lieberman, senior policy analyst for CEI ... maintained that "a policy has been in place since 1996 that keeps those health claims off the labels. We're arguing that this speech is protected by the First Amendment." He pointed out that the benefits of moderate alcohol consumption

are included in the federal government's own dietary guidelines, yet the ATF continues to prohibit such claims on the products themselves.

- *Wine Spectator Online*, January 9

**Assistant Editorial Director Michael Mallinger reports on the recent difficulties of a major environmental group frequently more interested in politics than science:**

"After years of playing offense, Greenpeace is now finding itself on the defensive. In addition to pulling much of the anti-Bush administration propaganda from its website, the group has failed to explain its rationale for publicizing sensitive information on biological and chemical toxins stored at thousands of U.S. industrial sites — an exercise in fear-mongering that many of the group's critics saw as an engraved invitation to terrorists. And Greenpeace is suddenly getting the silent treatment from some erstwhile allies, who have been alienated by the organization's unwillingness to recognize the potentially adverse consequences of its actions."

- *National Review Online*, January 9

**Director of Global Warming and International Environmental Policy Myron Ebell quoted lamenting the timidity of the Bush Administration in the face of green critics:**

"Western landowners are especially disappointed the administration has taken no action to reverse Clinton's decisions to create national monument lands and exclude nearly 60 million acres of national forests from development," said Myron Ebell of the Competitive Enterprise Institute, a free market think tank in Washington. "I wish the Bush administration would undo the abuses and excesses of the Clinton years." Ebell said. "But I don't see it happening. I think they're afraid of getting into trouble with the enviros."

- *Gannet News Service*, January 1

### The Return of the Three Martini Lunch?

Next time someone raises a glass and drinks to your health, they can do it with a whole new degree of sincerity, thanks to Dutch scientists who recently reported that drinking alcohol up to three times daily can drastically reduce a person's risk of developing Alzheimer's disease. That happy news follows on other studies that have already shown the health benefits of moderate consumption of other alcoholic beverages, including red wine. But bad news, Shriners; a person can't drink his or her way to immortality, and more than four drinks per day diminished the health benefits of more moderate imbibing. So will we soon see the U.S. government ordering that liquor, beer, and wine bottles carry labels extolling the health benefits of moderate alcohol consumption? Don't let your gimlet get to room temperature waiting for that to happen.

### Udder Madness

While one war on terrorism continues abroad, another less-noted conflict continues to percolate away on the home front, though with much less fanfare and media attention than the fight with al Qaeda. Two animal rights activists — one from New Jersey, another from California — recently received prison sentences for plotting to blow up dairy trucks in California, presumably to make some statement about the maltreatment of milk cows. One bomber was sentenced to a two-year term, while the accomplice got just 14 months.

## ...END NOTES



### So-Long Satan

Finally one government official has taken action on a problem that's been nettling humankind since at least as far back as the Garden of Eden — when the mayor evicted Satan from the little town of Inglis, Florida. But waitress Polly Bowser voiced an objection, claiming that the mayor's action violated constitutional separations of church and state. It was determined that constitutional firewalls had not been breached because the mayor's proclamation was a personal statement rather than official city policy. Whether Satan will take that as an invitation to defy the mayor's edict and return to Inglis is hard to know, but there are plenty more hospitable havens in which

he can find support elsewhere in the state.

### The Case of the Out-of-Code Christmas Lights

Proving that small governments can be as petty and power-mad as large ones, Arizonans Tony and Angelica Flores recently found themselves doing jail time for violating a local ordinance requiring that Christmas lights and decorations be removed from display within 19 days of the holiday. The couple were cited for a violation when Christmas lights were discovered still hanging from their Peoria home last April (which was almost Easter time, for Pete's sake!). After two court appearances they were told the case had been dropped and went on with their lives, eventually moving to nearby Glendale. But nobody escapes justice, Peoria-style. Police officers eventually tracked the Christmas light culprits down, arrested and handcuffed them, and threw them into jail.



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