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ENERGY POLICY TAKES A WRONG TURN DASCHLE ALTERNATIVE HEAVY ON MANDATES, BUREAUCRACY, AND HANDOUTS

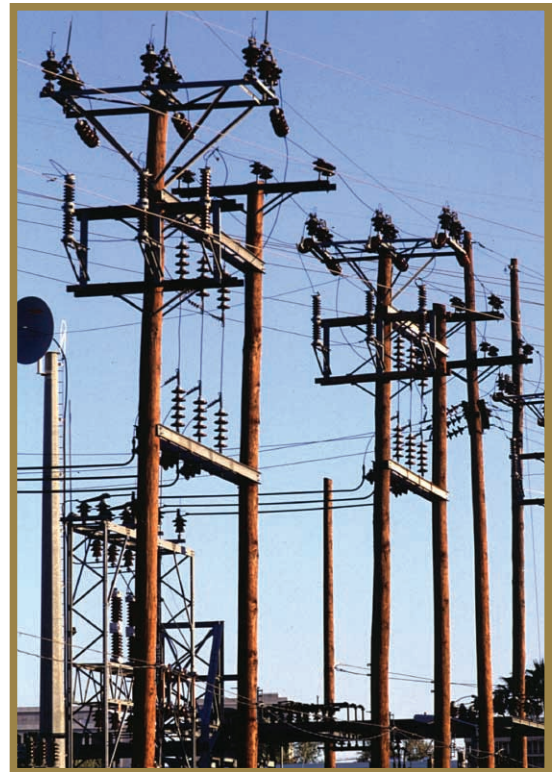
by Paul Georgia

President George W. Bush's comprehensive national energy policy was rolled out with fanfare last May, like a shiny new car model fresh off the assembly line. The House of Representatives passed large parts of the president's plan in July, adding \$25 billion in new federal subsidies and payoffs over the next ten years, on top of the \$10 billion proposed by the White House.

But half a year later the initiative seems hopelessly stalled, and perhaps even destined for the scrap yard, due largely to the defection from the Republican party of Vermont Senator Jim Jeffords and subsequent shift of Senate control to the Democrats. Enough votes may be in the Senate Energy Committee, and on the Senate floor, to pass key parts of the president's energy plan, but Majority Leader Tom Daschle (D-S.D.) has blocked its passage, taking jurisdiction away from the committee and introducing his own energy bill, which he intends to bring to the Senate floor in February. Any changes that Daschle opposes will require 60 votes to invoke cloture, cutting off debate and forcing a vote.

Daschle's alternative energy bill, S. 1766, is one of the biggest government monstrosities ever introduced in the Senate, and that's saying something. It does little or nothing to address the key energy infrastructure problems facing the country, but it does use billions and billions of taxpayer dollars to provide a payoff to just about every special corporate interest in the energy field.

Though the energy "crisis" may have momentarily fallen from the headlines, it's clear that the demand for energy in the U.S. will continue to grow at a rapid pace in years to come. The Energy Information Administration estimates that demand for oil in the U.S. will increase 33 percent in the next 20 years. Demand for natural gas will go up by 62



percent and electricity by at least 45 percent. Keeping up with that use will require greater supplies of reliable energy. In a market economy, these massive increases in expected demand would spur development of additional supplies of energy and increased transmission and refining capacity. But that isn't Daschle's approach.

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FROM THE GENERAL COUNSEL



GHOSTS OF LAWSUITS PAST ... AND PRESENT

by **Sam Kazman**

CEI was recently visited by a ghost, courtesy of a federal court. The ghost was CEI's very first court case against CAFE, the government's fuel economy standard for new cars, which was decided in 1990. The occasion for the visit was a ruling issued just before Halloween in another CEI case, this one involving a Food and Drug Administration (FDA) regulation. All in all, it was a happy visit.

But let me explain the second case first. In December, 2000, CEI joined the Association of American Physicians and Surgeons and Consumer Alert in a court challenge to what is known as FDA's "Pediatric Rule." Under this rule, FDA claims the power to order pharmaceutical companies to undertake pediatric testing of their drugs, even when the drugs are labeled for use only by adults. In our view, the rule is an illegal expansion of FDA power.

Under the framework established by Congress for approving drugs, a drug manufacturer decides what uses to claim for a new drug, such as the conditions it can treat and the patient population for which it is appropriate. It's then FDA's job to determine whether the manufacturer's data support those claims. Under its Pediatric Rule, however, FDA can add new claims on its own, and then force the manufacturer to do testing to support those claims. This, we thought, was a pretty radical change in the process. It had never been authorized by Congress and it creates yet another regulatory obstacle to the availability of new drugs. It was also a step toward FDA control of the practice of medicine, a power that the agency never before claimed.

FDA, of course, opposed the suit and moved to dismiss it. On October 25th, a federal district court threw out FDA's motion and held that we had standing to sue. The court noted that "the unavailability of safe, effective drugs that may treat or cure particular ailments can inflict as much harm on patients as the consumption of potentially unsafe drugs." The court will soon go on to rule on the merits of our case, which is being handled by the law firm of Wiley, Rein and Fielding.

Commenting on CEI's and Consumer Alert's qualifications as plaintiffs, the court stated: "While CEI and Consumer Alert may not have particular expertise in the field of public health, they have expertise in challenging federal regulations, making them especially qualified to raise this specific legal challenge." And the precedent that the court relied on was our 1990 CAFE decision, *CEI and Consumer Alert v. National Highway Traffic Safety Administration*.

In that case we had argued that NHTSA, which runs CAFE, had illegally ducked the fact that its program kills people by restricting the production of larger, more crashworthy cars. We didn't win that argument in our first case, but we did win a ruling that we had standing to sue. Long before this, of course, the Naderites had won their own right to sue on CAFE, and they regularly filed cases aimed at making the program more stringent and, hence, deadlier. Our gaining standing evened things up a bit, and it opened the door to our later CAFE suits, where we won some excellent rulings on CAFE's deadly effects. (Those effects, by the way, were confirmed in a study released by the National Academy of Sciences last summer. But that's another story.)

Now a similar door has been opened for consumers and physicians to challenge FDA restrictions on the availability of new therapies. In its early stages, public interest consumer litigation was almost solely brought by groups seeking more regulation, rather than less. That has changed in recent decades with the rise of free market litigation. The Pediatric Rule itself is still alive, but at least someone besides FDA will pass on its validity.

In short, this latest ruling is a cause for cheer. The fact that it rests on the dear ghost of our first CAFE case makes it even sweeter.

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His “Energy Policy Act” would create 61 new federal programs, add 13 new federal offices, and fund 41 federal studies. It’s impossible to determine how many tens of billions of dollars of new federal spending Daschle proposes, but it’s likely much more than the \$35 billion over ten years in the House-passed bill. This new spending includes across-the-board subsidies to the energy sector that are bound to make a lot of special interests happy, but won’t lead to good energy policy.

The renewable energy sector would profit greatly at taxpayer expense under the bill, especially the wind, solar, and alternative fuels sector. The bill stipulates that the federal government must purchase three percent of its energy from renewable sources in 2002, and that mandate will increase to 7.5 percent by 2010.

Even worse is a “minimum renewable generation requirement” for retail electricity suppliers. The scheme would employ a tradable credit system in which suppliers would be required to

submit renewable energy credits in an amount equaling 2.5 percent of total energy production from renewable energy sources in 2005, and increasing by 0.5 percent each year thereafter until 2020. This is a tacit admission that renewable energy cannot compete in the marketplace.

Daschle’s bill would also require the Secretary of the Interior to develop a pilot program for wind and solar power development on federal lands. It’s strange that Daschle would support wind and solar power development on federal lands while opposing oil drilling in Alaska’s Arctic National Wildlife Refuge (ANWR), since oil drilling is many times less land-intensive than wind and solar power production.

On the alternative fuel front, the bill mandates increases in alternative fuel use as well as increased fuel economy standards in the federal fleet of vehicles. It also establishes a “green school bus pilot program” that would provide grants as large as 85 percent of the cost of each school bus, and 15 percent of the costs of alternative fuel infrastructure.

The Environmental Protection Agency would be required to mandate increases in the amount of “renewable” fuel, such as ethanol and biodiesel, to be blended with gasoline. The program would start with 2 billion gallons per year in 2003 and increase to 5 billion gallons a year in 2012.

Energy efficiency mandates are a major component of the bill. Again, the federal government would be required to increase energy efficiency in its operations and the public schools get further grants to renovate or construct energy efficient schools. Energy efficiency grants would also be available for “low income communities.” And the bill also requires the establishment of energy conservation standards on consumer and commercial products such as ceiling fans, vending

machines, commercial refrigerators and freezers, unit heaters, and so on.

But don’t worry about big oil, natural gas, coal, and nuclear companies. Daschle’s bill gives them plenty of subsidies and welfare handouts as well.

The worst part of the bill, however, deals with global warming. It would establish a “National Office of Climate Change Response” within the Executive Office of the President to develop a U.S. climate change response strategy, an interagency task force to formulate and implement national climate change policy, and an Office of Climate Change Technology within the Department of Energy to research and develop so-called climate friendly technologies. In anticipation of greenhouse gas regulations, the bill also will establish a national greenhouse gas emissions database, “which will include an inventory of emissions from significant sources and a registry of voluntary reductions.”

If the federal government really wants to help ensure reliable and affordable supplies of energy, it might begin not by doing more — creating

more bureaucracy and piling on more mandates and subsidies — but by doing less — clearing away existing hurdles that hold back energy exploration, development, and delivery systems. That’s because many of the problems that have arisen in the energy sector are due to government over-regulation and interference.

As Energy Secretary Spencer Abraham has noted: “There hasn’t been a new refinery built in the United States in over 25 years. New regulatory interpretations limit the ability of existing refineries to expand capacity. Add to that regulations that require the production of more than 15 different types of gasoline, and you have a refining industry strained to capacity, leaving us dangerously vulnerable to regional supply disruptions and price spikes.”

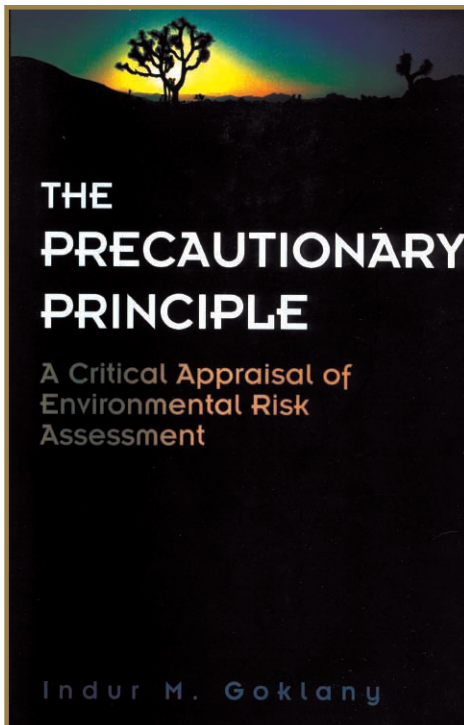
Wrongheaded regulation plagues other sectors of the energy industry as well. The Bush Administration’s plan attempted to clear away some of the regulatory roadblocks slowing or preventing the delivery of affordable energy to consumers. The Daschle bill, in contrast, doesn’t even recognize that there are regulatory roadblocks.

Although energy markets are subject to boom and bust cycles, it is government meddling that often turns these minor, short-term phenomena into crises. Government needs to get out of the way and let energy markets attract the capital needed to rebuild and enlarge our aging and inadequate energy infrastructure. Until that lesson is fully absorbed in Washington, any energy policy that is likely to emerge will probably be bad energy policy.

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Q & A WITH INDUR GOKLANY: EXPLORING RISKS INVOLVED IN RISK ASSESSMENTS



Indur Goklany is an independent scholar who has more than 25 years of experience working and writing on global and national environmental issues. He has published several peer-reviewed papers and book chapters on an array of issues, including air pollution, climate change, biodiversity, the role of technology and economic growth in creating, as well as solving, environmental problems, and the impacts of international environmental regimes on people living in less-developed countries.

His latest book, The Precautionary Principle: A Critical Appraisal of Environmental Risk Assessment, attempts to redefine the precautionary principle in a more rational manner than has traditionally been done by environmental activists. He then applies the precautionary principle to three key international environmental issues: fighting malaria with pesticides, harnessing biotechnology's potential to reduce global hunger while reducing the environmental impacts of conventional agriculture, and developing a risk/risk approach to addressing global climate change.

Goklany shows why the conventional environmentalist interpretation of the principle in an arbitrary manner can exacerbate problems caused by global poverty and do more harm than good, particularly to people living in less-developed nations.

CEI: What is the precautionary principle and why is it important?

Goklany: First, there is no such thing as *the* precautionary principle, but there are several different versions of the so-called precautionary principle (PP). Although I discuss some of these in my book, the version I use is the so-called Wingspread Declaration. This declaration, the product of a conference of activists, scholars, scientists, and lawyers at Wingspread, home of the Johnson Foundation in Racine, Wisconsin, is quite popular with many environmentalists.

Understanding the PP is important because many environmental groups supported by several European governments and the European Union (EU) itself have tried to foist it on the international community as a "customary" principle of international law. And, as such, it ought to, according to them, trump science-based risk assessment. The problem is, there is no customary internationally accepted definition of the PP. Without such a customary definition it becomes hard to accept that it is a customary principle of international law or anything else, for that matter. Without an accepted definition, you can't get from here to there.

CEI: You seem in your book to favor a risk/risk approach to assessing environ-

mental and public health risks. But when environmentalists invoke the Precautionary Principle, they are talking about something else entirely. How would you describe the difference?

Goklany: Fundamentally, I believe in truth-in-packaging. Therefore, if one applies the precautionary principle, it ought to, at worst, ensure that environmental and/or public health risks are not increased; at best, it ought to reduce those risks. And if the PP is used to choose between several different policy options, the PP should select the one that reduces the risks the most. Now, it is easy to meet this objective if a policy only reduces risks. In this case, the road ahead is clear. We adopt that policy. Similarly, if a policy will only increase risks, the decision is equally simple: avoid that policy. But what if a policy reduces some risks while increasing or

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prolonging others? What do we do in such situations where the answers are clouded with ambiguity? Unfortunately, most policy options fall into this category. There are very few black and white situations; generally we have various shades of gray.

To address these ambiguous situations, my book has developed a framework to help me apply the PP. This framework allows me to compare all the environmental and public health risks that would be reduced by a policy against the risks that would be generated or prolonged by that same policy. This is the only way to ensure that policies we choose to implement will actually reduce overall risks; that is, they



would, in fact, be precautionary. So you see, I start with the PP and end up, quite logically, with a risk/risk assessment. The most important thing about this is that the risk/risk assessment is derived from the precautionary principle. Many people insist that the PP and risk/risk approaches are incompatible. But you can't hope to have precaution without the implementation of risk/risk assessment.

CEI: You note that the key problem with environmentalists' use of the precautionary principle is that they "...take credit for the public health and environmental risks that might be reduced by implementing the policy, but they overlook those public health and environmental risks that the policy itself might generate or prolong." Do you feel this summarizes how the environmental debate has played itself out generally?

Goklany: Yes I do. Genetically modified crops and [the pesticide] DDT are two examples. In both cases, environmentalists have claimed that the PP justifies global bans on these technologies. These are not just environmental and public health issues, but also ethical ones. Consider DDT. The environmentalists' argument was that the PP supported a global ban because DDT is a persistent pollutant which has been shown to cause declines in populations of bald eagles, peregrine falcons and other raptors, and could accumulate in human tissue and mother's milk which, it was suspected, might cause various human health related problems. But this justification was sustainable only as long as one ignored the role of DDT in controlling malaria, one of nature's dread diseases. Malaria, which was eliminated in the U.S. and other developed countries partly with the help of DDT, still rages in many parts of the developing world. It currently strikes over 300 million people and kills over one million people annually, mainly in Africa. Think of that as the Twin Towers disasters

repeated every day of the year!

We know that since World War II, in many developing countries malaria fell, then rose, and then declined once again as DDT use was first begun, then stopped and then restarted. Sri Lanka, or Ceylon, is a classic case. Before DDT, in the 1940s, it used to have 2.8 million cases annually. After DDT it declined to below 20 in 1963, then it rebounded to over 2 million after DDT use was suspended. Thus, a global ban on DDT would increase death and disease due to malaria. This increase would be large and certain. On the other hand, while there are real environmental benefits to

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be obtained from banning DDT globally, the public health benefits of such a ban are speculative and uncertain in magnitude.

Given these facts, using my framework for applying the PP, I conclude that it does not justify a global DDT ban. This is because my framework gives greater weight to human life than to bald eagles or other wildlife. This is where ethics comes in. Therefore, if one insists on a one-size-fits-all policy, that policy must be to encourage the indoor spraying of DDT everywhere.

But by allowing greater flexibility it is possible to improve both public health and the environment by letting malaria-infested countries to spray DDT indoors while banning DDT where malaria is no longer a problem.

As an aside I should note that when I was a kid in India 40 or more years ago the walls in our house were sprayed with DDT periodically. Having had malaria, I can vouch for its debilitating effects. If you don't die from it, you won't be much good for long after. One study done in Bangladesh showed that eradicating malaria made it possible for farmers to have the strength to plant an extra crop of rice each year!

CEI: Do many of the command-and-control style regulations that we see cause similar problems whether or not they invoke the principle?

Goklany: I think some of our command-and-control regulations are suffused with this principle. Some of our environmental laws are written with the notion that there should be no limit to the cost we should incur to reduce pollution. This would be fine in an ideal world with infinite resources, but as some of our environmentalists tell us, resources are limited, and that's true for fiscal and human resources as well. Today they are more scarce than land, energy and material resources — resources over which Neo-Malthusians have long agonized.

CEI: You've stated that you don't wish to take a stance on whether or not the precautionary principle is a good policy in and of itself. Do you feel that, if your efforts to define the principle as a risk/risk approach to environmental issues prevail, it could be a useful policy tool for regulators in one of its more relatively weak forms?

Goklany: In my framework I don't differentiate between "weak" and "strong." Either formulation ought to use a risk/risk approach to ensure that public health and/or environmental risks are not increased. I guess one could differentiate between weak or strong versions of the PP based on how much weight you want to give to costs. I know some would say that the value of a life could be estimated at something like a few million dollars. I'm skeptical of this approach because, although a life might be priceless, I can think of several different interventions that can save lives at a fraction of that cost. I would be loath to spend millions of dollars for one life if I could save many more at a fraction of that price. I myself would differentiate between strong and weak versions based on the preference given to maximizing the number of human lives saved. In my estimate, the greater the preference for such maximization, the stronger the version of the PP.

The Good, the Bad, AND THE UGLY

The Good: Tree Sitting May Soon Come with a Price Tag

In an effort to dissuade what seems like a proliferating number of tree-perching anti-logging protests, Oregon's Department of Forestry is exploring the possibility of charging activists that tie up timber sales for the loss of revenues resulting from their antics. "If we're not able to log where we're supposed to it's going to cost the taxpayers of Oregon," a spokesman for the department recently said. So the thinking goes, why not pass the responsibility for the lost revenues on to tree-sitters? A protest supporter told *High Country News* that fining protestors won't deter them, and would only prove "how determined the Department of Forestry is to put profits first." But in Oregon, as in many other states, the "profits" or revenues generated from such sales are used to support public school programs and small town firefighters, or returned to the treasury to help relieve the burden on taxpayers. In Ohio, for instance, about \$180,000 generated from timber harvests in the Zaleski State Forest bought schoolbooks for an estimated 2,000 kids in the Vinton County Local School District, according to the *Cleveland Plain Dealer*, as part of that state's "Trees to Textbooks" program. In fact, 18 school districts in the state last year divvied-up more than \$743,000 in proceeds from selective timber cuts on just 1,500 acres of state forests that total more than 184,000 acres.

The Bad: Costs of new Arsenic Standard To Hit Cities, Rural Communities Hard

Arsenic in high concentrations can unquestionably harm people. But even miniscule traces of the naturally-occurring mineral will soon be adversely affecting the fiscal health of whole communities, according to published reports, as they struggle to comply with federal drinking water rules first mandated by the Clinton Administration and — after a pause to reconsider — eventually rubber-stamped by the Bush Administration. Reducing arsenic levels in drinking water from a maximum of 50 parts per billion (the current federal standard) to 10 parts-per-billion by 2006 may seem on the surface like a prudent step. But the high costs of compliance will mean hardships for ratepayers and taxpayers alike in affected communities, many of them rural and poor, in exchange for unknown, and probably nominal, public health benefits. Complying with the new federal standard could collectively cost water users in the city of Albuquerque, N.M. (one of many municipalities in the nation that oppose the new standards) as much as \$150 million, according to one published report.

The costs of compliance are expected to be even higher in less-developed areas, however, forcing hard trade-offs in communities facing far greater public health threats and more pressing priorities. Though the EPA estimates the per-person cost of compliance at \$32 per year for city dwellers, residents of small rural communities could be hit with rate hikes as much as ten times higher, according to government estimates.

In Wisconsin, tests show that about 70 public water systems will need an overhaul or risk violating the new standards, and compliance for some small mobile home parks or subdivisions could cost residents up to \$350 a year. That's more than some mobile home owners currently pay for a space in the park. In Montana, at least 30 small towns or communities will face similar dilemmas, according to published reports. And at least 20 small towns and water districts in Colorado would be in violation of the new standard if it were instituted today, and some town officials were openly scornful that they could afford to comply with it. "I guess we'll just have to drink beer," the mayor of one Colorado town, population 230, told the *Rocky Mountain News*. "We can't possibly stand that kind of expense. They're going to have to raise the number up. Ten (parts-per-billion) is too low."

THE UGLY: LYNX HAIR HI-JINKS RAISES SUSPICION OF "BIO-FRAUD"

An unmistakable whiff of scandal is in the air following revelations that seven members of an inter-agency task force (with representatives from the U.S. Forest Service, U.S. Fish and Wildlife Service, and several state wildlife departments), established in 1999 to determine the prevalence and range of a threatened cat called the Canadian lynx, planted bogus samples of the animal's fur in three Western national forests, essentially trying to pass off hairs taken from a captive lynx as ones found in the wild. Had the scam not been detected, access to hundreds of thousands of acres of public forests might have been severely restricted based on the false premise that the cats were present. Several participants in the scam said that they were only submitted the false "control samples" to test the quality of laboratory work. But suspicions run high that the lynx hair was part of an effort by agenda-driven scientists to find a backdoor way of curtailing use of the forests in question.

The case is reportedly under investigation by the General Accounting Office and inspectors general at the Departments of Interior and Agriculture. And congressional hearings on the issue are anticipated. Not long after the lynx case came to light, moreover, other potential cases of bio-fraud were being reported, including one involving grizzly bears in Washington State. If a pattern of duplicity by government wildlife scientists emerges, such cases could prompt a wholesale review of the "science" undergirding other endangered species listings as well, and further undermine public support for a law that is already reviled in parts of the U.S. where its impacts upon regional economies and property rights have been greatest.

President Fred L. Smith analyzing the causes behind the Enron scandal:

“Fred Smith, president of the free-market Competitive Enterprise Institute, says the accounting practice hasn’t caught up with complex financial transactions such as derivatives that Enron used. ‘New technologies and new economic instruments often aren’t accounted for very well, and derivatives are one of those areas,’ Smith says. ‘The accounting profession does have to get better at understanding how to put those kinds of things into a record.’”

- *Insight on the News*, January 7, 2002

Director of Global Warming and International Environmental Policy Myron Ebell refuting the claim that the Bush Administration is using concerns over terrorism to obscure its environmental policy initiatives:

“Conservatives argue that the Bush Administration has been too slow in reversing the more-liberal environmental policies put into place by Clinton. They say the environmental community is falsely wringing its hands over Bush’s policies. ‘I think the environmentalists are just trying to find an angle they can use to get more direct-mail contributions from their members,’ said Myron Ebell of the Competitive Enterprise Institute.”

- *National Journal*, January 5, 2002

General Counsel Sam Kazman debunking the assumption that eliminating oil imports (“energy independence”) is a laudable goal:

Mike Barnicle [Guest host]: America’s foreign policy is often centered around oil and keeping it cheap and plentiful. Mr. Kazman, tell me why ... I shouldn’t urge George Bush to go out and change things around, and I could go out and hop in a Yugo and get 706 miles to a gallon. Will that work?

Sam Kazman : Well, first of all, I don’t think the Yugo’s the car to pick even if that was your objective. But, more generally, energy independence sounds like a lovely term and there are certain groups for whom it would be lovely. For lots of lobbyists it would be a field day ... For environmentalists who have always been pushing to cut back on our energy use, it would also be a field day. But for the everyday Americans, the projects being pushed under the rubric of energy independence would make life much more expensive, and in some respects, much more dangerous as well.

- *Hardball with Chris Matthews (CNBC & MSNBC)*, January 2, 2002

Senior Fellow Christopher C. Horner exposing a shameless giveaway of corporate pork to Boeing



in the form of a sweetheart lease agreement with the federal government:

John Dimsdale [Correspondent, Marketplace]: Senator John McCain calls the Boeing deal [to lease one hundred 767s at substantially above-market costs] waste bordering on gross negligence. Other critics, such as Christopher Horner at the free-market think tank Competitive Enterprise Institute, say Boeing’s friends in Congress wanted to offer the company a consolation prize for losing a \$23 billion contract to Lockheed Martin last fall. Horner says now that the bill has passed, its authors are hard to find.

Christopher Horner: It’s being described as an immaculate conception in this holiday season, but instead of the Angel Gabriel, we have the angels, the

Washington State Delegation and Congress, likely came down and whispered the message in the ear. And this was done, actually, it’s my understanding, with White House help. But no one has really publicly, as you pointed out, taken credit for it.

- *Marketplace (Syndicated by Public Radio International) December 26, 2001*

Vice President for Policy James Gattuso appraising the proposed alliance between American Airlines and British Airways, and the concessions being demanded by antitrust regulators:

“James Gattuso, a competition and antitrust expert at the Competitive Enterprise Institute in Washington, called the divestiture proposal disappointing.

“[The Department of] Justice’s comments on the American-British Airways alliance do not bode well for how antitrust law will be applied to the airline industry going forward,’ Gattuso said. ‘The airlines have been harassed in the last few years with various kinds of antitrust rules and lawsuits brought by the regulators. And this shows me that they’re not yet willing to completely allow the kind of market consolidation that I think needs to take place.’”

- *Fort Worth Star-Telegram*, December 19, 2001

Warren Brookes Journalism Fellow Eileen Ciesla presenting the alarming possibility of a global tax on currency exchanges:

“The Tobin tax has been called utopian, easy to evade, impractical, and impossible to enact. And that’s from those who support the idea. Recently, this tax on foreign exchange transactions has enjoyed a revival thanks to anti-globalization activists, and France’s National Assembly. On November 21, France became the first industrialized nation to vote for the tax.”

- *National Review Online*, December 14, 2001

Oh Deer! Wildlife Pay the Price for PETA Publicity Stunt

A bizarre anti-hunting protest by the People for Ethical Treatment of Animals (PETA) in Ohio reportedly has backfired badly on the very animals the group is pledged to protect. Knowing that hunters in the state are required to adorn themselves in bright, blaze orange colors in order to avoid accidental shootings, PETA activists reportedly tied hunting vests onto 405 captured deer that were then released back into the wild. The object, evidently, was to disguise deer as hunters. But when word spread of the ruse, the owner of a Youngstown sportsman's store offered to hold a raffle involving any hunter who bagged a deer wearing one of the bright orange vests. It resulted in at least 308 of the animals being bagged as *Update* went to press. The rest may still be out there somewhere, trying their best to blend in and not look conspicuous.

Will Viagra Give Endangered Cats Will to Love?

Worried about the lackluster libidos of rare South China tigers in their care, officials at Chinese zoos are reportedly planning to dose two of the cats with the anti-impotency drug Viagra in what could be a last-ditch effort to save animals that have seemingly lost their will to love. Two male tigers in China's Sichuan province, apparently bummed-out by life behind bars, will be the first animals to undergo the experimental treatment. In all, there are just 49 of the species remaining in Chinese zoos.

...END NOTES



Forest Service Caught Fudging on Visitation Figures

Under former Chief Mike Dombeck, the U.S. Forest Service worked to place recreation as the agency's top priority, as so-called consumptive or extractive enterprises were ushered to national forest exits. Recently, the USFS admitted that it lied to Congress about public visitation figures to national forests. USFS originally claimed that 920 million people visited in 2000, when the actual tally was 209 million visitors. We're betting that this misinformation wasn't just a slip of the pencil or the work of a dyslexic press officer.

Get a Buzz, Save the Planet

The Students for Environmental Concern at the University of Illinois recently hosted a "Save the Ales" event intended to raise awareness on campus of a potential catastrophe not just threatening the world, but, more importantly, beer. Apparently, melting polar icecaps, catastrophic weather, washed out coastlines, and other standard global warming doomsday scenarios stir little interest among U of I students. But mention warming's potential impact on the cultivation of hops, one of the key ingredients in beer, as every college grad knows, and you've sounded a clarion call to action. "In order to get this campus interested, we had to tie in beer," explained one event organizer. All of which may inspire a new slogan, "Global Warming: The more you drink, the more sense it makes."



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