

# The Top 25 News Stories You've Never Heard

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## The Top 25 Censored Stories of 2007 listed on Project Censored

- [1. No Habeas Corpus for "Any Person"](#)
- [2. Bush Moves Towards Martial Law](#)
- [3. US Military Control of Africa's Resources](#)
- [4. Frenzy of Increasingly Destructive Trade Agreements](#)
- [5. Human Traffic Builds US Embassy in Iraq](#)
- [6. Operation FALCON Raids](#)
- [7. Behind Blackwater Inc](#)
- [8. The US Neoliberal Invasion of India](#)
- [9. Privatisation of America's Infrastructure](#)
- [10. Vulture Funds Threaten Poor Nations Debt Relief](#)
- [11. The Scam of "Reconstruction" in Afghanistan](#)
- [12. Another Massacre in Haiti by US Troops](#)
- [13. Immigrant Roundups to Gain Cheap Labour for US Corporate Giants](#)
- [14. Impunity for US War Criminals](#)
- [15. Toxic Exposure can be Transmitted to Second Generations on a "Second Genetic Code"](#)
- [16. No Hard Evidence Connecting Bin Laden to 9/11](#)
- [17. Drinking Water Contaminated by Military and Corporations](#)
- [18. Mexico's Stolen Election](#)
- [19. People's Movement Challenges Neoliberal Agenda](#)
- [20. Terror Act Against Animal Activists](#)
- [21. US Seeks WTO Immunity for Illegal Farm Payments](#)
- [22. North Invades Mexico](#)
- [23. Feinstein's Conflict of Interest in Iraq](#)
- [24. Media Misquotes Threat from Iran's President](#)
- [25. Who Will Profit from Native Energy?](#)

[Return to the Warroom](#)



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## Repeal the Military Commissions Act and Restore the Most American Human Right

by Thom Hartmann

*"The power of the executive to cast a man into prison without formulating any charge known to the law, and particularly to deny him the judgment of his peers, is in the highest degree odious, and the foundation of all totalitarian government whether Nazi or Communist."*

— Winston Churchill

The oldest human right defined in the history of English-speaking civilization is the right to challenge governmental power of arrest and detention through the use of habeas corpus laws. Habeas corpus is roughly Latin for "hold the body," and is used in law to mean that a government must either charge a person with a crime and allow them due process, or let them go free.

Last autumn the House and Senate passed, and the President signed into law [The United States Military Commissions Act of 2006](#), which explicitly strips both aliens and Americans of the right of habeas corpus, the right of recourse to the courts (as provided in the Fifth through Eighth Amendments to the Constitution), and denies appeal through mechanisms of the Geneva Conventions to those designated to lose these rights by the President.

As the most conspicuous part of a series of laws which have fundamentally changed the nature of this nation, moving us from a democratic republic to a state under the rule of a "unitary" President, the Military Commissions Act should be immediately reversed. When a demi-tyrant like Vladimir Putin begins lecturing the United States, as he did just a few days ago, on how our various behaviors over the past five years have "nothing in common with democracy," we should pay attention.

This attack on eight centuries of English law is no small thing. While the Republican's (and [13 Democrats in the Senate](#)) purported intent was to deny Guantanamo Bay Concentration Camp detainees the right to see a civilian judge or jury, it could just as easily extend to you and me. (Already two American citizens have been arbitrarily stripped of their habeas corpus rights by the Bush administration - Jose Padilla and Yasser Hamdi - and there may be others.)

Section 9, Clause 2, of Article I of the United States Constitution says: "The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it."

Alberto Gonzales testified on January 18th before Congress that "there is no express grant of habeas in the Constitution. There is [only] a prohibition against taking it away."

While there are many countries in the world where all power and all rights are reserved to the government, and then doled out to the people by constitutional, legislative, or executive decree, the first three words of our Constitution clearly state who in this country holds all the power and all the rights: "We the People."

Our Constitution does not grant us rights, because "We" already hold *all* rights. Instead, it defines the boundaries of our government, and identifies what privileges "We the People" will grant to that government.

When Gonzales suggested we have no habeas corpus rights because the Constitution doesn't grant them, his testimony betrayed a breathtaking ignorance of the history and meaning of the United States Constitution. And, because his thinking probably reflects that of his superior, George W. Bush, Gonzales' testimony demonstrates the urgency with which Congress must act to repeal the many laws, signing statements, and executive orders that have been issued by this administration.

But particularly, and first, with regard to habeas corpus.

Abraham Lincoln was the first president (on March 3, 1863) to suspend habeas corpus so he could imprison those he considered a threat until the war was over. Congress invoked this power again during Reconstruction when President Grant requested The Ku Klux Klan Act in 1871 to put down a rebellion in South Carolina. Those are the only two fully legal suspensions of habeas corpus in the history of the United States (and Lincoln's is still being debated).

The United States hasn't suffered a "Rebellion" or an "Invasion" since Lincoln's and Grant's administrations. There are no foreign armies on our soil, seizing our cities. No states or municipalities are seriously talking about secession. Yet the Attorney General says we have no rights to habeas corpus, and the Military Commissions Act now backs him up.

The modern institution of civil and human rights, and particularly the writ of habeas corpus, began in June of 1215 when King John was forced by the feudal lords to sign the Magna Carta at Runnymede. Although that document mostly protected "freemen" - what were then known as feudal lords or barons, and today known as CEOs and millionaires - rather than the average person, it initiated a series of events that echo to this day.

Two of the most critical parts of the Magna Carta were articles 38 and 39, which established the foundation for what is now known as "habeas corpus" laws, as well as the Fourth through Eighth Amendments of our Constitution and hundreds of other federal and state due process provisions.

Articles 38 and 39 of the Magna Carta said:

*"38 In future no official shall place a man on trial upon his own unsupported statement, without producing credible witnesses to the truth of it.*

*"39 No free man shall be seized or imprisoned, or stripped of his rights or possessions, or outlawed or exiled, or deprived of his standing in any other way, nor will we proceed with force against him, or send*

*others to do so, except by the lawful judgment of his equals or by the law of the land."*

This was radical stuff, and over the next four hundred years average people increasingly wanted for themselves these same protections from the abuse of the power of government or great wealth. But from 1215 to 1628, outside of the privileges enjoyed by the feudal lords, the average person could be arrested and imprisoned at the whim of the king with no recourse to the courts.

Then, in 1627, King Charles I overstepped, and the people snapped. Charles I threw into jail five knights in a tax disagreement, and the knights sued the King, asserting their habeas corpus right to be free or on bail unless convicted of a crime.

King Charles I, in response, invoked his right to simply imprison anybody he wanted (other than the rich), anytime he wanted, as he said, "*per speciale Mandatum Domini Regis.*"

This is essentially the same argument that George W. Bush makes today for why he has the right to detain both citizens and non-citizens solely on his own say-so: because he's in charge. And it's an argument now supported by the Military Commissions Act.

But just as George's Act is meeting resistance, Charles' decree wasn't well received. The result of his overt assault on the rights of citizens led to a sort of revolt in the British Parliament, producing the 1628 "Petition of Right" law, an early version of our Fourth through Eighth Amendments, which restated Articles 38 and 39 of the Magna Carta and added that "writs of habeas corpus, [are] there to undergo and receive [only] as the court should order." It was later strengthened with the "Habeas Corpus Act of 1640" and a second "Habeas Corpus Act of 1679."

Thus, the right to suspend habeas corpus no longer was held by the King. It was exercised solely by the people's (elected and hereditary) representatives in the Parliament.

The third George to govern the United Kingdom confronted this in 1815 when he came into possession of Napoleon Bonaparte. British laws were so explicit that everybody was entitled to habeas corpus - even people who were not British citizens - that when Napoleon surrendered on the deck of the British flagship Bellerophon after the battle of Waterloo in 1815, the British Parliament had to pass a law ("An Act For The More Effectually Detaining In Custody Napoleon Bonaparte") to suspend habeas corpus so King George III could legally continue to hold him prisoner (and then legally exile him to a British fortification on a distant island).

Now, the Military Commissions Act and Alberto Gonzales say that George W. Bush may similarly detain people or exile them to concentration camps on distant islands. Except these people are not Napoleon Bonaparte. "They" could even be you or me.

The Founders must be turning in their graves. As Alexander Hamilton - arguably the most conservative of the Founders - wrote in Federalist 84:

*"The establishment of the writ of habeas corpus ... are perhaps greater securities to liberty and republicanism than any it [the Constitution] contains. ...[T]he practice of arbitrary imprisonments have been, in all ages, the favorite and most formidable instruments of tyranny. The observations of the judicious [British 18th century legal scholar] Blackstone, in reference to the latter, are well worthy of recital:*

*"'To bereave a man of life,' says he, 'or by violence to confiscate his estate, without accusation or trial, would be so gross and notorious an act of despotism, as must at once convey the alarm of tyranny throughout the whole nation; but confinement of the person, by secretly hurrying him to jail, where his sufferings are unknown or forgotten, is a less public, a less striking, and therefore A MORE DANGEROUS ENGINE of arbitrary government.'" [Capitals all Hamilton's from the original.]*

The question, ultimately, is whether our nation will continue to stand for the values upon which it was founded.

Early American conservatives suggested that democracy was so ultimately weak it couldn't withstand the assault of newspaper editors and citizens who spoke out against it, or terrorists from the Islamic Barbary Coast, leading John Adams to pass America's first Military Commissions Act-like laws, the *Alien and Sedition Acts of 1798*. President Thomas Jefferson rebuked those who wanted America ruled by an iron-handed presidency that could - [as Adams had](#) - throw people in jail for "crimes" such as speaking political opinion, or without constitutional due process.

*"I know, indeed,"* Jefferson said in his first inaugural address on March 4, 1801, *"that some honest men fear that a republican government cannot be strong; that this government is not strong enough.*

But, Jefferson said, our nation was "the world's best hope," and because of our strong commitment to rights like habeas corpus, "the strongest government on earth."

The sum of this, Jefferson said, was found in *"freedom of person under the protection of the habeas corpus; and trial by juries impartially selected. These principles form the bright constellation which has gone before us, and guided our steps through an age of revolution and reformation.*

*"The wisdom of our sages and the blood of our heroes have been devoted to their attainment. They should be the creed of our political faith, the text of civil instruction, the touchstone by which to try the services of those we trust; and should we wander from them in moments of error or alarm, let us hasten to retrace our steps and to regain the road which alone leads to peace, liberty, and safety."*

When I was working in Russia some years ago, a friend in Kaliningrad told me a perhaps apocryphal story about Nikita Khrushchev, who, following Stalin's death, gave a speech to the Politburo denouncing Stalin's policies of arbitrarily arresting people and throwing them into prisons or mental institutions without the rights of habeas corpus. A few minutes into Khrushchev's diatribe, somebody shouted out, "Why didn't you challenge him then, the way you are now?"

The room fell silent, as Khrushchev angrily swept the audience with his glare. "Who said that?" he asked in a reasoned voice. Silence.

"Who said that?" Khrushchev demanded, leaning forward. Silence.

Pounding his fist on the podium to accent each word, he screamed, "Who - said - that?" Still no answer.

Finally, after a long and strained silence, the elected politicians in the room fearful to even cough, a corner of Khrushchev's mouth lifted into a smile.

"Now you know," he said with a chuckle, "why I did not speak up against Stalin when I sat where you now sit."

The question for our day is who will speak up against Stalinist policies in America? Who will speak against the man who punishes reporters and news organizations by cutting off their access; who punishes politicians by targeting them in their

home districts; who punishes truth-tellers in the Executive branch by character assassination that even extends to destroying their spouse's careers? And why is our press doing such a pathetic job that in all probability 95 percent of Americans don't even know that our Attorney General says we have no rights to habeas corpus?

As Alexander Hamilton wrote in Federalist Number 8:

*"The violent destruction of life and property incident to war; the continual effort and alarm attendant on a state of continual danger, will compel nations the most attached to liberty, to resort for repose and security to institutions which have a tendency to destroy their civil and political rights. To be more safe, they, at length, become willing to run the risk of being less free."*

We must not make the mistake that Jefferson and Hamilton warned us against. We must not remain silent, like Khrushchev's people did. We must speak out.

Contact your U.S. Senators and members of the House of Representatives (the Capitol's phone number is 202 225-3121) and tell them to stop this assault on eight hundred years of legal precedent by repealing the Military Commissions Act and thus restore the most fundamentally American human right of habeas corpus.

*Thom Hartmann is a three-time Project Censored Award-winning, New York Times best-selling author of nineteen books and, for the past four years, the host of a nationally syndicated noon-3 PM ET daily progressive talk show which will, starting on February 19th, replace the Al Franken show on [Air America Radio](#) radio stations from coast-to-coast and on Sirius Satellite Radio. His website is at [www.thomhartmann.com](http://www.thomhartmann.com) His most recent books are "[What Would Jefferson Do? A Return To Democracy](#)," and [Screwed: The Undeclared War Against the Middle Class and What We Can Do About It](#).*

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## BUSH MOVES TOWARD MARTIAL LAW

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Written by Frank Morales

Thursday, 26 October 2006



In a stealth maneuver, President Bush has signed into law a provision which, according to Senator Patrick Leahy (D-Vermont), will actually encourage the President to declare federal martial law (1). It does so by revising the Insurrection Act, a set of laws that limits the President's ability to deploy troops within the United States. The Insurrection Act (10 U.S.C.331 -335) has historically, along with the Posse Comitatus Act (18 U.S.C.1385), helped to enforce strict prohibitions on military involvement in domestic law enforcement. With one cloaked swipe of his pen, Bush is seeking to undo those prohibitions.

Public Law 109-364, or the "John Warner Defense Authorization Act of 2007" (H.R.5122) (2), which was signed by the commander in chief on October 17th, 2006, in a private Oval Office ceremony, allows the President to declare a "public emergency" and station troops anywhere in America and take control of state-based National Guard units without the consent of the governor or local authorities, in order to "suppress public disorder."

President Bush seized this unprecedented power on the very same day that he signed the equally odious Military Commissions Act of 2006. In a sense, the two laws complement one another. One allows for torture and detention abroad, while the other seeks to enforce acquiescence at home, preparing to order the military onto the streets of America. Remember, the term for putting an area under military law enforcement control is precise; the term is "martial law."

Section 1076 of the massive Authorization Act, which grants the Pentagon another \$500-plus-billion for its ill-advised adventures, is entitled, "Use of the Armed Forces in Major Public Emergencies." Section 333, "Major public emergencies; interference with State and Federal law" states that "the President may employ the armed forces, including the National Guard in Federal service, to restore public order and enforce the laws of the United States when, as a result of a natural disaster, epidemic, or other serious public health emergency, terrorist attack or incident, or other condition in any State or possession of the United States, the President determines that domestic violence has occurred to such an extent that the constituted authorities of the State or possession are incapable of ("refuse" or "fail" in) maintaining public order, "in order to suppress, in any State, any insurrection, domestic violence, unlawful combination, or conspiracy."

For the current President, "enforcement of the laws to restore public order" means to commandeer guardsmen from any state, over the objections of local governmental, military and local police entities; ship them off to another state; conscript them in a law enforcement mode; and set them loose against "disorderly" citizenry - protesters, possibly, or those who object to forced vaccinations and quarantines in the event of a bio-terror event.

The law also facilitates militarized police round-ups and detention of protesters, so called "illegal aliens," "potential terrorists" and other "undesirables" for detention in facilities already contracted for and under construction by Halliburton. That's right. Under the cover of a trumped-up "immigration emergency" and the frenzied militarization of the southern border, detention camps are being constructed right under our noses, camps designed for anyone who resists the foreign and domestic agenda of the Bush administration.

An article on "recent contract awards" in a recent issue of the slick, insider "Journal of Counterterrorism & Homeland Security International" reported that "global engineering and technical services powerhouse KBR [Kellogg, Brown & Root] announced in January 2006 that its Government and Infrastructure division was awarded an Indefinite Delivery/Indefinite Quantity (IDIQ) contract to support U.S. Immigration and Customs Enforcement (ICE) facilities in the event of an emergency." "With a maximum total value of \$385 million over a five year term," the report notes, "the contract is to be executed by the U.S. Army Corps of Engineers," "for establishing temporary detention and processing capabilities to augment existing ICE Detention and Removal Operations (DRO) - in the event of an emergency influx of immigrants into the U.S., or to support the rapid development of new programs." The report points out that "KBR is the engineering and construction subsidiary of Halliburton." (3) So, in addition to authorizing another \$532.8 billion for the Pentagon, including a \$70-billion "supplemental provision" which covers the cost of the ongoing, mad military maneuvers in Iraq, Afghanistan, and other places, the new law, signed by the president in a private White House ceremony, further collapses the historic divide between the police and the military: a tell-tale sign of a rapidly consolidating police state in America, all accomplished amidst ongoing U.S. imperial pretensions of global domination, sold to an "emergency managed" and seemingly willfully gullible public as a "global war on terrorism."

Make no mistake about it: the de-facto repeal of the Posse Comitatus Act (PCA) is an ominous assault on American democratic tradition and jurisprudence. The 1878 Act, which reads, "Whoever, except in cases and under circumstances expressly authorized by the Constitution or Act of Congress, willfully uses any part of the Army or Air Force as a posse comitatus or otherwise to execute the laws shall be fined under this title or imprisoned not more than two years, or both," is the only U.S. criminal statute that outlaws military operations directed against the American people under the cover of 'law enforcement.' As such, it has been the best protection we've had against the power-hungry intentions of an unscrupulous and reckless executive, an executive intent on using force to enforce its will.



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NONVIOLENT WARRIOR

Dave Dellinger



Unfortunately, this past week, the president dealt posse comitatus, along with American democracy, a near fatal blow. Consequently, it will take an aroused citizenry to undo the damage wrought by this horrendous act, part and parcel, as we have seen, of a long train of abuses and outrages perpetrated by this authoritarian administration.

Despite the unprecedented and shocking nature of this act, there has been no outcry in the American media, and little reaction from our elected officials in Congress. On September 19th, a lone Senator Patrick Leahy (D-Vermont) noted that 2007's Defense Authorization Act contained a "widely opposed provision to allow the President more control over the National Guard [adopting] changes to the Insurrection Act, which will make it easier for this or any future President to use the military to restore domestic order WITHOUT the consent of the nation's governors."

Senator Leahy went on to stress that, "we certainly do not need to make it easier for Presidents to declare martial law. Invoking the Insurrection Act and using the military for law enforcement activities goes against some of the central tenets of our democracy. One can easily envision governors and mayors in charge of an emergency having to constantly look over their shoulders while someone who has never visited their communities gives the orders."

A few weeks later, on the 29th of September, Leahy entered into the Congressional Record that he had "grave reservations about certain provisions of the fiscal Year 2007 Defense Authorization Bill Conference Report," the language of which, he said, "subverts solid, longstanding posse comitatus statutes that limit the military's involvement in law enforcement, thereby making it easier for the President to declare martial law." This had been "slipped in," Leahy said, "as a rider with little study," while "other congressional committees with jurisdiction over these matters had no chance to comment, let alone hold hearings on, these proposals."

In a telling bit of understatement, the Senator from Vermont noted that "the implications of changing the (Posse Comitatus) Act are enormous". "There is good reason," he said, "for the constructive friction in existing law when it comes to martial law declarations. Using the military for law enforcement goes against one of the founding tenets of our democracy. We fail our Constitution, neglecting the rights of the States, when we make it easier for the President to declare martial law and trample on local and state sovereignty."

Senator Leahy's final ruminations: "Since hearing word a couple of weeks ago that this outcome was likely, I have wondered how Congress could have gotten to this point. It seems the changes to the Insurrection Act have survived the Conference because the Pentagon and the White House want it."

The historic and ominous re-writing of the Insurrection Act, accomplished in the dead of night, which gives Bush the legal authority to declare martial law, is now an accomplished fact.

The Pentagon, as one might expect, plays an even more direct role in martial law operations. Title XIV of the new law, entitled, "Homeland Defense Technology Transfer Legislative Provisions," authorizes "the Secretary of Defense to create a Homeland Defense Technology Transfer Consortium to improve the effectiveness of the Department of Defense (DOD) processes for identifying and deploying relevant DOD technology to federal, State, and local first responders."

In other words, the law facilitates the "transfer" of the newest in so-called "crowd control" technology and other weaponry designed to suppress dissent from the Pentagon to local militarized police units. The new law builds on and further codifies earlier "technology transfer" agreements, specifically the 1995 DOD-Justice Department memorandum of agreement achieved back during the Clinton-Reno regime.(4)

It has become clear in recent months that a critical mass of the American people have seen through the lies of the Bush administration; with the president's polls at an historic low, growing resistance to the war Iraq, and the Democrats likely to take back the Congress in mid-term elections, the Bush administration is on the ropes. And so it is particularly worrying that President Bush has seen fit, at this juncture to, in effect, declare himself dictator.

Source:

(1) <http://leahy.senate.gov/press/200609/091906a.html> and <http://leahy.senate.gov/press/200609/092906b.html> See also, Congressional Research Service Report for Congress, "The Use of Federal Troops for Disaster Assistance: Legal Issues," by Jennifer K. Elsea, Legislative Attorney, August 14, 2006

(2) <http://www.govtrack.us/congress/bill.xpd?bill+h109-5122>

(3) Journal of Counterterrorism & Homeland Security International, "Recent Contract Awards", Summer 2006, Vol.12, No.2, pg.8; See also, Peter Dale Scott, "Homeland Security Contracts for Vast New Detention Camps," New American Media, January 31, 2006.

(4) "Technology Transfer from defense: Concealed Weapons Detection", National Institute of Justice Journal, No 229, August, 1995, pp.42-43.

Photo source: <http://sandiego.indymedia.org/images/2005/08/110478.jpg>



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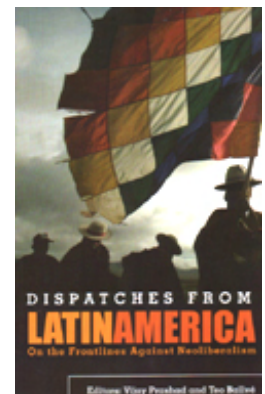
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February 21, 2007

### Understanding AFRICOM - Part I

#### Understanding AFRICOM: A Contextual Reading of Empire's New Combatant Command

(This is part one of *Understanding AFRICOM*. Published now are also [part II](#) and [part III](#). A PDF version of the complete series is [available](#). Your comments on this are welcome [here](#).)

by **b real**

#### AFRICOM

In early February 2007 the White House finally announced a presidential directive to establish by September 2008 a new unified combatant command with an area of responsibility (AOR) solely dedicated to the African continent. While there had been chatter and debate over a period of years about the form that such a military command should take, the announcement to proceed with centralizing military resources in Africa should not have surprised anyone paying attention for the past seven years.

The U.S. African Command (AFRICOM) will replace the AOR for each of three other geographic combatant commands (there are now a total of six) currently tasked with portions of the second-largest continent, with the small exception of U.S. Central Command (CENTCOM) retaining AOR for Egypt. Further details on operations have not been made public apart from the usual basic press briefings and the formation of a transition team, though it not a mystery to identify what role AFRICOM will play in both the U.S. and Africa's future.

In many ways, a context for the pending strategic role of AFRICOM can be gained from an understanding of the origins of CENTCOM and the role that it continues to provide in Iraq, Iran, Saudi Arabia, and the many "stans" popping up after the implosion of the former U.S.S.R. That context is centered on strategic energy supplies and, explicitly, that of oil. In the petroleum age, these energy stores - along with the territories concealing them -- have taken on great significance in the foreign policies of the industrialized nations, fueled by an insatiable fever for black gold and the seemingly instant wealth and power it delivers to its possessor. The record-breaking quarterly profits reported by the major oil "producers" over the past few years are only one symbol of the power that oil can bring.

Oil is money. But it is also much more, a crucial ingredient in the continuation of modern living as people in the major power centers have come to know it. Oil is the lifeblood of contemporary, militarized western civilization, and at least that much reality has been apparent to its planners for many decades now, especially as the natural deposits in the so-called developed nations dwindle away from over-exploitation and the centers' dependence on the periphery becomes everything.

Since the end of the Second World War and the intensified expansion of the modern industrial superpower, the ruling classes of the United States have strategized to guarantee themselves access to and delivery of hydrocarbons from the Persian Gulf region. Having experienced their own domestic production peak in the early 1970s, and perceiving themselves in battle with an international communist conspiracy determined to cast the western capitalist ideology into the dustbin of history, the increasingly powerful rulers of the U.S. pondered their dependency upon the Middle Eastern reserves -- containing perhaps 60% of all known accessible oil on the planet -- and adjusted their foreign policy programs accordingly. Not only was it imperative to secure the spigots, but in line with the trajectory of their long-worn practice of enforcing the Monroe Doctrine in their

own hemisphere, by the beginning of the following decade a new doctrine would be in place to extend the U.S. military directly into the Persian Gulf.

Michael Klare describes the importance of President Jimmy Carter's decision "in response to the Soviet occupation of Afghanistan and the Islamic revolution in Iran" [1] as

...the transformation of the U.S. military into a global oil-protection service whose primary function is the guarding of overseas energy supplies as well as their global delivery systems (pipelines, tanker ships, and supply routes). This overarching mission was first articulated by President Jimmy Carter in January 1980, when he described the oil flow from the Persian Gulf as a "vital interest" of the United States, and affirmed that this country would employ "any means necessary, including military force" to overcome an attempt by a hostile power to block that flow. When President Carter issued this edict, quickly dubbed the Carter Doctrine, the United States did not actually possess any forces capable of performing this role in the Gulf. To fill this gap, Carter created a new entity, the Rapid Deployment Joint Task Force (RDJTF), an ad hoc assortment of U.S.-based forces designated for possible employment in the Middle East. In 1983, President Reagan transformed the RDJTF into the Central Command (CENTCOM), the name it bears today. CENTCOM exercises command authority over all U.S. combat forces deployed in the greater Persian Gulf area including Afghanistan and the Horn of Africa. At present, CENTCOM is largely preoccupied with the wars in Iraq and Afghanistan, but it has never given up its original role of guarding the oil flow from the Persian Gulf in accordance with the Carter Doctrine. [2]

Indeed, as one only need recall the priority assigned to protecting the oil infrastructure in the 2003 invasion of Iraq (reportedly the campaign was to initially be named Operation Iraqi Liberation, or OIL) and the positioning of military bases along oil routes to see how central these energy supplies are to CENTCOM's missions. In fact, as Klare pointed out in an article from 2004, "[i]n the first U.S. combat operation of the war in Iraq, Navy commandos stormed an offshore oil-loading platform." [3]

Originally covering the Gulf states and the Horn of Africa (Djibouti, Eritrea, Ethiopia, Kenya, Somalia, and Sudan) CENTCOM's AOR expanded in the 1990s to include the newly independent Central Asian republics after President William Clinton extended the Carter Doctrine to qualify the Caspian Sea basin as another "vital interest" for securing oil and natural gas redistribution.

Paradoxically, as the military reach grew, so too did the need for more oil. The Pentagon is currently "the single largest oil consumer in the world." [4] The modern combatant command is an integral component of U.S. national security strategies regarding energy resources, plain and simple. And that is the role which AFRICOM will take up on the resource-rich continent of Africa as the amount of petroleum available globally continues to diminish. This was made clear through the Bush administration's May 2001 National Energy Policy and ensuing governmental objectives.

In May 2001 the Cheney report warned that the U.S. would grow increasingly dependent upon foreign oil in the years to come and recommended that as a matter of policy the Bush Administration work to increase production and export of oil from regions other than the Middle East, noting that Latin America and West Africa were likely to be the fastest growing sources of future U.S. oil imports. ... Three months later, Assistant Secretary of State for African Affairs Walter Kansteiner declared that African oil "has become a national strategic interest." This statement is particularly noteworthy in that it uses the language of the Carter Doctrine in the Middle East, in which President Carter went on to declare that the U.S. would intervene by any means necessary to protect its national interest in Middle Eastern oil. In April 2002, Donald Norland, former U.S. Ambassador to Chad told a Congressional subcommittee: "It's been reliably reported that, for the first time, the two concepts -- 'Africa' and 'U.S. national security' -- have been used in the same sentence in Pentagon documents." [5]

The 2002 *National Security Strategy* (NSS) outlined a blueprint for military cover enabling increased activity on the continent, positioning the global war on terror (GWOT) as both a key task for military forces and as an amorphous talking point, necessary to justify the stepped up interest in the area. The image of Africa portrayed as a haven of "terrorist cells," "porous borders," "civil wars," "poverty" and "disease", all of which not only makes humanitarian efforts more difficult, but also "threatens .. a core value of the United States -- preserving human dignity." The document also identified "South Africa, Kenya, Nigeria, and Ethiopia" as "anchors for regional engagement."

One of the only allusions to the role that the National Energy Policy played in this new NSS was the proclamation that "We will strengthen our own energy security and the shared prosperity of the global economy by working with our allies, trading partners, and energy producers to expand the sources and types of global energy supplied, especially in the Western Hemisphere, Africa, Central Asia, and the Caspian region." [6] Nigerians' ears perked up especially. To the military, the goose chase was on. All branches set their main focus on 'winning the war on terror,' and before long, as one former Bush administration official told reporter Raffi Khatchadourian, "Rumsfeld had his goons running all over the continent." [7]

### The Horn of Africa

In 2002, CENTCOM's Combined Joint Task Force Horn of Africa (CJTF-HOA) began establishing a permanent forward operating base at Camp Lemonier, an old French Foreign Legion base in Djibouti, using the pretext of the GWOT.

CJTF-HOA, staffed by about 1500 troops, has the mission of "detecting, disrupting and ultimately defeating transnational terrorist groups operating in the region -- denying safe havens, external support and material assistance for transnational terrorism in the region." Initially, it was driven by concerns that terrorists fleeing from Afghanistan would be attracted to the 'vast ungoverned spaces' of the Horn of Africa. When such a mass influx failed to materialize, and the local terrorist threat proved to be relatively limited, CJTF-HOA began giving greater emphasis to its role in preventing terrorism by providing humanitarian assistance and waging a hearts and minds campaign. [8]



And a foot in the door...

Similar to the Rapid Deployment Joint Task Force (RDJTF) that preceded USCENTCOM, these operations have initiated much ground work to gain better insight into the region and increase engagement in Africa. In the majority of cases, interaction within the region meets with less resistance than that experienced by the RDJTF. Specifically with other agencies within the U.S. government, this is best evidenced by the fact that TSCTI and CJTF-HOA have significant interaction with agencies such as the Department of State or USAID. [9]

A *Congressional Research Service* (CRS) report in 2004 informed members of Congress that "SOF units operating with Combined Joint Task Force Horn of Africa (CJTF-HOA) are involved in training selected regional armies in counterterrorism and counterinsurgency tactics as well as assisting in the apprehension of terrorists operating in the region." [10] Another CRS report for Congress, this time in 2006, stated that

Originally, the reported mission of CJTF-HOA was to conduct raids on Al Qaeda targets in the region -- particularly Somalia -- but due to a lack of targets, the mission has instead evolved into gathering intelligence, military training for some of the region's military forces, and building infrastructure and goodwill to create an environment hostile to terrorist organizations. [11]

William Arkin's directory, *Code Names*, summarizes the role of CJTF-HOA as: "The 1,800 personnel at Camp Lemonier coordinate military operations in Kenya, Somali, Sudan, Eritrea, Ethiopia, Djibouti, and Yemen." [12] And a report to the members of the Senate Foreign Relations Committee (SFRC) ascribes to it a more enlightened Good Samaritan mission:

Such an expansion of military-provided humanitarian and civic assistance is nowhere more evident than in the Horn of Africa. U.S. Central Command oversees some 1800 troops stationed at Camp Lemonier, Djibouti, who are tasked with building health clinics, wells and schools in remote areas where government influence is weak and terrorists are known to be recruiting. In an effort to provide evidence of alternatives to religious extremism, small military teams train local forces, gain access and gather information, and provide practical assistance in an attempt to improve the lives of local residents in areas that terrorists may be targeting. [13]

Hearts, minds, and souls aside, there is more going on here, as should be expected when placing CJTF-HOA's role into the global energy protection context. As John Foster Bellamy wrote in June 2006,

At present the main, permanent U.S. military base in Africa is the one established in 2002 in Djibouti in the Horn of Africa, giving the United States strategic control of the maritime zone through which a quarter of the world's oil production passes. The Djibouti base is also close in proximity to the Sudanese oil pipeline. ... The Djibouti base allows the United States to dominate the eastern end of the broad oil swath cutting across Africa that now considers vital to its strategic interests -- a vast strip running southwest from the 994-mile Hagleig-Port Sudan oil pipeline in the east to the 640-mile Chad-Cameroon pipeline and the Gulf of Guinea in the West. [14]

In addition to Djibouti, there are prominent forward-operating bases located in Kenya, Ethiopia (two of the nations identified as regional anchors in the NSS), and Uganda, geographically situated near both the southern edge of Sudan (the part where most of the oil is) and the resource-rich, highly-prized Great Lakes region.

The first country to conclude a formal agreement with Washington for the use of local military facilities was Kenya, which signed an agreement in February 1980. The Kenyan agreement allows U.S. troops to use the port of Mombassa, as well as airfields at Embakasi and Nanyuki. These facilities were used to support the American military intervention in Somalia 1992-1994 and have been used in the past year [written in 2005] to support forces from the United States and other coalition forces involved in counter-terrorism operations in the region. The United States has signed agreements with Ghana, Senegal, Gabon, Namibia, Uganda, and Zambia to allow American aircraft to refuel at local air bases. In its efforts to secure other basing options, the United States has negotiated agreements granting it access to airfields and other facilities in several African nations. These facilities are often referred to as "lily pad" facilities, because American forces can hop in and out of them in times of crisis while avoiding the impression of establishing a permanent - and potentially provocative - presence. They include Entebbe Airport in Uganda, where the United States has built two "K-Span" steel buildings to house troops and equipment; an airfield near Bamako, the capital of Mali; an airfield at Dakar, Senegal; an airfield in Gabon; and airfields and port facilities in Morocco and Tunisia. [15]

Investigative reporter Keith Harmon Snow, in an article from 2004, wrote of training camps in Ethiopia:

In 2003, the U.S. Army's 10th Mountain Division (Special Operations Forces) completed a three-month program to train an Ethiopian army division in counter-terrorism tactics. Operations are coordinated through the Combined Joint Task Forces-Horn of Africa (CJTF-HOA) base in Djibouti. In January 2004, Special Operations soldiers from the 3rd U.S. Infantry Regiment replaced the 10th Mountain Division forces at a new Hurso Training Camp, northwest of Dire Dawa near the border with Somalia, to be used for launching local joint missions in "counter-terrorism" with the Ethiopian military. Soldiers will continue to operate missions out of Hurso for several months from a new forward base names "Camp United." From April 12-25, 2003, under the U.S. State Department-sponsored Africa Contingency Operations Training and Assistance Program, CJTF-HOA provided instruction to nearly 900 Ethiopian soldiers at a base in Legedadi. CJTF-HOA forces from the U.S. Army's 478th Civil Affairs Battalion also operated in Ethiopia in 2003 in and around Dire Dawa, Galadi, and Dolo Odo, among other areas. [16]

The December 2006 invasion of Somalia was coordinated using these and other bases throughout the region. While efforts to replace the popular Islamic Courts Union in Somalia with the warlord-led Transitional Federal Government (TFG) appear to be failing, the arrival of AFRICOM may bring more boots on the ground into that unstable, geostrategic nation. Especially now that TFG spokesman Abdirahman Dinari has dangled a carrot before foreign investors: "Somalia has a lot of oil, and our ministers have just approved a key exploration law to regulate how concessions are given

out.... But what we need now is international support to restore security and build our nation, and we will be noting who helps us and who doesn't when these decisions are taken." [17]

The persistent Western calls for "humanitarian intervention" into the Darfur region of Sudan also sets up another possibility for military engagement to deliver regime change in another Islamic state in the Horn. However, since the conflicts in Iraq and Afghanistan are grinding down available U.S. resources, for now, any increased involvement in these two areas will likely consist primarily of U.S.-organized and directed regional militaries, private contractors and mercenaries, or potentially African Union and United Nations forces. The training and arming of national militaries is taking place throughout the continent already, although the most visible efforts have been taking place in the European Command's AOR.

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Go to [Part II](#).

A PDF version of the complete series is [available](#).

Your comments on this are welcome [here](#).

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1. Michael Klare, "Oil Wars: Transforming the American Military into a Global Oil-Protection Service," *TomDispatch*, October 7, 2004, [\[link\]](#)
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9. CDR Otto Sieber, "Africa Command: Forecast for the Future", *Strategic Insights*, Volume VI, Issue 1 (January 2007), [\[link\]](#)
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16. Keith Harmon Snow, "State Terror in Ethiopia: Another secret war for oil?," *Z Magazine Online*, May 2004, [\[link\]](#)
17. Daniel Wallis, "Oil profits boost east Africa exploration," *Reuters*, [\[link\]](#)

Posted by Bernhard on February 21, 2007 at 08:50 AM | [Permalink](#)

#### Comments

Thanks b real - we certainly neglect Africa here except for the links and news you put to us.

A good source is the Association of Concerned Africa Scholars which has reports on [U.S. Military Programs in sub-Saharan Africa, 2001-2003](#) and [U.S. MILITARY PROGRAMS IN SUB-SAHARAN AFRICA, 2005-2007](#). Especially of interests are the ACRI and ACOTA [programs](#) where U.S. special forces are training African troops.

I wonder if the ["School of the Africas"](#) has already opened up.

Posted by: [b](#) | Feb 21, 2007 11:28:39 AM | [1](#)

#### [UN consents Somalia peacekeepers](#)

Mogadishu 21, Feb.07 ( Sh.M.Network) The U.N. Security Council authorized for six months an African Union peacekeeping mission to Somalia on Tuesday as mortar attacks pounded the capital Mogadishu and the northeast African country spiraled further into chaos.

The resolution, adopted unanimously, calls on African Union troops to take "all necessary measures" to provide government, infrastructure and humanitarian security and training for Somali security forces.

...

It also lifts a 1992 arms embargo and says the import of weapons are to be used by this force only. Outside experts hired by the Security Council reported last year that Djibouti, Egypt, Eritrea, Iran, Libya, Saudi Arabia and Syria provided illegal weapons to the Islamists while Ethiopia, Uganda and Yemen helped supply the interim government.

The resolution "reiterates its intention to consider taking measures against those who seek to prevent or block a peaceful political process, threaten the transitional federal institutions by force or take action that undermines stability in Somalia or the region."

#### [Security Council authorizes African-led peace mission in Somalia](#)

20 February 2007 – The United Nations Security Council today authorized the African Union to

establish a mission in Somalia aimed at helping the war-ravaged country, which has not had a functioning government for over a decade and a half, to achieve national reconciliation and facilitate the delivery of humanitarian aid.

Through a unanimous resolution adopted under Chapter VII of the UN Charter – which allows for enforcement measures – the Council decided that the operation, to be known as AMISOM, will support dialogue and reconciliation in Somalia by assisting with the free movement, safe passage and protection of all those involved with the process.

The new mission overrides a previous Council-authorized operation led by the Intergovernmental Authority on Development (IGAD), a regional body, which had a more limited mandate. It will provide protection to the Transitional Federal Institutions (TFIs) to help them carry out their functions of government, and security for key infrastructure.

In addition, AMISOM, will assist to the extent possible, with carrying out the National Security and Stabilization Plan, particularly as regards the re-establishment and training of all-inclusive Somali security forces.

...

It welcomed the initiative of the TFIs to pursue an inclusive intra-Somali political process, citing in particular President Abdullahi Yusuf Ahmed's announced intention to convene a national reconciliation congress involving all concerned, including political leaders, clan leaders, religious leaders, and representatives of civil society.

actually, yusuf and the TFG are clan warlords. and yusuf has maintained a hardline against the ICU, continuously refusing to meet w/ any of it's representatives.

for more history on yusuf & the ongoing u.s. involvement in somalia, see james petras' recent article on [The Case of Somalia](#)

The current 'President' of the US puppet regime, dubbed the 'Transitional Federal Government,' is Abdullahi Yusuf. He is a veteran warlord deeply involved in all of the corrupt and lawless depredations that characterized Somalia from 1991 to 2006. Yusuf had been President of the self-styled autonomous Puntland breakaway state in the 1990's.

Despite US and Ethiopian financial backing, Abdullahi Yusuf and his warlord associates were finally driven out of Mogadishu in June 2006 and out of the entire south central part of the country. Yusuf was holed up and cornered in a single provincial town on the Ethiopian border and lacked any social basis of support even from most of the remaining warlord clans in the capital. Some warlords had withdrawn their support of Yusuf and accepted the ICU's offers to disarm and integrate into Somali society underscoring the fact that Washington's discredited and isolated puppet was no longer a real political or military factor in Somalia. Nevertheless, Washington secured a UN Security Council resolution recognizing the warlord's tiny enclave of Baidoa as the legitimate government. This was despite the fact that the TFG's very existence depended on a contingent of several hundred Ethiopian mercenaries financed by the US. As the ICU troops moved westward to oust Yusuf from his border outpost -- comprising less than 5% of the country -- the US increased its funding for the dictatorial regime of Meles Zenawi in Ethiopia to invade Somalia.

the attempted installation of yusuf and his unpopular band is not working out as hoped, despite efforts to gain legitimacy through the UN. yusuf has resisted u.s. pressure to negotiate w/ what they deem the 'moderates' of the ICU in the hopes of creating divisions and weakening it.

Posted by: b real | Feb 21, 2007 11:42:16 AM | [2](#)

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And the moral of the story is? :::::

We can't have the hungry of the world breaking Walmart's windows.

We have to keep the peace for the corporate machine everywhere.

Posted by: pb | Feb 21, 2007 12:14:35 PM | [3](#)

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Impressive.

Looking forward to the next installments.

From b real's first link (in comment #2 above):

Outside experts hired by the Security Council reported last year that Djibouti, Egypt, Eritrea, Iran, Libya, Saudi Arabia and Syria provided illegal weapons to the Islamists while Ethiopia, Uganda and Yemen helped supply the interim government.

And while this is all true it is worth noting the difference that is made between breaking the embargo to supply one side with weapons ("provided illegal weapons") and breaking the embargo to supply an other side with weapons ("helped supply").

But near daily attacks blamed on ousted Islamist hard-liners have put pressure on the interim government, which is struggling to restore stability so Ethiopian troops who helped it take the capital can return home.

A wave of pre-dawn mortar attacks killed at least 16 people in Mogadishu earlier on Tuesday in one of the most brutal bombardments since the Islamists were forced out of the city.

The Security Council on Feb. 2 welcomed an African Union offer to send peacekeepers to Somalia and urged it to do so quickly after Ethiopia's Prime Minister Meles Zenawi said last month he wanted his thousands of troops out "within weeks."

So it looks unclear wheter Meles are letting his army get tied down in occupying Mogadishu. On one hand he wants to withdraw "within weeks" on the other if stability is demanded before they can withdraw, well we all know what that means.

Posted by: [a swedish kind of death](#) | Feb 21, 2007 2:31:44 PM | [4](#)




Article from Oxfam International:

[http://www.oxfam.org/en/policy/briefingpapers/bp101\\_regional\\_trade\\_agreements\\_0703](http://www.oxfam.org/en/policy/briefingpapers/bp101_regional_trade_agreements_0703)

Published: 20 March 2007

## Signing Away The Future: How trade and investment agreements between rich and poor countries undermine development

The quiet advance of trade and investment agreements between rich and poor countries threatens to deny developing countries a favourable foothold in the global economy. Driven by the USA and the European Union, these agreements impose far-reaching rules that place severe restrictions on the very policies developing countries need in order to fight poverty.

 ([http://oxfam.intelli-direct.com/e/d.dll?m=235&url=http://www.oxfam.org/en/files/bp101\\_regional\\_trade\\_agreements\\_0703/download](http://oxfam.intelli-direct.com/e/d.dll?m=235&url=http://www.oxfam.org/en/files/bp101_regional_trade_agreements_0703/download)) **Signing Away The Future: How trade and investment agreements between rich and poor countries undermine development** ([http://oxfam.intelli-direct.com/e/d.dll?m=235&url=http://www.oxfam.org/en/files/bp101\\_regional\\_trade\\_agreements\\_0703/download](http://oxfam.intelli-direct.com/e/d.dll?m=235&url=http://www.oxfam.org/en/files/bp101_regional_trade_agreements_0703/download)) (pdf 302.6 kb)

### Summary

The quiet advance of trade and investment agreements between rich and poor countries threatens to deny developing countries a favourable foothold in the global economy.

Powerful countries, led by the USA and the European Union (EU), are pursuing regional and bilateral free trade agreements with unprecedented vigour. This is happening without the fanfare of global summitry and international press coverage. Around 25 developing countries have now signed free trade agreements with developed countries, and more than 100 are engaged in negotiations. An average of two bilateral investment treaties are signed every week. Virtually no country, however poor, has been left out.

Rich countries are using these bilateral and regional 'free trade agreements' (FTAs) and investment treaties to win concessions that they are unable to obtain at the World Trade Organization (WTO), where developing countries can band together and hold out for more favourable rules. The USA has called its approach 'competitive liberalization', and the EU declared its intention to use bilateral deals as 'stepping stones to future multilateral agreements'. The EU argues that this new generation of bilateral and regional agreements is vital in order for developing countries in Africa, the Caribbean and the Pacific to maintain their access to European markets in a form that is compatible with WTO rules. It has also repeatedly told poor countries that it has no commercial 'offensive interests' in the negotiations and that there will be long periods for implementation. Yet its far-reaching proposals and aggressive approach appear to contradict these statements.

The inexorable advance of such trade and investment agreements, negotiated largely behind closed doors, threatens to undermine the promise of trade and globalization as forces to reduce poverty. In an increasingly globalised world, these agreements seek to benefit rich-country exporters and firms at the expense of poor farmers and workers, with grave implications for the environment and development.

The worst of the agreements strip developing countries of the capacity to effectively govern their economies and to protect their poorest people. Going beyond the provisions negotiated at a multilateral level, they impose far-reaching, hard-to-reverse rules that systematically dismantle national policies designed to promote development.

The USA and EU are pushing through rules on intellectual property that reduce poor people's access to life-saving medicines, increase the prices of seeds and other farming inputs beyond the reach of small farmers, and make it harder for developing-country firms to access new technology. The proposed trade deal between the USA and Colombia, for example, would increase medicine costs by \$919m by the year 2020, enough to provide health care for 5.2 million people under the public-health system. Under the US–Dominican Republic–Central America Free Trade Agreement (DR-CAFTA ) the prices of agrochemicals are expected to rise several-fold.

The rules on liberalization of services in FTAs threaten to drive local firms out of business, reduce competition, and extend the monopoly power of large companies. When Mexico liberalised financial services in 1993 in preparation for the North American Free Trade Agreement (NAFTA), for example, foreign ownership of the banking system increased to 85 per cent in seven years, but lending to Mexican businesses dropped from 10 per cent of gross domestic product (GDP) to 0.3 per cent, depriving poor people living in rural areas of vital sources of credit.

These new rules also pose a potential threat to poor people's access to essential services. In some US FTAs, developing countries are committing themselves to let foreign investors into public utilities if the sector is opened up to domestic private companies. A leaked version of the EU's draft negotiating mandates for FTAs with ASEAN, India, Central America, the Andean countries, and South Korea show that the EU is seeking similar provisions for water and other utilities.

New investment rules in many agreements prevent developing-country governments from requiring foreign companies to transfer technology, train local workers, or source inputs locally. Under such conditions, foreign investment fails to build national linkages, create decent employment, or increase wages, and instead exacerbates inequality.

The investment chapters of FTAs and bilateral investment agreements make governments vulnerable to being sued by foreign investors if a new regulation is perceived as damaging the investor's profits, even when such reforms are in the public interest. Current claims against Argentina for emergency measures adopted during the financial crisis in 2001/2002 are estimated at \$18bn.

Free trade agreements can impose radical tariff liberalization, threatening the livelihoods of small farmers and preventing governments from using tariff policy to promote manufacturing. For example, through its Economic Partnership Agreements (EPAs), Europe proposes to oblige the poorest countries in the world to reduce a very large part of their tariffs to zero. At the same time FTAs do not address the adverse impacts of rich-country subsidies on poor countries through dumping, or the plethora of non-tariff barriers that continue to impede access to rich-country markets.

The overall effect of these changes in the rules is to progressively undermine economic governance, transferring power from governments to largely unaccountable multinational firms, robbing developing countries of the tools they need to develop their economies and gain a favourable foothold in global markets.

Although developing-country governments have proved themselves increasingly assertive at the WTO and in some regional and bilateral agreements, the balance of power in current negotiations remains tipped heavily in favour of rich countries and large, politically influential corporations. Furthermore, within developing countries, small businesses, trade unions, non-government organizations, women's groups, and indigenous peoples have very few mechanisms for participation, and their rights and needs are largely ignored.

Trade and investment are essential for development, and the imbalances that characterise and distort global trade and investment rules must be addressed as a matter of urgency. But unequal and exploitative free trade agreements and bilateral investment treaties, which prohibit the very policies developing countries need in order to fight poverty, is no way to put trade and investment at the service of development, or to build a safer, fairer world.

In order to turn the tide and put trade and investment at the service of development, Oxfam believes that trade rules, whether multilateral, regional, or bilateral, should:

- Recognize the special and differential treatment that developing countries require in order to move up the development ladder.
- Enable developing countries to adopt flexible intellectual-property legislation to ensure the primacy of public health and agricultural livelihoods and protect traditional knowledge and biodiversity.
- Exclude essential public services such as education, health, water and sanitation from liberalization commitments.
- Recognize the right of governments to regulate the entry of foreign investors to promote development and the creation of decent employment, and include commitments to enforce core labour standards for all workers.
- Ensure mechanisms for extensive participation of all stakeholders in the negotiating process, with full disclosure of information to the public, including the findings of independent impact assessments.

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## A U.S. Fortress Rises in Baghdad: Asian Workers Trafficked to Build World's Largest Embassy

by David Phinney, Special to CorpWatch  
October 17th, 2006

John Owens didn't realize how different his job would be from his last 27 years in construction until he signed on with First Kuwaiti Trading & Contracting in November 2005. Working as general foreman, he would be overseeing an army of workers building the largest, most expensive and heavily fortified US embassy in the world. Scheduled to open in 2007, the sprawling complex near the Tigris River will equal Vatican City in size.

Then seven months into the job, he quit.

Not one of the five different US embassy sites he had worked on around the world compared to the mess he describes. Armenia, Bulgaria, Angola, Cameroon and Cambodia all had their share of dictators, violence and economic disruption, but the companies building the embassies were always fair and professional, he says. The Kuwait-based company building the \$592-million Baghdad project is the exception. Brutal and inhumane, he says "I've never seen a project more fucked up. Every US labor law was broken."

In the resignation letter last June, Owens told First Kuwaiti and US State Department officials that his managers beat their construction workers, demonstrated little regard for worker safety, and routinely breached security.

### Pentagon Finds Worker Abuse and Trafficking in Iraq, but Penalizes No One

On April 4, 2006, the Pentagon issued a [new contracting directive](#) following a secret investigation that officially confirms what



Cartoon by Khalil Bendib

And it was all happening smack in the middle of the US-controlled Green Zone -- right under the nose of the State Department that had quietly awarded the controversial embassy contract in July 2005.

He also complained of poor sanitation, squalid living conditions and medical

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many South Asian laborers have been complaining about ever since the March 2003 invasion of Iraq. Some contractors, many working as subcontractors to **Halliburton** /KBR in Iraq, were found to be using deceptive, bait-and-switch hiring practices and charging recruiting fees that indebted low-paid migrant workers for many months or even years to their employers. Contractors were also accused of providing substandard, crowded sleeping quarters, serving poor food, and circumventing Iraqi immigration procedures.

While the Pentagon declines to specifically name those contractors found to be doing business in this way, it also acknowledged in an **April 19 memorandum** that it was a widespread practice among contractors in Iraq and Afghanistan to take away workers passports. Holding onto employee passports -- a direct violation of US labor trafficking laws -- helped stop workers from leaving war-torn Iraq or taking better jobs with other contractors.

Contractors engaging in the practice, states the memo, must immediately "cease and desist."

"All passports will be returned to employees by 1 May 06. This requirement will be flowed down to each of your subcontractors performing work in this theater."

The Pentagon has yet to announce of any penalty for those found to be in violation of US labor trafficking laws or contract requirements.

The secrecy struck Owens as a little odd, but he grabbed his luggage and moved on. Everyone filed out to the private jet and flew directly to Baghdad. "I figured that they had visas for Kuwait and not Iraq," Owens offers.

The deception had the appearance of smuggling workers into Iraq, but Owens didn't know at the time that the Philippines, India, and other countries had banned or restricted their citizens from working in Iraq because of safety concerns and fading support for the war. After 2004, many passports were stamped "Not valid for Iraq."

Nor did Owens know that both the US State Department and the Pentagon were quietly

malpractice in the labor camps where several thousand low-paid migrant workers lived. Those workers, recruited on the global labor market from the Philippines, India, Pakistan and other poor south Asian countries, earned as little as \$10 to \$30 a day.

As with many US-funded contractors, First Kuwaiti prefers importing labor because it views Iraqi workers as a security headache not worth the trouble.

### No Questions Asked

By March 2006, First Kuwaiti's operation began looking even sketchier to Owens as he boarded a nondescript white jet on his way back to Baghdad following some R&R in Kuwait city. He remembers being surrounded by about 50 First Kuwaiti laborers freshly hired from the Philippines and India. Everyone was holding boarding passes to Dubai -- not to Baghdad.

"I thought there was some sort of mix up and I was getting on the wrong plane," says the 48-year-old Floridian who once worked as a fisherman with his father before moving into the construction business.

He buttonholed a First Kuwaiti manager standing near by and asked what was going on. The manager waved his hand, looked around the terminal and whispered to keep quiet.

"If anyone hears we are going to Baghdad, they won't let us on the plane," Owens recalls the manager saying.

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investigating contractors such as First Kuwaiti for labor trafficking and worker abuse. In fact, the **international news media had accused First Kuwaiti repeatedly of coercing workers** to take jobs in battle-torn Iraq once they had been lured with safer offers to Kuwait. The company has billed several billion dollars on US contracts since the war began in March 2003 and now has an estimated 7,500 laborers in the theater of war.

Despite numerous emails and phone calls about such allegations, neither First Kuwaiti general manager Wadih Al Absi nor his lawyer Angela Styles, the former top White House contract policy advisor, have responded. After a year of requests, State Department officials involved with the project also have ignored or rejected opportunities for comment.

### **Your Passports Please**

That same March Owens returned to work in Baghdad, Rory Mayberry would witness similar events after he flew to Kuwait from his home in Myrtle Creek, Oregon.

The gravely voiced, easy-going Army veteran had previously worked in Iraq for **Halliburton** and the private security company, Danubia. Missing the action and the big paychecks US contractors draw Iraq, he snagged a \$10,000 a month job with MSDS consulting Company.

MSDS is a two-person minority-owned consulting company that assists US State Department managers in Washington with procurement programming. Never before had the firm offered medical services or worked in Iraq, but First Kuwaiti hired MSDS on the recommendation of Jim Golden, the State Department contract official overseeing the embassy project. Within days, an agreement worth hundreds of thousands of dollars for medical care was signed.

The 45-year-old Mayberry, a former emergency medical technician in the Army who worked as a funeral director in Oregon, responded to a help wanted ad placed by MSDS. The plan was that he would work as a medic attending to the construction crews on the work site in Baghdad.

Mayberry sensed things weren't right when he boarded a First Kuwaiti flight on March 15 to Baghdad – a different flight from Owens.

At the airport in Kuwait City, Mayberry said, he saw a person behind a counter hand First Kuwaiti managers a passenger manifest, an envelope of money and a stack of boarding passes to Dubai. The managers then handed out the boarding passes to Mayberry and 50 or so new First Kuwaiti laborers, mostly Filipinos.

"Everyone was told to tell customs and security that they were flying to Dubai," Mayberry explains. Once the group passed the guards, they went upstairs and waited by the McDonald's for First Kuwaiti staff to unlock a door -- Gate 26 -- that led to an unmarked, white 52-seat jet. It was "an antique piece of shit" Mayberry offers in a casual, blunt manner.

"All the workers had their passports taken away by First Kuwaiti," Mayberry claims, and while he knew the plane was bound for Baghdad, he's not so sure the others were aware of their destination. The Asian laborers began asking questions about why they were flying north and the jet wasn't flying east over the ocean, he says. "I think they thought they were going to work in Dubai."

One former First Kuwaiti supervisor acknowledges that the company holds passports of many workers in Iraq – a violation of US contracting.

“All of the passports are kept in the offices,” said one company insider who requested anonymity in fear of financial and personal retribution. As for distributing Dubai boarding passes for Baghdad flights, “It’s because of the travel bans,” he explained.

Mayberry believes that migrant workers from the Philippines, India and Nepal are especially vulnerable to employers like First Kuwaiti because their countries have little or no diplomatic presence in Iraq.

“If you don’t have your passport or an embassy to go to, what you do to get out of a bad situation?” he asks. “How can they go to the US State Department for help if First Kuwaiti is building their embassy?”

### **Deadly ‘Candy Store’ Medicine**

Owens had already been working at the embassy site since late November when Mayberry arrived. The two never crossed paths, but both share similar complaints about management of the project and brutal treatment of the laborers that, at times, numbered as many as 2,500. Most are from the Philippines, India, and Pakistan. Others are from Egypt and Turkey.

The number of workers with injuries and ailments stunned Mayberry. He went to work immediately after and stayed busy around the clock for days.

Four days later, First Kuwaiti pulled him off the job after he requested an investigation of two patients who had died before he arrived from what he suspected was medical malpractice. Mayberry also recommended that the health clinics be shut down because of unsanitary conditions and mismanagement.

“There hadn’t been any follow up on medical care. People were walking around intoxicated on pain relievers with unwrapped wounds and there were a lot of infections,” he recalls. “The idea that there was any hygiene seemed ridiculous. I’m not sure they were even bathing.”

### **Labor Trafficking Under US Funded Iraq Contracts**

[CNN: Probe into Iraq Trafficking Claims – May 5, 2004](#)

[The New York Times: Indian Contract Workers in Iraq Complain of Exploitation – May 7, 2004](#)

[The Washington Post: Underclass of Workers Created in Iraq – July 1, 2004](#)

In reports made available to the US State Department, the US Army and First Kuwaiti, Mayberry listed dozens of concerns about the clinics, which he found lacking in hot water, disinfectant, hand washing stations, properly supplied ambulances, and communication equipment. Mayberry also complained that workers’ medical records were in total disarray or nonexistent, the beds were dirty, and the support staff hired by First Kuwaiti was poorly trained.

The handling of prescription drugs especially bothered him. Many of the drugs that originated from Iraq and Kuwait were unsecured, disorganized and

unintelligibly labeled, he said in one memo. He found that the medical staff frequently misdiagnosed patients. Prescription pain killers were being handed out "like a candy store ... and then people were sent back to work."

Mayberry warned that the practice could cause addiction and safety hazards. "Some were on the construction site climbing scaffolding 30 feet off the ground. I told First Kuwaiti that you don't give painkillers to people who are running machinery and working on heavy construction and they said 'that's how we do it.'"

The sloppy handling of drugs may have led to the two deaths, Mayberry speculates. One worker, age 25, died in his room. The second, in his mid-30s, died at the clinic because of heart failure. Both deaths may be "medical homicide," Mayberry says -- because the patients may have been negligently prescribed improper drug treatment.

If the State Department investigated, Mayberry knows nothing of the outcome. Two State Department officials with project oversight responsibilities did not return phone calls or emails inquiring about Mayberry's allegations. The reports may have been ignored, not because of his complaints, but because Mayberry is a terrible speller, a problem compounded by an Arabic translation program loaded on his computer, he says.

### **Accidents Happen**

Owens' account of his seven months on the job paints a similar picture to Mayberry's. Health and safety measures were essentially non-existent, he says. Not once did he witness a safety meeting. Once an Egyptian worker fell and broke his back and was sent home. No one ever heard from him again. "The accident might not have happened if there was a safety program and he had known how to use a safety harness."

Owens also says that managers regularly beat workers and that laborers were issued only one work uniform, making it difficult to go to the laundry. "You could never have it washed. Clothing got really bad – full of sweat and dirt."

And while he often smuggled water to the work crews, medical care was a different issue. When he urged laborers to get medical treatment for rashes and sores, First Kuwaiti managers accused him of spoiling the laborers and allowing them simply to avoid work, he says.

State Department officials supervising the project are aware of many such events, but apparently do nothing, he said. Once when 17 workers climbed the wall of the construction site to escape, a State Department official helped round them up and put them in "virtual lockdown," Owens said.

Just before he resigned, hundreds of Pakistani workers went on strike in June and beat up a Lebanese manager who they accused of harassing them. Owens estimates that 375 were then sent home.

### **'Treated Like Animals'**

Recent First Kuwaiti employees agree that the accounts shared by Owens and Mayberry are accurate. One longtime supervisor claims that 50 to 60 percent of the laborers regularly

complain that First Kuwaiti "treats them like animals," and routinely reduces their promised pay with confusing and unexplained deductions.

Another former First Kuwaiti manager, who declines to be named because of possible adverse consequences, says that Owens' and Mayberry's complaints only begin "to scratch the surface."

But scratching the surface is the only view yet available of what may be the most lasting monument to the US liberation and occupation of Iraq. As of now only a handful of authorized State Department managers and contractors, along with First Kuwaiti workers and contractors, are officially allowed inside the project's walls. No journalist has ever been allowed access to the sprawling 104-acre site with towering construction cranes raising their necks along the skyline.

Even this tight security is a charade, says on former high-level First Kuwaiti manager. First Kuwaiti managers living at the construction site regularly smuggle prostitutes in from the streets of Baghdad outside the Green Zone, he says.

Prostitutes, he explains are viewed as possible spies. "They are a big security risk."

But the exposure that the US occupation forces and First Kuwaiti may fear most could begin with the contractor itself and the conditions workers are forced to endure at this most obvious symbol of the American democracy project in Iraq.

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# Operation FALCON

## From SourceWatch

The "aptly-christened" **Operation FALCON**—the acronym for "Federal and Local Cops Organized Nationally"—was the "massive roundup of 10,000 American citizens" in a "massive clandestine dragnet that involved hundreds of state, federal and local law-enforcement agencies during the week of April 4 to April 10, 2005. It was the largest criminal-sweep in the nation's history and was [the] brainchild of Attorney General Alberto Gonzales and his counterpart," Benigno Reyna, director of the United States Marshals Service (USMS) (a.k.a. Federal Marshals Service<sup>[1]</sup>), Mike Whitney wrote May 18, 2005, for *CounterPunch*.<sup>[2]</sup>

"The details are mind-boggling," Whitney said, with more than "960 agencies (state, local and federal) ... directly involved acting on 13,800 felony warrants and spending nearly \$900,000 on the operation." Whitney cites one report from CNN that "the raids netted '162 accused or convicted of murder, 638 wanted for armed robbery, 553 wanted for rape or sexual assault, 154 gang members and 106 unregistered sex offenders.'" But, Whitney pointed out, that accounts for approximately 10% of the 10,000 apprehended, so what of the other 9,000? As of May 18, 2005, the date of Whitney's report, "the US Marshall's office [had] issued no public statement to the press as to whether the 10,000 people arrested in operation Falcon have been processed or released."<sup>[3]</sup>

For more background, see articles listed here.

## Contents

- 1 Some unanswered questions
- 2 Aggregating the numbers
- 3 Operation FALCON III
  - 3.1 October Surprise?
  - 3.2 Statistics
  - 3.3 Hidden within the data
- 4 Operation FALCON II
  - 4.1 Statistics
  - 4.2 Federal immigration-related cases
- 5 Operation FALCON I
  - 5.1 Fugitives arrested (Operation FALCON I)
  - 5.2 Gonzales's report to Congress
  - 5.3 "Round-up" or "Dry Run"?
  - 5.4 Fake news?
  - 5.5 Facts checked
  - 5.6 Googling for Headlines
  - 5.7 Low priority on fugitives
- 6 Operation FALCON-related press releases
- 7 Contact information
- 8 Resources and articles

- 8.1 Related SourceWatch articles
- 8.2 References
- 8.3 External articles

## Some unanswered questions

The data provided by the U.S. Department of Justice and the U.S. Marshals Service for all three roundups carried out under the auspices of the Operation FALCON program does not address the following questions:

- How many of those arrested are illegal immigrants?
- How many were mistakenly arrested and, if so, were they released?
- Since they can do roundups of this magnitude, will they do it to deport illegal aliens?
- How many of the captured fugitives have been prosecuted and how many are still being confined?
- Although Attorney General Gonzales stated<sup>[4]</sup> April 15, 2005, that Operation FALCON was "an excellent example of President Bush's direction and the Justice Department's dedication to deal both with the terrorist threat and traditional violent crime", where is the connection between the Operation FALCON roundups and catching terrorists?<sup>[5]</sup>
- Have any alleged terrorists been captured, apprehended, incarcerated or prosecuted in connection with the roundups?
- Have any alleged terrorists been involved in extraordinary rendition and transported into the global detention system?
- How many of the captured fugitives have been confined in American concentration camps contracted<sup>[6]</sup> in January 2006 by the U.S. Department of Homeland Security's (DHS) U.S. Immigration and Customs Enforcement (ICE) to Halliburton subsidiary Kellogg Brown and Root (KBR)?
- Since Congressional Committees on the Judiciary and Government Oversight are looking into Bush administration hiring and firing practices of U.S. attorneys and other questionable matters linked to the DoJ, will they be looking into Operation FALCON as well?
- Why wait until a roundup before arresting these fugitives? As blogger EAJ pointed out in April 2006 at *Hedge Blogspot*:<sup>[7]</sup>
  - "Question: surely the popo didn't discover where all these fugitives [sic] were hiding in the space of a week. Using that logic, they had to have known where these people were before Operation Falcon II. So why the [xyz] didn't they arrest them sooner? Gee, is it any wonder people don't trust the police?"

## Aggregating the numbers

The *Posse Incitatus* Blog has been tracking the reported statistics<sup>[8]</sup> on all three Operations FALCON to date: "For a grand total of 30,150 fugitives who, between them, had only 586 firearms."

- Falcon I: 10,340 fugitives, 243 firearms
- Falcon II: 9,037 fugitives, 111 firearms
- Falcon III: 10,773 fugitives, 232 firearms

"Now, as we are often reminded, half of American households have firearms in them. So if this was a random sample, we should have produced 15,000 firearms at least (since many households own more than one).

"Yet only 1.9 percent of these criminals had them.

"The counter of course is that these are overwhelmingly non-violent offenders. Even so, non-violent people own guns as well - unless half of the country has bodies buried in the flower garden.

"This is an amazing piece of information, and deserves the widest possible distribution. Criminologists should extensively study these numbers, because the sample size is so massive, over such a long period of time that it simply cannot be ignored," *Posse Incitatus* wrote.

## Operation FALCON III

Operation FALCON III was carried out in a week-long swing from October 22 to 28, 2006, involving "3,000-plus officers and agents" on the East Coast in "24 states east of the Mississippi River", the Department of Justice reported.<sup>[9]</sup>

"Nearly 11,000 sex offenders, gang members and other fugitives were swept up" in what the Justice Department "called a sting targeting the 'worst of the worst' criminals on the run," the Associated Press reported.<sup>[10]</sup>

Attorney General Alberto R. Gonzales said "officials caught 10,733 fugitives — including 1,659 sex offenders, 364 gang members and thousands of others sought on kidnapping, robbery, burglary, carjacking and weapons charges. More than 230 weapons were seized.

"Those totals represent a fraction of doors knocked on, liquor store drive-bys, construction site surveillances and tips chased down by agents during the weeklong sweep. Finding the fugitives — even at their homes in the early-morning hours — proved to be a hit-or-miss mission for the federal, state and local authorities," the AP wrote.<sup>[11]</sup>

"Of the sex offenders nabbed, 971 had failed to register with authorities as required by law — what Gonzales called the largest number ever captured in a single law enforcement effort.

"Gonzales said prosecutors likely would seek to charge some of them under the 2006 Adam Walsh Act", which was "named for 6-year-old Adam Walsh, who was abducted from a Florida shopping mall and murdered in 1981," the AP wrote. The law, approved by Congress on July 25, 2006, "created federal penalties for sex offenders who fail [to] register with communities."<sup>[12][13]</sup>

The Adam Walsh Child Protection and Safety Act of 2006 (H.R.4472) can be read here (<http://www.govtrack.us/congress/billtext.xpd?bill=h109-4472>) .

### October Surprise?

NBC's Pete Williams raised<sup>[14]</sup> the matter of timing in the Justice Department's November 2, 2006, "announcement of a multi-state fugitive sweep" which came "five days before the midterm elections."

Although "officials insist[ed] there was no political motive", the "two earlier roundups, in 2005 and 2006, were conducted in the spring. And this one concentrated on mainly eastern states, where many competitive political races are hotly contested. But the Marshals Service says the timing of this year's operation was based on the budget and the weather," Williams said: Money had been "earmarked in the budget", opposed to "derived from existing programs" as before. The operation was timed early in the fiscal year, had been "planned several months ago", and needed to be executed "before it begins snowing."<sup>[15]</sup>

According to a Justice Department official, "the Marshals Service decided the timing, including the date for the announcement, and that DOJ headquarters had no role in the scheduling of the operation or today's announcement," Williams reported.<sup>[16]</sup>

### Statistics

For example, in eastern North Carolina, personnel "from 21 different law enforcement agencies" worked in conjunction with the U.S. Marshals Service to "arrest 367 people, including 20 convicted sex offenders, and serve 415 warrants."<sup>[17]</sup>

Tex Lindsey, the U.S. Marshal Fugitive Task Force commander for Eastern North Carolina, cited the "national average for a round up of this type" as 13 percent. This roundup "far exceeded our expectations with an arrest average close to 40 percent," Lindsey said.<sup>[18]</sup>

"Nationally, 10,773 fugitives were arrested and 13,333 felony warrants were cleared, including 365 documented gang members and 1,659 sexual offenders, of which 971 were unregistered sex offenders."<sup>[19]</sup>

## Hidden within the data

"A press release from Arizona related to Operation Falcon II highlighted the number of sex offenders and violent criminals apprehended, however hidden in the statistics is the fact that there were nearly twice as many people arrested for immigration related offences than any other offense," BlackPacker reported November 3, 2006.<sup>[20]</sup> (See below.)

"With the contracts awarded<sup>[21]</sup> [in January 2006] to Halliburton subsidiary Kellogg Brown and Root to construct an unknown number of incarceration facilities to hold detainees in the event of an immigration emergency, one must question where will these eleven thousand new prisoners be held and how will an allegedly strained justice system be able to assure the basic rights granted to Americans, such as the right to a fair and speedy trial."<sup>[22]</sup>

## Operation FALCON II

Operation FALCON II, carried out the week of April 17-23, 2006, was a "nationwide dragnet" "conducted in 27 states mostly west of the Mississippi River, and the territories of Guam and Northern Mariana Islands" "timed to coincide with National Victims Rights Week", with the focus on sex offenders. Of the individuals arrested, 1,102 were of people wanted for violent sex crimes "by federal, state and local authorities, the largest number ever captured in a single law enforcement operation," according to a Justice Department news release.<sup>[23]</sup>

The Department of Justice reported<sup>[24]</sup> that a total of 9,037 individuals were arrested nationwide. "High-priority targets for arrest were fugitives wanted for committing sexual offenses and crimes of violence against women, children and the elderly, as well as unregistered convicted sex offenders. Other priority targets were fugitive gang members and violent offenders wanted for homicide, kidnapping, robbery, burglary, carjacking, weapons offenses and major narcotics distribution."

"For this seven-day nationwide operation, the Marshals coordinated officers from 120 state agencies, 330 county agencies, 312 police departments, six foreign law enforcement agencies, and 24 other federal agencies," the DOJ said.<sup>[25]</sup>

## Statistics

The Associated Press reported<sup>[26]</sup> April 27, 2006, that the "sweep netted more than 10,000 fugitives, 10 times the average in a week, but just 1% of the 1 million fugitives in the FBI's national database. ... Marshals arrested 35,500 federal fugitives for all of the government budget year that ended Sept. 30 [2005]. They worked with state and local authorities to nab another 44,000 people, according to the Marshals' website."

"A total of 793 different agencies participated - 25 federal, 120 state, 330 county sheriffs, 312 police departments, and 6 foreign agencies. Within the Marshals Service, 46 districts participated, including the Districts of Guam and Northern Marianas. In all, each day more than 2,100 law enforcement officers worked together tirelessly during this record setting operation," the U.S. Marshal's Service reported.<sup>[27]</sup>

Although the stated "focus" of the roundup was purported to be sex offenders—only 1,102 of the 9,037 apprehended were wanted for violent sex crimes, slightly more than 12% of the total, the Associated Press reported.<sup>[28]</sup>

Nationally, law enforcement officials cleared more than 10,419 felony warrants, arrested 462 "fugitives wanted for a variety of violent sex offenses, 311 fugitives for other felony sex crimes, 783 unregistered sex offenders, 73 homicide arrests with 87 warrants cleared, and 163 documented gang members. They also cleared 2,941 drug cases, and seized 111 guns, more than \$120,265.00 in cash, and more than 91 kilograms of narcotics."<sup>[29]</sup>

The largest number of arrests were made in Bakersfield, California, where "300 warrants were issued and 86 arrests were made. Sixty-five arrests were made in Fresno, 20 in Madera and 4 in Merced. ... A total of 256 fugitives were arrested between Bakersfield and Redding. Of the 86 in Bakersfield, more than half were for drug offenses. One person was arrested for manslaughter charges and five for sexual



offenses."<sup>[30]</sup>

Of the total 1,102 reported to be sex offenders, a quick scan of news reports shows:

- Washington: 104<sup>[31]</sup>
- Nevada: 101<sup>[32]</sup> (Southern Nevada: 35<sup>[33]</sup>)
- Lubbock, Texas: 82<sup>[34]</sup>
- Washington County, Oregon: 32<sup>[35]</sup>
- Colorado: 15<sup>[36]</sup>
- San Diego and Imperial counties, California: 11<sup>[37]</sup>
- Kansas City, Kansas: 10
- Milwaukee, Racine and Kenosha counties in Wisconsin: 10<sup>[38]</sup><sup>[39]</sup>
- Bakersfield, California: 5<sup>[40]</sup>
- Tucson and Southern Arizona: 5<sup>[41]</sup>

## Federal immigration-related cases

"Forty-six people wanted for federal immigration offenses, including smuggling illegal aliens were among 117 fugitives arrested in Tucson and Southern Arizona during the nationwide Operation Falcon II," John W. Slagle reported<sup>[42]</sup> April 30, 2006, in the *American Chronicle* (based on information reported in the *Arizona Daily Star*). "A total of 247 people were arrested across Arizona, with officers in Chandler, Douglas, Flagstaff, Lake Havasu City, Mesa, Oro Valley, Parker and Tucson involved."

Slagle's report is supported by information provided by the United States Marshals Service Tucson office which services Tucson and Southern Arizona. Only five individuals were arrested for sex offenses.<sup>[43]</sup>

## Operation FALCON I

### Fugitives arrested (Operation FALCON I)

See Operation FALCON: Statistics for information.

### Gonzales's report to Congress

The following excerpt was taken from an April 14, 2005, U.S. Marshals Service news release:<sup>[44]</sup>

"Attorney General Alberto R. Gonzales and Ben Reyna, Director of the U.S. Marshals Service (USMS), today announced that the USMS, working closely with its federal, state and local partners, has successfully completed **the largest fugitive apprehension operation in American history**. Through Operation FALCON ('Federal And Local Cops Organized Nationally'), which was conducted April 4–10, 2005, Deputy U.S. Marshals and their law enforcement partners arrested a total of 10,340 fugitives and cleared more than 13,800 felony warrants.

"Operation FALCON is an excellent example of President Bush's direction and the Justice Department's dedication to deal both with the terrorist threat and traditional violent crime,' said Attorney General Gonzales. 'This joint effort shows the commitment of our federal, state, and local partners to make our neighborhoods safer, and it has led to the highest number of arrests ever recorded for a single initiative of its kind. We will use all of our Nation's law enforcement resources to serve the people, to pursue justice, and to make our streets and Nation safer.'"

### "Round-up" or "Dry Run"?

Mike Whitney concluded<sup>[45]</sup> that the true purpose of the raids was not merely to round up thousands of petty criminals but, rather, that the "Bush administration is sharpening its talons for the inevitable difficulties it expects to face as a result of its disastrous policies. With each regressive initiative, the governing cabal seems to get increasingly paranoid, anticipating an outburst of public rage. Now, they're orchestrating massive round-ups of minor crooks to make sure that every cog and gear in the apparatus

of state repression is lubricated and ready to go.

"Rest assured that Attorney General Gonzales has absolutely no interest in the petty offenders that were netted in this extraordinary crackdown. His action is just another indication that the noose is tightening around the neck of the American public and that the Bush team is fully prepared for any unpleasant eventualities. They want to make sure that everyone knows that they're ready when its time to thin out the ranks of mutinous citizens."<sup>[46]</sup>

*The Wertz Generation* blogspot spoke along similar lines in a May 13, 2005, posting<sup>[47]</sup>:

"But perhaps Gonzales was telling us more than we may have realized. As law enforcement officials have privately acknowledged that most of those arrested in the nationwide raids would have been picked up in the course of normal police work anyway, there was clearly more to this Operation than simply a photo op for what has proved to be a stupendously inept Justice Department. ... The operation involved more than 3000 law enforcement officials with as many as 10,000 assisting part-time during the week long sweep. The Operation included officers from the Bureau of Alcohol, Tobacco, Firearms, and Explosives, the FBI, the Secret Service, and even the US Department of Housing and Urban Development - in addition to eighty-three district and local agencies like sheriff's offices.

"To me, this looks like nothing so much as a dry run for massive round-ups in the event of widespread dissent once the White House's disastrous policies start bearing their toxic fruit. Should the need arise to intern tens of thousands of 'traitors' (as defined by the likes of Ann Coulter), the mechanism is not only in place, it has been shown to work. If you are reading this, you could already be on such a hit list. Be afraid, people - but be prepared. If you haven't stocked up on those semi-automatics yet, this could be the time."

After pointing out that the raids were carried out during Crime Victims Rights Week, blogspot *Winter Patriot* asked<sup>[48]</sup> April 15, 2005, "what's it gonna be next time? Prosecuting Attorney Week? And when that happens, will we see another propaganda campaign? Will it be yet another attempt 'to prompt publicity and help highlight the mission'? And will it involve the arrests of another ten thousand people? Or will they pick up twenty [or thirty] [or fifty] thousand this time?," which made it tempting to make the prediction "we will soon become accustomed to nationwide police operations involving the arrests of thousands of people."

## Fake news?

- "The Justice Department, meanwhile, supplied the television networks **government-shot action videotape of Marshals and local cops raiding homes and breaking down doors**. The footage was aired on news programs, accompanied by commentary that uncritically parroted the claims made by the department. ... The department produced a mind-numbing array of statistics on the raids, resulting in cookie-cutter articles appearing in local papers and on local television throughout the country, highlighting the number of arrests made in each area."<sup>[49]</sup>
- Upstate New York Democrat Congressman Maurice Hinchey said that, because "newscasts are 'increasingly being corrupted' by the government, which is providing material like video news releases, TV stations "should have identified government-provided video used in reporting last week's nationwide federal sweep rounding up fugitives" as "supplied by the Justice Department." ... Some "stations and networks did identify the source of the Operation Falcon video but many did not. The Justice Department distributed a five-minute video package to T-V stations by satellite."<sup>[50]</sup>
- *The Wertz Generation* blogspot posed the following question:<sup>[51]</sup>

"This raises a couple of questions. Most obviously, if Federal Marshals or other law enforcement agencies knew about, say, 162 murder suspects at large, why did they wait for Operation FALCON to arrest them? Were our policing agencies allowing over 600 sex offenders to remain at large for several weeks or months in order to give Alberto Gonzales the opportunity for a flashy press conference?"

## Facts checked

Steve at *The Modulator*, April 16, 2005<sup>[52]</sup>, "did some [fact] checking via "The Sourcebook of Criminal Justice Statistics, 2002"<sup>[53]</sup> and found some interesting numbers:

- *Arrests for Violent Crime*: 620,510, or an average of 11,933 per week; Operation Falcon 10,000 including some non-violent crimes
- *Arrests for Murder*: 14,158, or an average of 272 per week; Operation Falcon 162

"No drug arrests [were included] in the above [statistics] but apparently [were] included in Operation Falcon!"

Steve wrote that he suspected "that they simply reported business as usual (in some cases less than usual) and by giving it one of those magic labels, Operation Falcon, and publicizing it they have tried to make us think something new and wonderful is happening. Well, welcome to the world of marketing and government BS. ... Oh," he added, "and if this really was a real coordinated effort, then we did not get our money's worth (surprise) as they appear to have failed to meet even average arrest rates."

*The Wertz Generation* blogspot added<sup>[54]</sup> May 13, 2005, that:

"The stats cited by the Justice Department above account for a total of 1613 arrests. What of the other 8727 people picked up? With a bit of digging, we can find that 'narcotics violations' accounted for 4300 (and the only specific charges mentioned are two people picked up for operating methamphetamine labs). I'm assuming that the rest of those were people with outstanding warrants for cannabis possession (otherwise we would definitely have had a 'Major Battle Won in the War on Drugs' type press conference). That still leaves 4427 arrests unaccounted for - and in the month since Operation FALCON, there have been no follow-up reports letting us know if any convictions arose from the 10,000 people pulled off the street."

## Googling for Headlines

- On April 15, 2005, the *Winter Patriot* blogspot reported that "Google News" carried nearly 600 news stories on "Operation Falcon."<sup>[55]</sup>
- A similar "google" on May 24, 2005, found only 45 items listed within a 0.06-second search, 20 of which were all for the same May 20, 2005, news story "National Missing & Exploited Children Honors Law Enforcement"<sup>[56]</sup>, and only two linked to Whitney's May 18, 2005, article.

## Low priority on fugitives

"Criminal-justice experts said that by apprehending thousands of fugitives in a matter of days, the operation underscored the low priority that law enforcement agencies often give to locating people who have jumped bail, violated parole or otherwise evaded state and federal courts.

"The dirty little secret is that there usually is not enough effort and manpower put into apprehension of fugitives," said David A. Harris, a law professor at the University of Toledo who studies criminal-justice issues. "Most fugitives are aware of this, and it makes the system a joke. . . . It's never been a top priority."<sup>[57]</sup>

## Operation FALCON-related press releases

## Contact information

- Operation FALCON (<http://www.usmarshals.gov/falcon/index.html>) , U.S. Marshals Office website.

## Resources and articles

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- Military Commissions Act of 2006
- Operation FALCON: Statistics
- Patriot Act I
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- war on terrorism

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January 26, 2007

## Our Mercenaries in Iraq: Blackwater Inc and Bush's Undeclared Surge

On Tuesday, five employees of the private security firm Blackwater USA were killed in a violent Baghdad neighborhood. Hours later, President Bush used his State of the Union address to call on what some are calling an undeclared surge of private mercenaries in Iraq. We speak with Jeremy Scahill, author of the forthcoming "Blackwater: The Rise of the World's Most Powerful Mercenary Army." [includes rush transcript]



The private security firm Blackwater USA is back in the news again. On Tuesday, hours before President Bush's State of the Union address, one of the company's helicopters was brought down in a violent Baghdad neighborhood. Five Blackwater troops—all Americans—were killed. Reports say the men's bodies show signs of execution-style deaths with bullet wounds to the back of the head.

Blackwater provided no identities or details of those killed. They did release a statement saying the deaths "are a reminder of the extraordinary circumstances under which our professionals voluntarily serve to bring freedom and democracy to the Iraqi people."

President Bush made no mention of the incident during his State of the Union. But he did address the very issue that has brought dozens of private security companies like Blackwater to Iraq in the first place: the need for more troops.

- **President Bush.**

Is the president looking to further outsource war? My next guest writes that Blackwater is a reminder of just how privatized the Iraq war has become. Jeremy Scahill is a Puffin Foundation Writing Fellow at The Nation Institute and is author of the forthcoming book, "Blackwater: The Rise of the World's Most Powerful Mercenary Army." He has an OpEd in yesterday's Los Angeles Times titled "Our mercenaries in Iraq." He joins me in the firehouse studio.

- **Jeremy Scahill.** Puffin Foundation Writing Fellow at The Nation Institute and the author of the forthcoming book, "Blackwater: The Rise of the World's Most Powerful Mercenary Army."

### RUSH TRANSCRIPT

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**AMY GOODMAN:** President Bush made no mention of the incident during his State of the Union, but he did address the very issue that's brought dozens of private security companies like Blackwater to Iraq in the first place: the need for more troops.

**PRESIDENT GEORGE W. BUSH:** Tonight, I ask the Congress to authorize an increase in the size of our active Army and Marine Corps by 92,000 in the next five years. A second task we can take on together is to design and establish a volunteer civilian reserve corps. Such a corps would function much like our military reserve. It would ease the burden on the Armed Forces by allowing us to hire civilians with critical skills to serve on missions abroad when America needs them.

**AMY GOODMAN:** Is the President looking to further outsource war? My next guest writes, "Blackwater is a reminder of just how privatized the Iraq war has become." Jeremy Scahill is a Puffin Foundation Writing Fellow at the Nation Institute. He's author of the forthcoming book *Blackwater: The Rise of the World's Most Powerful Mercenary Army*. He has an op-ed piece in yesterday's *Los Angeles Times*, entitled "Are Mercenaries in Iraq?" Joining us now in the firehouse studio, welcome to *Democracy Now!*, Jeremy.

**JEREMY SCAHILL:** It's good to be home.

**AMY GOODMAN:** We invited Blackwater on; they refused. But, Jeremy, let's talk fist about Blackwater. What is it?

**JEREMY SCAHILL:** Blackwater is a company that began in 1996 as a private military training facility in—it was built near the Great Dismal Swamp of North Carolina. And visionary executives, all of them former Navy Seals or other Elite Special Forces people, envisioned it as a project that would take advantage of the anticipated government outsourcing.

Well, here we are a decade later, and it's the most powerful mercenary firm in the world. It has 20,000 soldiers on the ready, the world's largest private military base, a fleet of twenty aircraft, including helicopter gunships. It's become nothing short of the Praetorian Guard for the Bush administration's so-called global war on terror. And it's headed by a very rightwing Christian activist, ex-Navy Seal named Erik Prince, whose family was one of the major bankrollers of the Republican Revolution of the 1990s. He, himself, is a significant funder of President Bush and his allies.

And what they've done is they have built a very frightening empire near the Great Dismal Swamp in North Carolina. They've got about 2,300 men actively deployed around the world. They provide the security for the US diplomats in Iraq. They've guarded everyone, from Paul Bremer and John Negroponte to the current US ambassador, Zalmay Khalilzad. They're training troops in Afghanistan. They have been active in the Caspian Sea, where they set up a Special Forces base miles from the Iranian border. They really are the frontline in what the Bush administration viewed as a necessary revolution in military affairs. In fact, they represent the life's work of Dick Cheney and Donald Rumsfeld.



**AMY GOODMAN:** What do you mean, the "life's work"?

**JEREMY SCAHILL:** Well, Dick Cheney, when he was Defense Secretary under George H.W. Bush during the Gulf War, one of the last things he did before leaving office was to create an unprecedented lucrative market for the firm that he would go on to head, Halliburton. He commissioned [a] Halliburton [division] to do a study on how to privatize the military bureaucracy. That effectively created the groundwork for the absolute war profiteer bonanza that we've seen unfold in the aftermath of 9/11. I mean, Clinton was totally on board with all of this, but it has exploded since 9/11. And so, Cheney, after he left office, when the first Bush was the president, went on to work at the neoconservative American Enterprise Institute, which really led the push for privatization of the government, not just the military.

And then, when these guys took office, Rumsfeld's first real major address, delivered on September 10, 2001, he literally declared war on the Pentagon bureaucracy and said he had come to liberate the Pentagon. And what he meant by that—and he wrote this in an article in *Foreign Affairs*—was that governments, unlike companies, can't die. He literally said that. So you have to figure out new incentives for competition, and Rumsfeld said that it should be run more like a corporation than a bureaucracy. And so, the company that most embodies that vision—and they call it a revolutionary in military affairs. It's a total part of the Project for a New American Century and the neoconservative movement. The company that most embodies that is not Halliburton; it's Blackwater.

**AMY GOODMAN:** Explain what you understand happened on Tuesday: President Bush giving his address, the Blackwater helicopter crashing.

**JEREMY SCAHILL:** Well, I think a lot of people—even though I think there's been a lot of reporting on it and it's been out in the public sphere, I think a lot of people still would be surprised to know that the US ambassador in Iraq and US diplomats throughout Iraq and US diplomatic facilities and regional occupational offices are actually guarded by mercenaries. And Blackwater has a \$300 million contract to provide diplomatic security. And so, they guard Zalmay Khalilzad and other US diplomats in Iraq.

While what we understand—and, of course, as you know, reports are always very shaky in the early stages—is that a US diplomatic convoy came under fire in a Sunni neighborhood of Baghdad, and a Blackwater helicopter apparently landed to try to respond to that attack, because Blackwater and its "Little Bird" helicopters provide the security for diplomatic convoys, and they got engaged in some kind of a firefight on the ground, and four men from one helicopter were killed. Then another helicopter responded and was brought down, either by fire or it got tangled in some wires.

Four of the five men who worked for Blackwater that were killed were shot in the back of the head, according to reports. And what's interesting about this is that Zalmay Khalilzad said that he had traveled with the men and then said that he had gone to the morgue to view their bodies. And he said that the circumstances of their death were unclear, because of what he called the "fog of war." But I think it's very possible that they were guarding a very senior diplomat, if not Zalmay Khalilzad himself. I mean, we don't have evidence to suggest that, but the fact that Khalilzad really came out forward and said, These were fine men. I was with them and visited them in the morgue, indicates that it could have been a very serious attack on a senior official.

**AMY GOODMAN:** What do you think is the actual body count in Iraq of US soldiers? I mean, we count them very carefully, you know, when it surpassed 3,000. This was extremely significant. What really is the number of US military dead?

**JEREMY SCAHILL:** Military dead is—I mean, I think it's interesting, because the lines have totally been erased. I would say that we should be counting the deaths of Blackwater soldiers in the total troop count. I mean, I filed over the last year a lot of Freedom of Information Act requests, and one of the ways that we have found to discover the deaths of the number of contractors that have been killed is actually through the Department of Labor, because the government has a federal insurance scheme that's been set up, which is actually very controversial—grew out of something called the Defense Base Act—and it's insurance provided to contractors who service the US military abroad. And so, as of late last year, more than 600 families of contractors in Iraq had filed for those benefits.

So I think we're talking somewhere in the realm of—and these are just US contractors that have rights to federal benefits inside of the United States. Remember, it's not necessarily Americans that make up the majority of these 100,000—100,000—contractors that are operating in Iraq right now, 48,000 of whom are mercenaries, according to the GAO. So I don't think it's possible to put a fine point on the number of troops killed, because the Bush administration has found a backdoor way to engage in an undeclared expansion of the occupation by deploying these private armies.

And at the State of the Union address the other night, Bush announces this civilian reserve corps, which is gaining momentum among Democrats and others. Wesley Clark has talked about it, the former presidential candidate and Supreme Allied NATO Commander. But what that is is another Frankenstein scheme that Cheney and these guys cooked up in their outsourcing laboratory to engage in an undeclared expansion. I mean, on the one hand, we have Bush talking about an official US troop surge. The Army said—a few months ago, when Colin Powell said that the active-duty Army is basically broken, the Army was calling for 30,000 troops over ten years. Bush then announces in his State of the Union 92,000 active-duty troops over five years, and at the same time, they're increasing the presence of the mercenaries, increasing the presence of the other contractors, talking about some privatized or civilian reserve corps. This is all an undeclared expansion of the US occupation, totally against the will of the American people and the world.

**AMY GOODMAN:** Civilian reserve corps?

**JEREMY SCAHILL:** Right. That's what they're calling it. And, you know, I mean, a lot of what has been tossed around about this since 2002 has been envisioning a sort of disaster response, international aid. You know, it's all very benign-sounding, but the context of it, when Bush announced it the other night, he said we need 92,000 troops and we should develop a civilian reserve corps to supplement the work of the military.

Now, what's interesting, Amy, is that two years ago Erik Prince, the head of Blackwater USA, was speaking at a military conference. He only comes out of his headquarters to speak in front of military audiences. He does not speak in front of civilians. He's on panels with top brass and others. He's very secretive. He gave a major address in which he called for the creation of what he called a "contractor brigade." And I actually—I can read you what he said. He said—this is two years ago, before Bush called for his civilian reserve corps. Erik Prince, head of Blackwater USA: "There's consternation in the [Pentagon] about increasing the permanent size of the Army. We want to add 30,000 people." And they talked about costs of anywhere from \$3.6 billion to \$4 billion to do that. Well, by my math, that comes out to about \$135,000 per soldier. And then, Prince added, "We could do it certainly cheaper."

And so, now you have Blackwater, the Praetorian Guard for the war on terror, itching to get into Sudan. You know, something happened last year that got no attention whatsoever. In October, President Bush lifted sanctions on Christian Southern Sudan, and there have been reports now that Blackwater has been negotiating directly with the Southern Sudanese regional government to come in and start training the Christian forces of the south of Sudan. Blackwater has been itching to get into Sudan, and Erik Prince is on the board of Christian Freedom International, which is an evangelical missionary organization that has been targeting Sudan for many years. And there is a political agenda that Blackwater fits perfectly into, whether it's Iraq and Afghanistan or Sudan.

**AMY GOODMAN:** And the other connections, Jeremy Scahill, between Blackwater and the Bush administration and the Republican Party?

**JEREMY SCAHILL:** The most recent one is that President Bush hired Blackwater's lawyer—Blackwater's former lawyer to be his lawyer. He replaced Harriet Miers. His name is Fred Fielding, of course, a man who goes back many decades to the Reagan administration, the Nixon administration. He is now going to be Bush's top lawyer, and he was Blackwater's lawyer.

Joseph Schmitz, who was the former Pentagon Inspector General, whose job it was to police the war contractor bonanza, then goes on to work for one of the most profitable of them, is the vice chairman of the Prince Group, Blackwater's parent company, and the general counsel for Blackwater.

Ken Starr, who's the former Whitewater prosecutor, the man who led the impeachment charge against President Clinton, Kenneth Starr is now Blackwater's counsel of record and has filed briefs for them at the Supreme Court, in fighting against wrongful death lawsuits filed against Blackwater for the deaths of its people and US soldiers in the war zones.

And then, perhaps the most frightening employee of Blackwater is Cofer Black. This is the man who was head of the CIA's counterterrorism center at the time of 9/11, the man who promised President Bush that he was going to bring bin Laden's head back in a box on dry ice and talked about having his men chop bin Laden's head off with a machete, told the Russians that he was going to bring the heads of the Mujahideen back on sticks, said there were going to be flies crawling across their eyeballs. Cofer Black is a 30-year veteran of the CIA, the man who many credit with really spearheading the extraordinary rendition program after 9/11, the man who told Congress that there was a "before 9/11" and an "after 9/11," and that after 9/11, the gloves come off. He is now a senior executive at Blackwater and perhaps their most powerful behind-the-scenes operative.

**AMY GOODMAN:** And electoral politics?

**JEREMY SCAHILL:** Well, Erik Prince, the head of Blackwater, and other Blackwater executives are major bankrollers of the President, of Tom DeLay, of Santorum. They really were—when those guys were running Congress, Amy, Blackwater had just a revolving door there. They were really welcomed in as heroes. Senator John Warner, the former head of the Senate Armed Services Committee, called them "our silent partner in the global war on terror." Erik Prince's sister, Betsy DeVos, is married to Dick Devos, who recently lost the gubernatorial race in Michigan.

But also, Amy, this is a family, the Prince family, that really was one of the primary funders. It was Amway and Dick DeVos in the 1990s, and it was Edgar Prince and his network—Erik Prince's father—that really created James Dobson, Focus on the Family—they gave them the seed money to start it—Gary Bauer, who was one of the original signers to the Project for a New American Century, a major anti-choice leader in this country, former presidential candidate, founder of the Family Research Council. He credits Edgar Prince, Erik's father, with giving him the money to start the Family Research Council. We're talking about people who were at the forefront of the rightwing Christian revolution in this country that really is gaining steam, despite recent electoral defeats.

And what's really frightening is that you have a man in Erik Prince, who is a neo-crusader, a Christian supremacist, who has been given over a half a billion dollars in federal contracts, and that's not to mention his black contracts, his secret contracts, his contracts with foreign friendly governments like Jordan. This is a man who espouses Christian supremacy, and he has been given, essentially, allowed to create a private army to defend Christendom around the world against secularists and Muslims and others, and has really been brought into the fold. He refers to Blackwater as the sort of FedEx of the Pentagon. He says if you really want a package to get somewhere, do you go with the postal service or do you go with FedEx? This is how these people view themselves. And it embodies everything that President Eisenhower prophesied would happen with the rise of an unchecked military-industrial complex. You have it all in Blackwater.

**AMY GOODMAN:** Jeremy Scahill, thanks very much for joining us, and I look forward to seeing your book when it comes out. Jeremy Scahill's forthcoming book is *Blackwater: The Rise of the World's Most Powerful Mercenary Army*. Thanks for joining us.



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**December 13, 2006**

## Vandana Shiva on Farmer Suicides, the U.S.-India Nuclear Deal, Wal-Mart in India and More

We speak with world-renowned environmental leader and thinker, Vandana Shiva. A physicist and ecologist, Shiva is author of many books, her latest is "Earth Democracy: Justice, Sustainability, and Peace." [includes rush transcript]



In India, more than three hundred farmers climbed water tanks in the country's central Vidarbha region, many of them threatening to commit suicide unless the government fulfilled their demands to lift them out of poverty. Throughout India, more and more troubled farmers are killing themselves. Up to three farmers a day swallow pesticides, hang themselves from trees, drown themselves in rivers, set themselves on fire or jump down wells. Many of them are plagued by debt, poor crops and hopelessness.

- **Vandana Shiva**, world-renowned environmental leader and thinker. She is also a physicist and ecologist and the Director of the Research Foundation on Science, Technology, and Ecology. She is the founder of Navdanya—"nine seeds", a movement promoting diversity and use of native seeds. Dr. Shiva was the 1993 recipient of the Alternative Nobel Peace Prize—the Right Livelihood Award. And she is the author of many books, her latest is "Earth Democracy: Justice, Sustainability, and Peace."

### RUSH TRANSCRIPT

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**AMY GOODMAN:** Vandana Shiva remains with us, physicist; ecologist; director of the Research Foundation on Science, Technology, and Ecology; in '93, awarded the Alternative Nobel Peace Prize, the Right Livelihood Award; her latest book, *Earth Democracy: Justice, Sustainability, and Peace*. There is an epidemic you write about in India of farmer suicides. Can you explain what's happening and where this is happening?

**VANDANA SHIVA:** Indian farmers have never committed suicide on a large scale. It's something totally new. It's linked to the last decade of globalization, trade liberalization under a corporate-driven economy. The seed sector was liberalized to allow corporations like Cargill and Monsanto to sell unregulated, untested seed. They began with hybrids, which can't be saved, and moved on to genetically engineered Bt cotton. The cotton belt is where the suicides are taking place on a very, very large scale. It is the suicide belt of India.

And the high cost of seed is linked to high cost of chemicals, because these seeds need chemicals. In addition, these costly seeds need to be bought every year, because their very design is to make seeds nonrenewable, seed that isn't renewable by its very nature, but whether it's through patenting systems, intellectual property rights or technologically through hybridization, nonrenewable seed is being sold to farmers so they must buy every year.

There's a case going on in the Supreme Court of India right now on the monopoly practices of Monsanto. An antitrust court ruled against Monsanto, because the price is so high, farmers necessarily get into a debt trap, which is why I was talking about credit, for the wrong thing, could actually be a problem and not a solution.

In addition, the price of cotton is collapsing under the huge \$4 billion subsidies given to agribusiness in the United States, which then dumps cotton on a world market with 50% reduction of price artificially. This is what led to the Cancun failure of WTO, but this is what is killing Indian farmers. Just three days ago, farmers were protesting against the low prices of cotton. They went to the government agency, which before globalization used to buy cotton at a fair price. One farmer was shot dead. So we're not just seeing suicides, we're also seeing farmers' protests treated as a new threat to the regime.

**AMY GOODMAN:** These descriptions of desperation, up to three farmers a day swallow pesticides, hang themselves from trees, drown themselves in rivers, set themselves on fire, or jump down wells, many of them plagued by debt, poor crops and hopelessness?

**VANDANA SHIVA:** 90% of the farmer suicides—we've studied it. Every year we bring out a report called "Seeds of Suicide." We started the first report in '97, which was the first suicide in the district of Warangal in Andhra Pradesh. Andhra Pradesh—

**AMY GOODMAN:** Where is it in India?

**VANDANA SHIVA:** Andhra Pradesh is kind of southern India. But Andhra Pradesh had a government that responded, and that's the government that took Monsanto to court. Vidarbha in Maharashtra has emerged as the epicenter. This is where the Prime Minister visited, because the suicide issue had become so intense. Unfortunately, the Prime Minister offered exactly the same package, more of the same, as a solution. Included in this package is a 20 billion rupee seed replacement package, which means what seed farmers has gets further destroyed, so they have no renewable seed, no affordable seed. They must buy on the market every year. Farmer suicides in Vidarbha are now eight per day.

A few weeks ago, I was in Punjab. 2,800 widows of farmer suicides who have lost their land, are having to bring up children as landless workers on others' land. And yet, the system does not respond to it, because there's only one response: get Monsanto out of the seed sector—they are part of this genocide—and ensure WTO rules are not bringing

down the prices of agricultural produce in the United States, in Canada, in India, and allow trade to be honest. I don't think we need to talk about free trade and fair trade. We need to talk about honest trade. Today's trade system, especially in agriculture, is dishonest, and dishonesty has become a war against farmers. It's become a genocide.

**AMY GOODMAN:** Can you talk about the water tower protests?

**VANDANA SHIVA:** In the state of Rajasthan, which is the capital of the production of mustard—and mustard in India is very symbolic. It's the color of our spring. When spring comes, we dress in the yellow of the mustard flower. It's our staple oil, and we love the pungency of it.

1998, Monsanto and Cargill managed to get a ban on indigenous oils in order to create a market for soya oil, something we've never eaten before. We led a movement of women to bring back the mustard. But today, 70% of the oil India is eating, edible oil—and India was the capital of edible oil production—mustard, sesame, linseed, coconut, wonderful healthy oils—today, 70% of our edible oil market is soya oil dumped on us, palm oil dumped on us. And, as you know, today soya is being cultivated in cutting the Amazon, and palm oil is being cultivated cutting the rain forest of Borneo.

When the farmers can't sell their mustard—nobody's buying it—they've had protests. Twelve farmers were killed in Central India. And there was a farmer who climbed onto the water tower a few months ago, mimicking a Bollywood film, but basically saying he would jump to suicide if the farmer's mustard was not bought. This hijacking of the market for agriculture by a handful of agribusiness, which is what the rules of WTO are—the Agreement on Agriculture is basically putting all of agriculture into the hands of ADM, ConAgra and Cargill, and all the seed sector into the hands of Monsanto—it must necessarily destroy more and more farms, more and more farming, and push more farmers to suicide for a while, unless we get a change.

We work for the change, and our work in Navdanya shows that farmers can double their incomes by using their own seeds, doing organic farming. All they need is a joining of hands with urban consumers and definitely a change in the rules of trade, which have treated the rights of Cargill as fundamental rights.

And something Americans don't know much about, the nuclear deal with India has a twin agreement, and that twin agreement is on agriculture. It's called the Knowledge Initiative on Agriculture, and on the board of this agreement are Monsanto, ADM and Wal-Mart. So a grab of the seed sector by Monsanto, of the trade sector by the giant agribusiness, and the retail sector, which is 400 million people in India, by Wal-Mart. These are issues that are preoccupying us for about democracy in India right now.

**AMY GOODMAN:** Vandana Shiva, I want to go back to that deal that just was announced this weekend, surprised some. The US will send nuclear fuel shipments for civilian use, critics saying it will allow India to use its existing nuclear fuel to build up to 50 nuclear weapons. And then I want to ask you to expand on this corollary that we definitely didn't know about.

**VANDANA SHIVA:** You know, the nuclear deal with India, in fact, shows the double standards of US nuclear policy, because for the same things that Iran does—Iran is axis of evil—but India here, through this nuclear agreement, is being told, we will separate civilian use and military use. Military use will be India's sovereign decision. I don't think it will be India's sovereign decision, because I think in this deal is a strategic use of India for Asia, for a containment for China. But in addition to that, there is turning India into a nuclear market: a sale of nuclear technologies, of nuclear fuel.

And I think we need to contextualize this in the context of the climate debates. Climate change has made us recognize that we can't keep messing up the atmosphere and pumping more carbon dioxide. But nuclear doesn't become clean automatically just because carbon dioxide has destabilized the climate. Nuclear is being offered as a clean development mechanism. And not only will it spread nuclear risks and hazards in India, it will also allow corporations, like General Electric and others who pollute with carbon dioxide, as well as them, get quotas through emissions trading and markets for nuclear technology.

You know, I was a nuclear physicist. I left my career in 1972. I was training to be a nuclear physicist in India's atomic energy program in the Bhabha Atomic Research Centre, and I left because I realized very clearly nuclear power, as much as nuclear war, are systems where you cannot have democracy. They're inconsistent with democracy. And I love democracy too much. So I went on to do theoretical physics.

**AMY GOODMAN:** So explain further this corollary that involves these other large multinational corporations. And why is it part of the nuclear deal?

**VANDANA SHIVA:** Well, two days ago the US representative—I think it's Mr. Burns who announced that the nuclear deal is the cutting edge, but what the United States is really seeking is agricultural markets and real estate markets, the land of the poor in India. And if you look at cities like Bombay, you look at cities like Delhi, you look at cities like Bangalore, they're exploding because there's this global hungry finance moving in to take over the land of people, not through a market mechanism, but using the state and an old colonial law of land acquisition to grab the land by force everywhere where this is happening. There is a war going on, outside Delhi in Dadri, outside Calcutta in Singur, everywhere. Peasants are being shot and killed in order to take away the last resort and the last asset of the poor.

The agreements, nuclear and agricultural agreements, came out of a July visit of our prime minister in 2005, were then moved forward in the March visit of President Bush to India, which saw huge protests, by the way—I'm sure it wasn't covered—but huge protests, where these deals, as well as the Iraq war, were the issue in India. And the two are twin programs. They are twin programs about a market grab and a security alignment.

**AMY GOODMAN:** You mentioned Wal-Mart. They have just announced they're going to be opening 500 stores in India, the first to open in August of 2007.

**VANDANA SHIVA:** We've been organizing the unorganized retail sector of India. The retail sector of India, to me, is the ultimate practice of democracy. When you go into a tiny vegetable market, the women put out their mats, they've brought the tomatoes they've grown outside the city, put it down, maybe five kilos of tomatoes, sell it for the day, go back home, feed their children. It's a community market. 400 people dependent on retail, 14 million people dependent on little hawking, you know, a tiny moveable cart, which goes door-to-door. 90% of our vegetables come to our doorstep. We don't have to go anywhere.

Wal-Mart's entry into India, 500 stores, cannot go hand-in-hand with the giant retail economy of India, which is giant not by being one big store, but by having millions of small sellers. And that is what has created the vibrance of India's

markets, the democracy in India's markets.

**AMY GOODMAN:** We're going to have to leave it there. I want to thank you very much, Vandana Shiva, for joining us. Her new book is *Earth Democracy: Justice, Sustainability, and Peace*.

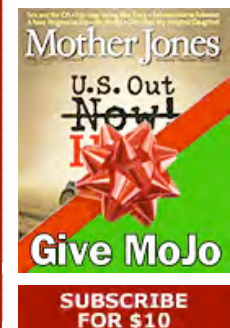
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THE CURRENT ISSUE

## The Highwaymen



**NEWS:** Why you could soon be paying Wall Street investors, Australian bankers, and Spanish builders for the privilege of driving on American roads.

By Daniel Schulman with James Ridgeway  
 January/February 2007 Issue

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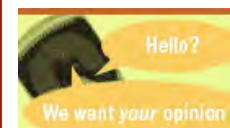


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Sea Change



"THE ROAD IS ONE SUCCESSION OF DUST, RUTS, PITS, AND HOLES." So wrote Dwight D. Eisenhower, then a young lieutenant colonel, in November 1919, after heading out on a cross-country trip with a convoy of Army vehicles in order to test the viability of the nation's highways in case of a military emergency. To this description of one major road across the west, Eisenhower added reports of impassable mud, unstable sand, and wooden bridges that cracked beneath the weight of the trucks. In Illinois, the convoy "started on dirt roads, and practically no more pavement was encountered until reaching California."

It took 62 days for the trucks to make the trip from Washington, D.C., to San Francisco, and another 37 years for Ike to complete a quest, inspired by this youthful journey and by his World War II observations of Germany's autobahns, to build a national road system for the United States. In 1956, President Eisenhower signed the Federal-Aid Highway Act, which called for the federal and state governments to build 41,000 miles of high-quality roads across the nation, over rivers and gorges, swamps and deserts, over and through vast mountain ranges, in what would later be called the "greatest public works project in human history." So vital to the public interest did Eisenhower, an old-style fiscal conservative, consider the interstate highway system, he even authorized the federal government to assume 90 percent of the massive cost.

Fifty years to the day after Ike put his pen to the Highway Act, another Republican signed off on another historic highway project. On June 29, 2006, Mitch Daniels, the former Bush administration official turned governor of Indiana, was greeted with a round of applause as he stepped into a conference room packed with reporters and state lawmakers. The last of eight wire transfers had landed in the state's account, making it official: Indiana had received \$3.8 billion from a foreign consortium made up of the Spanish construction firm Cintra and the Macquarie Infrastructure Group (MIG) of Australia, and in exchange the state would hand over operation of the 157-mile Indiana Toll Road for the next 75 years. The arrangement would yield hundreds of millions of dollars in tax breaks for the consortium, which also received immunity from most local and state taxes in its contract with Indiana. And, of course, the consortium would collect all the tolls, which it was allowed to raise to levels far beyond what Hoosiers had been used to. By one calculation, the Toll Road would generate more than \$11 billion over the 75-year life of the contract, a nice return on MIG-Cintra's \$3.8 billion investment.

The deal to privatize the Toll Road had been almost a year in the making. Proponents celebrated it as a no-pain, all-gain way to off-load maintenance expenses and mobilize new highway-building funds without raising taxes. Opponents lambasted it as a major turn toward handing the nation's common property over to private firms, and at fire-sale prices to boot.

The one thing everyone agreed on was that the Indiana deal was just a prelude to a host of such efforts to come. Across the nation, there is now talk of privatizing everything from the New York Thruway to the Ohio, Pennsylvania, and New Jersey turnpikes, as well as of inviting the private sector to build and operate highways and bridges from Alabama to Alaska. More than 20 states have enacted legislation allowing public-private partnerships, or P3s, to run highways. Robert Poole, the founder of the libertarian Reason Foundation and a longtime privatization advocate, estimates that some \$25 billion in public-private highway deals are in the works—a remarkable figure given that as of 1991, the total cost of the interstate highway system was

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As of 2002, the total cost of the interstate highway system was estimated at \$128.9 billion.

On the same day the Indiana Toll Road deal closed, another Australian toll road operator, Transurban, paid more than half a billion dollars for a 99-year lease on Virginia's Pocahontas Parkway, and the Texas Transportation Commission green-lighted a \$1.3 billion bid by Cintra and construction behemoth Zachry Construction to build and operate a 40-mile toll road out of Austin. Many similar deals are now on the horizon, and MIG and Cintra are often part of them. So is Goldman Sachs, the huge Wall Street firm that has played a remarkable role advising states on how to structure privatization deals—even while positioning itself to invest in the toll road market.

Goldman Sachs' role has not been lost on skeptics, who accuse the firm of playing both sides of the fence. "In essence, they're double-dipping," says Todd Spencer, executive vice president of the Owner-Operator Independent Drivers Association, a truckers' group that opposes toll road privatization. "They're basically in the middle, playing one side against the other, and it's really, really lucrative."

Despite such concerns, the privatization model has the full backing of the Bush administration. Tyler Duvall, the U.S. Department of Transportation's assistant secretary for transportation policy, says DOT has raised the idea with "almost every state" government and is working on sample legislation that states can use for such projects. "This is a ground battle in the United States right now," he says. "States just need to be convinced that this is basically something they should be considering."

The financial stakes are potentially huge. "You're buying the infrastructure of the economy, and it's enormously valuable," says John Schmidt, who served as associate attorney general in the Clinton administration and as counsel to the city of Chicago on the \$1.8 billion privatization of the Chicago Skyway, the 7.8-mile freeway that connects the Dan Ryan Expressway in the west to the Indiana Toll Road in the east. "[Private road operators] haven't been able to get in here previously. There's been a demand, and it's been bottled up because we just haven't had privatized infrastructure in this country, so they've been buying toll roads in Chile and in France. Now, they suddenly have the opportunity to come into this country."

#### Next Page

Page 1 of 3

Illustrations: Victor Juhasz



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THE USA IS THE ABOUT THE ONLY CIVILIZED[AS IN FLUSH TOILETS] COUNTRY I KNOW THAT ALLOWS PIRATES IN PUBLIC OFFICE TO RUN THINGS. SHAME ON YOU STUPID PEOPLE! YOU GET WHAT YOU DESERVE!

Posted by: **WILLIAM PAYNE** June 3, 2007 8:46:22 AM [Respond ^](#)

Isn't this the same crowd that bought up Russia's assets when it fell? Only in our case the vultures aren't waiting till we're dead.

Posted by: **Vicki** June 13, 2007 2:47:46 PM [Respond ^](#)

And what about global warming? Higher price to drive leads to less driving. The ironic thing is that this may be a very progressive thing. If government is barred from building roads, they're not barred from building rail systems. Or running buses over those privatized highways. This is the way that nothing useful gets done in this country. It's like the gas tax -- Republicans hate taxes in any form, Democrats say it'll hurt the poor. In this case, Republicans love roads, Democrats hate deals with large private corporations, and Ralph Nader just hates everything, period (never mind that he, of all people, should be in favor of discouraging driving). We need to start analyzing things rationally, not emotionally. Chicago got a bad deal, and so did Indiana. But France didn't, and Spain didn't. Just because our politicians are idiots doesn't mean that private highways are a bad idea. Let's not throw out the baby with the bathwater. Republican ideology led to us underfunding Amtrak. Green ideology led to us not starting a single nuclear plant. Meanwhile, France generates 80% of its electricity from carbon-free nuclear power, runs its high-speed trains on carbon-free nuclear-generated electricity (displacing airplanes which emit carbon). And, guess what, has a private system of toll roads. People think twice about using the roads rather than taking the train. (Ditto Spain, where Cintra is from.) Let's have a laugh at Chicago and Indiana's expense, and then go focus on the larger picture. If our own city or state privatizes something, let's make sure not to get screwed money-wise, but let's not hold onto highways just 'cause it feels weird to sell them off. This article reads like a Channel 5 news expose, all full of indignation and lacking in context. (Like the TV news report that questioned why Zipcar, the big bad private corporation, was given "free on-street parking." Hello?! Zipcar discourages people from owning cars, isn't that a good thing?)

Posted by: **Be-Careful-What-You-Wish** July 20, 2007 9:29:33 PM [Respond ^](#)

I think MIG-Centra is getting a bad deal. If they were to put their \$3.8 billion into any sort of investment instrument, they would make far more than \$11 billion over 75 years. This is not taking into account their maintenance expenses. Am I missing something?

Posted by: **Toby Hansen** August 3, 2007 12:02:01 PM [Respond ^](#)

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## LETTERS

"*Mother Jones* is a magazine of fine, conscious-inducing editorial. They cover topics other mags leave alone and have established themselves (quite rightly) as the forerunner of well-researched, liberal views and community-minded actions. The thing is, you wouldn't know because, frankly, *Mother Jones* doesn't go out of its way to market itself to a newer, sexier crowd. A few suggestions to help *MJ* reach a new audience: 1. Instead of *Mother Jones*, how about *Mutha Fukkas*? 2. A scantily clad woman on the front. It's about dragging the morons in by any means necessary. 3. A fashion spread, because sexy people really do need a break from the heavy stuff."

Readers respond.

Ike charged the Bonus Marchers as a young cavalry officer, loved the Autobahn just like Lucky Lindy loved the Luftwaffe and now we are selling off our infrastructure like Mobutu sold off the wealth of the Congo. I am filled with civic admiration!

Posted by: **John** August 3, 2007 12:46:10 PM [Respond ^](#)

Aren't the "highwaymen" who want to privatize America's highways the same folks who are "protecting" us by blowing the [deleted] out of Iraq? Doesn't it ever dawn on the poorly educated minds of U.S. citizens that just maybe, the trillion dollars we threw away on this fiasco in Iraq could have rebuilt our national highway system? Just how proud can educators be, that citizens graduating from our high schools and universities, continue to vote for neo-cons while happily driving their SUV's down the road? No doubt, the ACLU has reaped what it has sown, replacing Jesus' human rights morality of reason with a "science" without moral compass, that creates mass pollution, nuclear bombs and the gas-guzzlers of GM and Ford Motor Company.

Posted by: **Richard Aberdeen** August 3, 2007 12:58:26 PM [Respond ^](#)

I see this barn wall with words painted on it - rules the Animals will live by on the Farm. I see these animals trying to read the rules painted on the barn wall. I see these pigs sneaking in under cover of night to change the rules. Why do I feel like the cows and chickens and the horse in Animal Farm listening to Goldman Sachs tell me why selling our roads to foreign companies (the infrastructure to our economy, someone called it) is a GOOD thing?

Posted by: **Pat Goudey O'Brien** August 3, 2007 1:00:15 PM [Respond ^](#)

Well, folks this is "democracy" on the march. Or more precisely, this is capitalism, which we say is what we applaud as a nation. Well, those who have money control the "free market" and since the USA is going bankrupt conducting an immoral and illegal war (in addition to our numerous other pork barrel giveaways to ensure political reelection) and doesn't have any money, its a buyer's market for those with the dough!!

Posted by: **Nic Smith** August 3, 2007 1:29:23 PM [Respond ^](#)

When this country decided to replace private sector mass transit with public roads after WW II it was not only an environmental disaster, but an economic one as well. Thank God for Harley Staggers D-WV) and his deregulation bills which saved private sector freight railroading. We have a reasonably secure private freight system which can sustain itself. The best thing which could happen would be the privatization of Interstate Highways. Among a variety of virtues, perhaps the most significant would be the private operators' ability to charge truckers for road damage, whereas now the motoring public subsidizes the big rigs.

Posted by: **Law Jeppson** August 3, 2007 1:29:33 PM [Respond ^](#)

My God to get groceries or a shirt for my back, I will have to pay toll to get to town...How many State Bridge Inspectors in MN lost their jobs so Pawlentie's cronies could hire on as Private contractors to inspect the Bridges? Privatization really costs.

Posted by: **Larry** August 3, 2007 1:42:15 PM [Respond ^](#)

At this time our Governor and the legislature in Pennsylvania is considering putting a toll on our Interstate 80. The republican representative (Phil English) is trying to stop the proposed toll by introducing a bill to put any money generated by such tolls into a government program to "help workers whose jobs were moved overseas." Phil English has never tried to help the workers, so I suspect he is in favor of the type of lease MOTHER JONES is talking about. The choice is to add the tolls or lease to foreigners.

Posted by: **Robert Dufford** August 3, 2007 2:20:41 PM [Respond ^](#)

I loved the article but, unfortunately, it may amount to nothing more than preaching to the converted. Uncorrupted lawmakers and the thinking public need to find ways to convince the Wal-Mart Millions what's at stake if they continue to so stubbornly avoid paying up front the true cost of what they are consuming. Big government and high taxes are bad where they do not serve the public interest; but the greedy politicians have clearly demonstrated over the past quarter century how the alternatives can be so much worse!

Posted by: **Dana Cardiel** August 3, 2007 5:00:28 PM [Respond ^](#)

Law Jeppson voices a popular misconception: "The best thing which could happen would be the privatization of Interstate Highways. Among a variety of virtues, perhaps the most significant would be the private operators' ability to charge truckers for road damage, whereas now the motoring public subsidizes the big rigs." Hey Lew! How do you think all those low priced consumer goods get to where you pick them up for the lowest possible price? It's the big rigs that are subsidizing YOU. Share the road, and the infrastructural cost, or watch your prices rise and rise!

Posted by: **Dana Cardiel** August 3, 2007 5:10:54 PM [Respond ^](#)

What we are seeing, is the privatization of the Commons [water - waste - schools - roads - bridges - utilities etc].The people have been left totally outside the 'process', except for bearing the costs.Besides tolls, citizens will bear the cost of higher prices for food/people that are trucked to market. The highway in Indiana, was not Governor Daniel's to SELL! This is [was] an asset paid for by the goods. All this back room wheeling and dealing [by the high rollers],if you'll note, never makes the major media.The corporate owned media, keeps these deals [protests] local - least there be a popular uprising. Gone are the days of the muckrakers or a literate society for that matter.How informed are the public on the NAFTA Superhighway, the North American Union or our new money the Amero [reported on BBC News! Most alarming, is that those on the election circuit, [boring everyone to tears] and the professional politicians, in Foggy Bottom aren't informing their constituents.They're too busy holding slumber parties, or spending nauseating hours drolling over Hillary's cleavage! As for "getting what we deserve" what would William (first comment) suggest. what with DIEBOLD doing the voting and mass protests not being televised? 10 million people, world wide said 'NO' to war, and here we are - five years later, and we can't secure the road to the airport from Baghdad! Try writing to your Congressman about your concern over our highways etc; being sold off to foreign interests, and most likely you'll get back a detailed FORM letter as to why Gay Marriages are the ruination of families. The corporate robber barons - bankers - politicians and shills, are building themselves a Global Plantation - with a race to the bottom in wages. Millions of economic refugees (failed NAFTA) are entering our country, unchallenged, to hurry the plan along. Long gone, are the company towns (Detroit looks like Chernobyl) with their own local uniqueness. If you can keep the populous ripping and tearing at one another (Mexican and U.S. Citizens) nobody will notice the 'FOR SALE' sign on our nation's resources and infrastructure; whose marketing it; and whose profiting? Perfect. I suspect Yellowstone should soon be on the auction block (other national forests). If we weren't engaged in FOREVER WAR with the few profiting mightily, at a cost of \$200,000 per minute, I imagine we could maintain our bridges? With all this money BORROWED, and the interest on this DEBT, approximately \$48 million per hour - there goes any chance of those potholes being filled or programs being funded for the states. The Highway Trust Fund, will be (so much for the attentiveness of Congress busy giving themselves YEARLY raises) out of money in 2009 - thus, with this disaster in Minnesota (through negligence) the drum beat will grow louder for PRIVATIZATION a 'win - win' situation for the money men and 'lose -lose' for citizens. Heck, most people are unaware of this taking place in their own communities [privatizing the people's assets] let alone what's ado in Indiana - Pennsylvania - New Jersey etc. Well, one good thing,with all these plans for a NAFTA highway, (foreign owned) four football fields wide [Texans have been demonstrating - not on the news], cutting through farms, ranches etc; its heartening to see that the Supreme Court, phew, took care of the messiness of 'eminent domain'. Now if we could just find that \$2.3 Trillion, that former Defense Secretary Donald Rumsfeld, announced on Sept 10 -2001, couldn't be accounted for - we could build NEW bridges instead of patching them! JM

Posted by: **Jude Moriarty - NH** August 3, 2007 5:48:42 PM [Respond ^](#)



OUTRAGE! these robber barons are scum who think the world is theirs for the taking! this is what starts revolutions. the thieves never seem to realize it until it's too late! the fourth box may be opening soon....

Posted by: **liam** August 3, 2007 6:08:54 PM [Respond](#) ^

Privatization=Pirate-ization The selling or "leasing" off of public assets to private interests at bargain-basement rates, and giving the private firms the right to impose very high toll-rates is the usual stuff of legend -- the legend of how this country is mis-managed into ever mounting piles of debt and mismanagement. Observers need to pay attention to what has happened in areas where water-utilities have been privatized. While "Be-Careful-What-You-Wish" has an excellent point about this privatization scenario discouraging auto use, his pro-nuclear stance should include the usual reality checks of heavy government subsidizes, checkered safety records, and no place to put spent fuel (and if Yucca Mountain is ever approved, it has more fault lines through it than anywhere else in this country). It is heartening that there are those perceptive enough to see that this give-away of public assets to private firms is anything but libertarian, and that REASON FOUNDATION's libertarian claims to a "free market" philosophy is rather silly.

Posted by: **L. C.** August 3, 2007 6:09:54 PM [Respond](#) ^

Looks like feudalism is coming back. We are the serfs. Multinational corporations and banks are trying and succeeding in taking control of the arteries that keep America running. How does anyone with a lick of sense believe that private for profit can be in the best interest of the "toll payers". I am so tired of the fear mongering about having government run services. If government jobs pay decent wages, is that a crime? Bring back the work programs of the Depression era. I still enjoy the beauty of their efforts in parks all over the country. I'm sure the billions going to the debacle of "Iraq" could have gone a long way in repairing our infrastructure and paid good wages to Americans. Well now, maybe there would be no bidding and Haliburton et.all. would get the work and screw it all up at our expense. Is there any hope of politicians seeing themselves as serving their constituents instead of the lobbyists. Oh, I rant and ramble, there is so much that needs doing and the masses seems not to heed the dangers coming.

Posted by: **sally** August 3, 2007 7:52:22 PM [Respond](#) ^

okay, so if they want it this way, okay. let's make a list of these roads. let's drive on these roads, and when we get to the end, tell the toll collector that since this is a private debt, we are not paying, and it's too bad, if they want to take us to civil court to collect the few dollars, to go right ahead. let's make this a \_bad\_ investment for them.

Posted by: **mind** August 3, 2007 11:48:34 PM [Respond](#) ^

Sadly, leftists have only themselves to blame for the urge to privatize. We wouldn't be here if they hadn't turned our public infrastructure into a huge special-interest hell. Everyone - the contractors, the unions, the lefty politicians - makes out like bandits except the poor working tax-payer who is forced to drive increasingly expensive, poor public infrastructure to his job as tax serf. It's surprising there isn't more privatizing. If you really believe in public-run services then maybe once, just once, you should care about giving the consumer cost-effectiveness instead of endless pay-offs to public-check-recipients.

Posted by: **Eric** August 4, 2007 6:30:57 AM [Respond](#) ^

\$3.8 billion over 75 years, yielding \$11 billion is an annual rate of return of 1.43%. \*Not\* "a nice return on Cintra's investment." They must have other numbers or uses in mind. On the face of it Indiana is just taking a bunch of off-shore sucker's money.

Posted by: **Paul Smedberg** August 4, 2007 1:59:45 PM [Respond](#) ^

This sucks. You and I could never raise the same money these people did and ever expect to do the same thing that this people did, though fortunately, we'd never want to. There's capitalism, then there's legally sanctioned financial plutocracy.

Posted by: **Dan Reale** August 4, 2007 2:55:39 PM [Respond](#) ^

lets just hope that privatization of roads brings in enough public funds to re-institute a usable mass transit rail system. just maybe we'll get lucky enough that prices will rise on subsidized Walmart goods and local companies might actually pop up to manufacture goods instead of giving all our money to China. however public property should at least be bought by US companies/citizens so when private roads are rendered useless we don't have to buy the land back from foreign investors.

Posted by: **barnaby** August 5, 2007 10:10:07 AM [Respond](#) ^

I don't suppose it occured to anyone that these are not our assets to sell? Not with this generation, when so god damned many have sold themselves.

Posted by: **Rick Davis** August 5, 2007 10:12:30 AM [Respond](#) ^

A Modest Proposal 1)Repeal the Federal gas tax 2)Make the entire Interstate highway network a toll road 3) Contract with Dubai Ports World to operate it

Posted by: **Randolph Resor** August 5, 2007 11:42:34 AM [Respond](#) ^

The German Motorways (Autobahns) are the best roads in the world, and thousands of miles of 'no speed limit' quality. These roads are not toll roads or any other private enterprise operated roads. Why are these government roads the best in the world? Is there something to learn from German Road Engineering? and road safety, considering that these roads are far safer than the US Interstates.

Posted by: **Arne** August 5, 2007 1:04:39 PM [Respond](#) ^

I loved the article but, unfortunately, it may amount to nothing more than preaching to the converted. Uncorrupted lawmakers and the thinking public need to find ways to convince the Wal-Mart Millions what's at stake if they continue to so stubbornly avoid paying up front the true cost of what they are consuming. Big government and high taxes are bad where they do not serve the public interest; but the greedy politicians have clearly demonstrated over the past quarter century how the alternatives can be so much worse!

Posted by: **Dana Cardiel** August 5, 2007 8:21:16 PM [Respond](#) ^

I see a slippery slope here. We have already burdened future generations with the Iraq bill; do we now want to possibly give away one of our major infrastructures to foreign interests.

Posted by: **Robert J. Agen** August 6, 2007 7:40:28 PM [Respond](#) ^

Once roads are privatized, toll-operators are free to gouge consumers and they won't be able to say a thing about it. You can't complain your politicians -- sorry that road is private for the next 100 years. In France privatization has led to sky-high prices for driving on expressways. It costs an outrageous \$60 to drive from Paris to Cannes, a distance similar to crossing about 2/3 of Texas. Some people out there say sky-high road prices are a good thing because it will reduce congestion. How? Are people going to stop driving and not go to work? <http://www.beyond.fr/travel/autoroutes.html>

Posted by: **Peter Piper** August 7, 2007 3:13:52 AM [Respond](#) ^

Now we have free highways, built over many years by taxpaying citizens who thought the highways belonged to all of us. Why is charging people to drive those roads a better deal? Why do mayors, senators, members of Congress think they have the power to make such a change without the vote of the people? They do not own those assets, the taxpayers do. Who gets paid off in these deals besides the brokers who arrange them?? Has everyone gone mad?

Posted by: **Pat Zimmerman** August 16, 2007 2:43:32 PM [Respond](#) ^

Having been born in 1956 to a father who jogged the halls of power, often while I stood by as a casual observer, I have personally witnessed some of the worst of primal human nature in people. The difference in the 60's and now can be summarized simply. Government has always been comprised of many people with awesome ability to lie and make the most sane people believe them. In the past, though, there were enough people of character to impede the progress of those with nefarious plans. Now it seems that we are governed by only people of dark character, and the door is closed to those with any semblance of good in them. We are quickly reaching the point of no return as a people, if those of reason and noble intent cannot regain the reins.

Posted by: **Denver Stewart Jr.** August 20, 2007 10:06:51 AM [Respond](#) ^

when do you call for the professional help for the mentally ill person? public means "owned by all", and there is no room for personal interests b.eing served. again, where are the people who look to public service as a noble thing?

Posted by: **denver stewart jr.** August 20, 2007 10:37:25 AM [Respond](#) ^

At the core of this and most of the more serious problems our country faces begins and ends with lobbyists. We spoke of the evils of having persons effectively buying influence for the entirety of my formal education in this country. We know that their entire purpose is to ply our representatives with money, to curry favor. My question now is, with all we know, why are people still permitted to 'lobby' our politicians? We know that most people will succumb to greed, so why do we continue to allow it? We must be truly insane. To know how to alleviate perhaps the greatest problem with our method of governance and not take the simple step to remedy it? It begs the question of who is in charge of the assylum? And not one can say he or her is any better than those, nor any more righteous than those who are permitted to perpetrate these things, because it seems we are all fools to believe anything a politician will promise.

Posted by: **Denver Stewart Jr.** August 20, 2007 11:07:05 AM [Respond](#) ^

What is your source for the \$11 billion that Indiana could have possibly received? A reputable accounting firm in Indianapolis came up with \$1.9 billion.

Posted by: **Jenny** August 22, 2007 1:15:20 PM [Respond](#) ^

When will we wake up and keep american money in america.first nafta, now sellig off our highways.whats next leasing our political jobs out to foreign countries. You know that would never happen. Or could it happen?

Posted by: **mike maher** September 14, 2007 1:18:08 PM [Respond](#) ^

thanks for posting this, i heard about it on globalgrind.com and came here for more info. GG's site has a list of 25 stories that are under the radar, like the one, that we need to know about. check them out

Posted by: **HipHopHustler** October 31, 2007 3:07:09 PM [Respond](#) ^

There had been some reports that states "if the states, and federal, governments pay back and keep out of the Hiway Trust Fund" there would be enough funds the maintain and grow the national hiway system. This of course means that the politcos are responsible to the people who elected them, not to the money.

Posted by: **martin Bria** November 25, 2007 6:31:27 AM [Respond](#) ^

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## Vulture Fund Threat To Third World

### How Corporations Continue To Rape The Worlds Poor

Vulture funds - as defined by the International Monetary Fund and Gordon Brown amongst others - are companies which buy up the debt of poor nations cheaply when it is about to be written off and then sue for the full value of the debt plus interest - which might be ten times what they paid for it.

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## Vulture fund threat to third world

### Meirion Jones BBC Newsnight

**On Thursday 15 February a high court judge in London will rule whether a vulture fund can extract more than \$40m from Zambia for a debt which it bought for less than \$4m.**

There are concerns that such funds are wiping out the benefits which international debt relief was supposed to bring to poor countries.

Martin Kalunga-Banda, Zambian presidential adviser and a consultant to Oxfam told Newsnight, "That \$40m is equal to the value of all the debt relief we received last year."

Vulture funds - as defined by the International Monetary Fund and Gordon Brown amongst others - are companies which buy up the debt of poor nations cheaply when it is about to be written off and then sue for the full value of the debt plus interest - which might be ten times what they paid for it.

### Mockery

Caroline Pearce from the Jubilee Debt campaign told Newsnight it makes a mockery of all the work done by governments to write off the debts of the poorest.

"Profiteering doesn't get any more cynical than this. Zambia has been planning to spend the money released from debt cancellation on much-needed nurses, teachers and infrastructure: this is what debt cancellation is intended for not to line the pockets of businessmen based in rich countries."

Debt Advisory International (DAI) manages a number of vulture funds which buy up the debts of highly indebted poor countries cheaply and then sue for the original value of the debt plus interest. Zambia - where the average wage is just over a dollar a day - is one of the highly indebted poor countries which the world's governments agreed needed debt relief.

### Tractors

In 1979 the Romanian government lent Zambia money to buy Romanian tractors. Zambia was unable to keep up the payments and in 1999 Romania and Zambia negotiated to liquidate the debt for \$3m.

Before the deal could be finalised one of DAI's vulture funds stepped in and bought the debt from Romania for less than \$4m. They are now suing the Zambian government for the original debt plus interest which they calculate at over \$40m and they expect to win.

Like the other vulture funds DAI refuse to do interviews but reporter Greg Palast caught up with the company founder Michael Sheehan outside his home in Virginia.

*Greg Palast: "I just want to ask you Mr Sheehan - why are you squeezing the poor nation of Zambia for \$40 million - doesn't that make you a vulture? Michael Sheehan: "No comment I'm in litigation. It's not my debt." Greg Palast: Aren't you just profiteering from the work of good people who are trying to save lives by cutting the debt of these poor nations? Michael Sheehan: Well there was a proposal for investment. That's all I can talk about right now.*

Five years ago Gordon Brown told the United Nations that the vulture funds were perverse and immoral: "We particularly condemn the perversity where Vulture Funds purchase debt at a reduced price and make a profit from suing the debtor country to recover the full amount owed - a morally outrageous outcome". But the vulture funds are still operating.

### 'We don't do interviews'

The London case is just one of many which are running around the world.

Newsnight went to New York to try to interview Paul Singer - the reclusive billionaire who virtually invented vulture funds.

In 1996 his company they paid \$11m for some discounted Peruvian debt and then threatened to bankrupt the country unless they paid \$58m. They got their \$58m.

Now they're suing Congo Brazzaville for \$400m for a debt they bought for \$10m.

We didn't get our interview. His spokesman told us, "We have nothing to hide; we just don't do interviews".

### US courts

The vulture funds raise most of their money through legal actions in US courts. Those actions against foreign governments can be stayed by the word of the US President and that is where lobbying and political influence becomes important.

Debt Advisory International are very generous to their lobbyists in Washington. They have been paying \$240,000 a year to the lobby firm Greenberg Traurig - although recently they jumped ship to another firm after Greenberg Traurig's top lobbyist was put in jail.

Paul Singer has more direct political connections. He was the biggest donor to George Bush and the Republican cause in New York City - giving \$1.7m since Bush started his first presidential campaign.

Rudi Guiliani is the favourite to be the next Republican presidential candidate and a leaked memo from his campaign shows that Paul Singer has pledged to raise \$15m for Guiliani's campaign.

### Tactics

The vulture funds have teams of lawyers combing the world for assets which can be seized to settle their claims. There have also been claims of dubious tactics.

Back in Britain the Zambian case has seen much legal discussion about allegations of bribery. The Zambian legal team - led by William Blair QC - Tony Blair's brother, has argued that a \$2m bribe was offered to the former Zambian President to make it easier for the vulture funds to claim their money.

They showed the court an email disclosed in the Zambia case saying that a payment to the "President's favourite charity" had allowed them to do a more favourable deal.

When we caught up with Michael Sheehan outside his house in Virginia he told us it was not a bribe but a charitable donation.

He told us, "We offered to donate debt to a low income housing initiative which was a charitable initiative which did

end up building several thousand houses" before adding "you're contorting the facts, you're on my property and I would ask you to step off".

The Jubilee Debt Campaign told Newsnight that they are calling on Gordon Brown to turn his moral outrage about vulture funds into action if he becomes Prime Minister and change the law to make the Zambian case the last to appear in a British court.

*Meirion Jones produced Greg Palast's investigation into Vulture Funds*

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posted August 27, 2006 10:00 pm

# Tomgram: Ann Jones on the Road to Taliban Land

[**Note for readers:** *The next Tomdispatch post will be on September 5th.*]

For the last year or more, the news trickling in from Afghanistan, the first country "liberated" by the Bush administration, has been [ever more dismal](#) -- a Taliban insurgency expanding and becoming more sophisticated in its tactics; [poppy-growing](#) and drug production on a [steep upward climb](#); the government in Kabul faltering; and, for the U.S., the usual crop of [Afghan civilians](#) killed in operations guaranteed to stoke the flames of opposition.

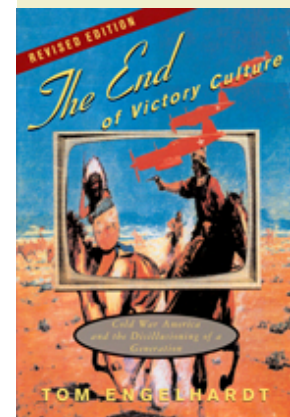
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Ann Jones, an award-winning journalist and women's rights activist, begins her remarkable new book, [Kabul in Winter, Life Without Peace in Afghanistan](#), this way: "I went to Afghanistan after the bombing stopped. Somehow I felt obliged to help pick up the pieces. I was a New Yorker who had always lived downtown, and for a long time after the towers fell I experienced moments when I couldn't get my bearings... Four thousand collateral civilian deaths in Kabul brought no consolation for the death of thousands from around the world in the fallen towers of the city that had so long been my home. I thought America had lost its bearing too. So I left."

As it turned out, though, the bombing of that already fractured land never really stopped. In fact, in recent months, as fighting in Afghanistan only spread and intensified, while [British](#), [French](#), and [Canadian](#) soldiers of the NATO force just emplaced in the southern part of the country as well as [American soldiers](#) began [to die](#) in greater numbers, U.S. [bombing missions](#) have been on the rise and those old Vietnam heavy bombers, the [B-52s](#), have even been called in. Jones herself spent the better part of four years working with small, humanitarian NGOs in Kabul, investigating the conditions of women in Afghan prisons (abysmal), teaching English to Afghan schoolteachers ("Once, after I explained what *blind date* meant, a woman said, 'Like my wedding.'"), and discovering much about the American way of "reconstruction."

She left Afghanistan in March 2006. Only months later, there may be yet more jumbled pieces, far less well picked up than might have seemed humanly possible back in 2002 when the Bush administration was touting Afghanistan as its first great success in remaking the known world. Jones came home to write a vivid, moving, and saddening book about just what happened to those "pieces" she witnessed (with plenty of historical

TOM ENGELHARDT:  
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The End of Victory Culture

[Excerpt \(Updated Preface\)](#)

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America Victorious has been our country's postulate since its birth. Tom Engelhardt, with a burning clarity, recounts the end of this fantasy, from the split atom to Vietnam. It begins at our dawn's early light and ends with the twilight's last gleaming. It is as powerful as a Joe Louis jab to the solar plexus.  
--Studs Terkel

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book about just what happened to those people she witnessed (with plenty of historical background for those who know little about modern Afghanistan, that strange crucible of Great Power dreams and conflicts) -- especially about the state of Afghan women. I recommend her book most strongly.

Below she considers the nature of American "reconstruction" in Afghanistan. On this day, with tropical storm [Ernesto](#) threatening to turn into a category 1 hurricane in the Caribbean and potentially menacing a wide stretch of the U.S. Gulf Coast, including Katrina-ravaged, still largely unreconstructed New Orleans, and with the Army Corps of Engineers [just informing](#) that city's residents that their partially rebuilt levees may not, in fact, be able to withstand a strong storm, her analysis of Bush administration-style reconstruction seems germane for more than just Afghanistan. *Tom*

## Why It's Not Working in Afghanistan

By Ann Jones

Remember when peaceful, democratic, reconstructed Afghanistan was advertised as the exemplar for the extreme makeover of Iraq? In August 2002, Secretary of Defense Donald Rumsfeld was already proclaiming the new Afghanistan "a breathtaking accomplishment" and "a successful model of what could happen to Iraq." As everybody now knows, the model isn't working in Iraq. So we shouldn't be surprised to learn that it's not working in Afghanistan either.

The story of success in Afghanistan was always more fairy tale than fact -- one scam used to sell another. Now, as the Bush administration hands off "peacekeeping" to NATO forces, Afghanistan is the scene of the largest military operation in the history of that organization. Today's personal email brings word from an American surgeon in Kabul that her emergency medical team can't handle half the wounded civilians brought in from embattled provinces to the south and east. American, British, and Canadian troops find themselves at war with Taliban fighters -- which is to say "Afghans" -- while stunned NATO commanders, who hadn't bargained for significant combat, are already asking what went wrong.

The answer is a threefold failure: no peace, no democracy, and no reconstruction.

### Doing Things Backward

Critics of American Afghan policy agree that the Bush administration, in its haste to take out Saddam's Iraq, did things backward. After bombing the Taliban into the boondocks in 2001, it set up a government without first making peace -- a scenario later to be repeated in Iraq.

Instead of pressing for peace negotiations among rival Afghan parties, the victorious Americans handed power to Islamists and militia commanders who had served as America's stand-in soldiers in its Afghan proxy war against the Soviet Union in the 1980s. Then the Bush administration staged elections for these candidates and touted the result as democracy. It also confined an International Security Assistance Force, made up largely of European troops, to the capital, creating an island of safety for the government, while dispatching warlords of its choice to hunt for Osama bin Laden in the countryside.

In the east and south -- that is, about half the country -- the Taliban never stopped fighting. Now, augmented by imported al-Qaeda fighters ("Arab-

This vivid history of oil--and the way it revolutionized civilian life, war, and world politics--sets the stage for the coming oil wars of the 21st Century.

In a recent edition of Yale Global Online, Dilip Hiro explains why playing the oil card only goes so far in international diplomacy. Read it [here](#).

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Afghans") and new tactics learned from the insurgency in Iraq (roadside bombs or IEDs, suicide bombing), Taliban forces are stronger than at any time since the United States "conquered" them in 2001. According to the Afghan Independent Human Rights Commission, most Afghans have long favored a process of amnesty and reconciliation; and President Hamid Karzai recently called on the Bush administration to change course and stop killing Afghans. But administration policy, recently reaffirmed in Kabul by Secretary of State Condoleezza Rice, calls for a fight to the last Talib.

Predictably, public opinion has been turning steadily against the largely powerless central government, guarded in the capital by foreign forces. The insecurity endured by most Afghans -- the absence of peace -- is enough to make them give up hope in President Karzai, often jeeringly referred to as the "mayor of Kabul" or "assistant to the American Ambassador."

Historically Afghans have selected and followed strong leaders; they expect a leader to deliver security, jobs, special favors... something anyway. The Karzai government, confined to a self-serving American agenda that is often at odds with Afghan interests, has delivered nothing at all to the average Afghan, still living in abysmal poverty. In 2004, Afghans dutifully voted for Karzai as the instrument of American promises. By 2005, when Parliamentary elections were held, voters indicated that they were fed up with the same old candidates -- all those militia commanders and Islamist extremists -- and the same old hollow promises.

The sad part of the story is this. Despite the Bush administration's sham "peace" and fake "democracy," it might have made -- might still make -- a success of Afghanistan if only it delivered on that third big promise: to rebuild the bombed-out country. Most Afghans, after the dispersal of the Taliban, were full of hope and ready to work. The tangible benefits of reconstruction -- jobs, housing, schools, health-care facilities -- could have rallied them to support the government and turn that illusory "democracy" into something like the real thing. But reconstruction didn't happen. When NATO-led forces moved into the southern provinces this summer to keep the peace and continue "development," Lieutenant-General David Richards, British commander of the operation, seemed astonished to find that little or no development had so far taken place.

For that failure the U.S. is to blame. Until this year, the American-led Coalition assumed sole charge of "security" operations outside Kabul, but it never put enough troops on the ground to do the job. (Sound familiar?) As a result, aid workers (both international and Afghan) lost their lives, and non-governmental aid organizations (NGOs) withdrew to Kabul, or like Médecins Sans Frontières, left the country altogether. Private contractors who remained in the field found themselves regularly diverting project funds to "security," so that, as in Iraq, aid money poured into operations that belonged in the military budget.

A recent audit by the Special Inspector General for Iraq Reconstruction found the United States Agency for International Development (USAID) using "an accounting shell game" to hide mammoth cost overruns on projects -- as high as 418% -- resulting partly from such security problems. There's every reason to believe that an audit of Afghanistan reconstruction by many of the same firms under contract to USAID would reveal similar accounting practices used for the same reason. Without peace there can be no security, and without security no development.

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## The Reconstruction Shell Game

But there's more to the story than that. To understand the failure -- and fraud -- of such reconstruction, you have to take a look at the peculiar system of American aid for international development. During the last five years, the U.S. and many other donor nations pledged billions of dollars to Afghanistan, yet Afghans keep asking: "Where did the money go?" American taxpayers should be asking the same question. The official answer is that donor funds are lost to Afghan corruption. But shady Afghans, accustomed to two-bit bribes, are learning how big-bucks corruption really works from the masters of the world.

A fact-packed report issued in June 2005 by Action Aid, a widely respected NGO, headquartered in Johannesburg, South Africa, makes sense of the workings of that world. The report studied development aid given by all countries globally and discovered that only a small part of it -- maybe 40% -- is real. The rest is "phantom" aid; that is, the money never actually shows up in recipient countries at all.

Some of it doesn't even exist except as an accounting item, as when countries count debt relief or the construction costs for a fancy new embassy in the aid column. A lot of it never leaves home. Paychecks for American "experts" under contract to USAID, for example, go directly from the Agency to their American banks without ever passing through the to-be-reconstructed country. Much aid money, the report concludes, is thrown away on "overpriced and ineffective Technical Assistance," such as those very hot-shot American experts. And a big chunk of it is carefully "tied" to the donor nation, which means that the recipient is obliged to use the donated money to buy products from the donor country, even when -- especially when -- the same goods are available cheaper at home.

The U.S. easily outstrips other nations at most of these scams, making it second only to France as the world's biggest purveyor of phantom aid. Fully 47% of American development aid is lavished on overpriced technical assistance. By comparison, only 4% of Sweden's aid budget and only 2% of Luxembourg's and Ireland's goes to such assistance. As for tying aid to the purchase of donor-made products, Sweden and Norway don't do it all; neither do Ireland and the United Kingdom. But 70% of American aid is contingent upon the recipient spending it on American stuff, especially American-made armaments. Considering all these practices, Action Aid calculates that 86 cents of every dollar of American aid is phantom aid.

According to targets set years ago by the UN and agreed to by almost every country in the world, a rich country should give 0.7% of its national income in annual aid to poor ones. So far, only the Scandinavian countries, the Netherlands, and Luxembourg (with real aid at 0.65% of national income) even come close. At the other end of the scale, the U.S. spends a paltry 0.02% of national income on real aid, which works out to an annual contribution of \$8.00 from every citizen of "the wealthiest nation in the world." (By comparison, Swedes kick in \$193 per person, Norwegians \$304, and the citizens of Luxembourg \$357.) President Bush boasts of sending billions in aid to Afghanistan, but in fact we could do better by passing a hat.

The Bush administration often deliberately misrepresents its aid program for domestic consumption. Last year, for example, when the President sent his wife to Kabul for a few hours of photo ops, the *New York Times* reported

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that her mission was "to promise long-term commitment from the United States to education for women and children." Speaking in Kabul, Mrs. Bush pledged that the United States would give an additional \$17.7 million to support education in Afghanistan. As it happened, that grant had previously been announced -- and it was not for Afghan public education (or women and children) at all, but to establish a brand-new, private, for-profit American University of Afghanistan catering to the Afghan and international elite. (How a private university comes to be supported by public taxpayer dollars and the Army Corps of Engineers is another peculiarity of Bush aid.)

Ashraf Ghani, the former finance minister of Afghanistan and president of Kabul University, complained, "You cannot support private education and ignore public education." But typically, having set up a government in Afghanistan, the U.S. stiffes it, preferring to channel aid money to private American contractors. Increasingly privatized, U.S. aid becomes just one more mechanism for transferring taxpayer dollars to the coffers of select American companies and the pockets of the already rich.

In 2001, Andrew Natsios, then head of USAID, cited foreign aid as "a key foreign policy instrument" designed to help other countries "become better markets for U.S. exports." To guarantee that mission, the State Department recently took over the formerly semi-autonomous aid agency. And since the aim of American aid is to make the world safe for American business, USAID now cuts in business from the start. It sends out requests for proposals to a short list of the usual suspects and awards contracts to those bidders currently in favor. (Election-time kickbacks influence the list of favorites.)

Sometimes it invites only one contractor to apply, the same efficient procedure that made Halliburton so notorious and profitable in Iraq. In many fields it "preselects vendors" by accepting bids every five years or so on an IQC -- that's an "Indefinite Quantities Contract." Contractors submit indefinite information about what they might be prepared to do in unspecified areas, should some more definite contract materialize; the winners become designated contractors who are invited to apply when the real thing comes along. USAID generates the real thing in the form of an RFP, a Request for Proposals, issued to the "pre-selected vendors" who then compete (or collaborate) to do -- in yet another country -- work dreamed up in Washington by theoreticians unencumbered by first hand knowledge of the hapless "target."

## **The Road to Taliban Land**

The criteria by which contractors are selected have little or nothing to do with conditions in the recipient country, and they are not exactly what you would call transparent. Take the case of the Kabul-Kandahar Highway, featured on the USAID website as a proud accomplishment. In five years, it's also the only accomplishment in highway building -- which makes it one better than the Bush administration record in building power stations, water systems, sewer systems, or dams.

The highway was featured in the *Kabul Weekly* newspaper in March 2005 under the headline, "Millions Wasted on Second-Rate Roads." Afghan journalist Mirwais Harooni reported that even though other international companies had been ready to rebuild the highway for \$250,000 per kilometer, the U.S.-based Louis Berger Group got the job at \$700,000 per

kilometer -- of which there are 389. Why? The standard American answer is that Americans do better work -- though not Berger which, at the time, was already years behind on another \$665 million contract to build Afghan schools. Berger subcontracted to Turkish and Indian companies to build the narrow, two-lane, shoulderless highway at a final cost of about \$1 million per mile; and anyone who travels it today can see that it is already falling apart.

Former Minister of Planning Ramazan Bashardost complained that when it came to building roads, the Taliban had done a better job; and he too asked, "Where did the money go?" Now, in a move certain to tank President Karzai's approval ratings and further endanger U.S. and NATO troops in the area, the Bush administration has pressured his government to turn this "gift of the people of the United States" into a toll road, charging each driver \$20 for a road-use permit valid for one month. In this way, according to American experts providing highly paid technical assistance, Afghanistan can collect \$30 million annually from its impoverished citizens and thereby decrease the foreign aid "burden" on the United States.

Is it any wonder that foreign aid seems to ordinary Afghans to be something only foreigners enjoy? At one end of the infamous highway, in Kabul, Afghans complain about the fancy restaurants where those experts, technicians, and other foreigners gather, men and women together, to drink alcohol, carry on, and plunge half-naked into swimming pools. They object to the brothels -- eighty of them by 2005 -- that house women trafficked in to serve the "needs" of foreign men. They complain that half the capital city still lies in ruins, that many people still live in tents, that thousands can't find jobs, that children go hungry, that schools and hospitals are overcrowded, that women in tattered burqas still beg in the streets and turn to prostitution, that children are kidnapped and sold into slavery or murdered for their kidneys or eyes. They wonder where the promised aid money went and what the puppet government can possibly do to make things better.

At the other end of the highway, in Kandahar city -- President Karzai's home town -- and in the southern provinces of Kandahar, Helmand, Zabul, and Uruzgan, Taliban commander Mullah Dadullah is reported to have more than 12,000 men under arms and squads of suicide bombers at the ready. They ambush newly arrived NATO troops. The embattled British commander, Lieutenant-General Richards, recently issued a warning: "We need to realize that we could actually fail here."

The U.S. attacks the Taliban, as it did in 2001, with air power. (The *Times* of London reports that in May alone, U.S. planes flew an "astonishing" 750 bombing raids.) Every day brings new reports of NATO and Taliban combat casualties, and of "suspected" Taliban as well as civilians killed, long range, by American bombs.

In the meantime, the Taliban take control of villages; they murder teachers and blow up schools. U.S.-led drug eradication teams take control of villages and destroy the poppy crops of poor farmers. Caught as usual in the middle of warring factions, Afghans of the south and east long ago ceased to wonder where the money went. Instead they wonder who the government is. And what ever happened to "peace"

*Journalist and [photographer](#) Ann Jones spent much of the last four years in Afghanistan working as a human rights researcher and women's advocate*

*with international humanitarian agencies and teaching English to Kabul high school English teachers. She writes about her Afghan experience for the Nation magazine and notably in a new book [Kabul in Winter: Life Without Peace in Afghanistan](#) (Metropolitan Books, 2006). For more on her, check out her [website](#).*

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UN in Haiti accused of second massacre

January 21, 2007

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# UN in Haiti accused of second massacre



Photos: ©2006 [Haiti Information Project](#) Lelene Mertina, 24 years-old, was six months pregnant when a UN bullet ripped through her abdomen instantly killing her unborn child on Dec, 22, 2006. She claimed that she was running to get out of the way of a UN armored vehicle when they suddenly opened fire in her direction. She denies there was firing on UN forces by purported gang members when she was shot. The UN has said most of the victims were felled by crossfire after coming under fire from gang members in Cite Soleil.

## UN in Haiti accused of second massacre

*Horrifying evidence surfaces contradicting UN denials*

Photos: ©2006 [Haiti Information Project](#)

HIP - Port au Prince, Haiti – A Cite Soleil community activist, Samuel Leconte, was arrested at gunpoint by Brazilian soldiers on Jan. 18th and was turned over to the Haitian police. The first questions posed to Mr. Leconte by the UN were whether he has information connecting former political prisoner Annette Auguste, aka So An, and exiled president Aristide to large demonstrations in the seaside shanty town of Cite Soleil. While Mr. Leconte has responded that he has no such information and that the demonstrations are taken



at the initiative of the community, the information Mr. Leconte does possess is eyewitness testimony of the killings executed by UN forces in his community on December 22, 2006.

Weeks before his arrest, Mr. Leconte spoke at a funeral for the victims of what residents of Cite Soleil are calling a second massacre by UN military forces in their community. Mr. Leconte condemned the killings while sitting in front of a large banner that read "Thank you President Preval for this Christmas gift," an obvious reference to Preval's having reportedly approved the deadly raid. "They killed women, children and old people. They shot them like animals" states Mr. Leconte as he begins to weep into the microphone. He concluded, "They will never stop our demands for the return of President Aristide. We will keep demonstrating and will never stop until the land of Dessalines is truly free and independent!!" As of this writing, Mr. Leconte is being held without charges by the Haitian police in the notorious Delmas 33 prison which is called Fort Dimanche, alluding to a former prison run by the Duvalier dictatorship.

According to residents of Cite Soleil, UN forces attacked their neighborhood in the early morning hours of Dec. 22, 2006 and killed more than 30 people including women and children. For many this was a repeat of UN military operations on July 6, 2005 when more than 26 people were killed in a successful assassination attempt on Emmanuel "Dred" Wilmer and four of his closest followers. Wilmer was openly hostile to the UN military occupation of his country and opposed the ouster of the constitutional president Jean-Bertrand Aristide. He led armed resistance and inspired others to do the same against the brutal Haitian police and the irreparably corrupt legal system.

This time the target was a purported kidnapping gang led by a young man named Belony. The military operation was said to have been personally sanctioned by President Rene Preval, who was elected last year with support from Aristide's Lavalas movement. Tens of thousands of Lavalas supporters paralyzed the capital for more than a week to challenge the 76 million dollar UN-sponsored elections fiasco. The UN-backed Provisional Election Council(CEP) attempted a ballot counting fraud meant to keep Preval from assuming office.

The irony is that the attack on Dec. 22 seems to have been triggered, not by a surge in kidnappings as claimed by the UN, but by another massive demonstration of Lavalas supporters that began in Cite Soleil. About ten thousand people demonstrated a few days before for the return of president Aristide in a clear condemnation of what they called the foreign military occupation of their country. These huge demonstrations are not to be



The week before the UN military action in Cite Soleil saw several huge demonstrations demanding the return of ousted president Jean-Bertrand Aristide. Residents believe that the UN justification for the attack, to arrest a base of kidnappers, was really a cover for collective punishment against the community for continuing demonstrations like these.



Samuel Leconte was arrested and questioned by UN authorities and then turned over to the Haitian police. He is currently being held without charges in the Delmas 33 police station.



A helicopter gunship flies a sortie over Cite Soleil on Dec. 22, 2006. The UN has denied firing at the population from helicopters despite

confused with smaller protests of the so-called "student demonstrations" of the "testicles up your derriere" movement or GNB that helped to oust Aristide on Feb. 29, 2004. The protesters in Cite Soleil were offered a far different treatment by the UN than the so-called "students."

Footage taken by HIP videographers shows unarmed civilians dying as a result of indiscriminate gunfire from UN forces on December 22, 2006. Although the UN denied firing from helicopter gunships, an unidentified 28 year-old man dies on camera stating that he was shot in the abdomen from a circling UN helicopter raining death upon those below. This is not the first time the UN has denied murdering unarmed civilians in Cite Soleil. The occupation force also denied killing unarmed civilians on July 6, 2005. Eloufi Boulbars, a UN spokesperson stated on July 8, 2005, "We saw five people killed, that's what we could count. Armed bandits who had tried to resist were either killed or wounded." Documentary evidence finally forced the UN to admit that unarmed civilians had been killed by UN forces despite their attempts to cover it up.

The scene December 22, 2006 was not all that different with the UN feeding the corporate media a story of military intervention against kidnapers and denying once again the disproportionate use of force resulting in the heavy loss of life among unarmed civilians. Another similarity was the UN's utter disregard in planning for civilian casualties. As in July 2005, not a single medical unit accompanied the UN forces as residents hit by indiscriminate and sustained gunfire bled to death in the middle of the street or managed to crawl back to their homes to die in the arms of their families.

"I couldn't count all the victims," states one survivor who asked to remain anonymous due to fears for her safety. "They came in shooting. Look at that pregnant woman they just shot. Look at that young man. Are we all bandits? Are we all kidnapers?" Annette Auguste, who was a political prisoner in Haiti for more than two years added, "We saw young men and women gunned down by UN forces in Cite Soleil. Young people shot dead. Were they all kidnapers too?"

More than three hours of video footage and a large selection of digital photos, illustrate more than words ever could what the UN is doing in Haiti. The wounded and dying on the video tape all express horror and confusion at the reasons UN forces shot at them. A 16 year-old young man asks why UN forces shot him as he clearly realizes he is going to die. Less than an hour later we see his lifeless corpse replace what once was an animated and articulate young man. HIP Founding Editor Kevin Pina commented, "It is clear that this represents an act of terror against the community.

## eyewitness restimony from victims and survivors



An unidentified 28 year-old man is seen dying in his home. Before succumbing to his wounds, he gives testimony that directly contradicts UN denials of firing from helicopter gunships on the population below. "I was shot by the helicopter" were his last words.



Jonel Bonhomme, 16 years-old, lies in a pool of his own blood just after being shot by UN forces on December 22, 2006. Before dying, Bonhomme described in detail how the UN opened fire on unarmed civilians in his neighborhood.





This video evidence shows clearly that the UN stands accused, once again, of targeting unarmed civilians in Cite Soleil. There can be no justification for using this level of force in the close quarters of those neighborhoods. It is clear that the UN views the killing of these innocents as somehow acceptable to their goal of pacifying this community. Every demonstration, no matter how peaceful, is seen as a threat to their control if it includes demands for the return of Aristide to Haiti. In that context it is difficult to continue to view the UN mission as an independent and neutral force in Haiti. They apparently decided sometime ago it was acceptable to use military force to alter Haiti's political landscape to match their strategic goals for the Haitian people."

The people of Cite Soleil now view president Preval as having the blood of innocent victims on his hands along with UN Special Envoy to Haiti Edmond Mulet and the recently replaced Brazilian General Jose Elito Carvalho de Siqueira. In the minds of the survivors they now join the ranks of General Heleno Ribera, former UN Envoy Juan Gabriel Valdes and the former US-installed prime minister Gerard Latortue all of who are implicated in ordering and covering up the first massacre of July 6, 2005.

*More photos and testimonies will be added soon, return to this web page.*

*See Also*

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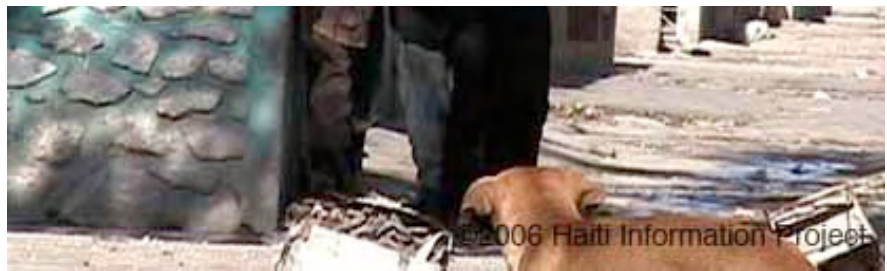
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An unidentified man in Cite Soleil crosses himself in a religious gesture before attempting to walk across the street as UN forces open fire in his community on Dec. 22, 2006.



An unidentified Haitian man holds a towel to his face to stop the bleeding from a headshot he claims came from UN forces on Dec. 22, 2006 in Cite Soleil.

## truthout • editorial

 [Print This Story](#) [E-mail This Story](#)**Which Side Are You On?**

By David Bacon

truthout | Guest Contributor

Monday 29 January 2007

Oakland, California - Of all the supporters of corporate immigration reform, Homeland Secretary Michael Chertoff is the most honest. The day of the notorious raids at the Swift and Company meatpacking plants, he told the media the raids would show Congress the need for "stronger border security, effective interior enforcement and a temporary-worker program." Bush wants, he said, "a program that would allow businesses that need foreign workers, because they can't otherwise satisfy their labor needs, to be able to get those workers in a regulated program."

Chertoff is hardly the only voice in DC using raids to justify guest worker programs. Cecilia Mu-oz, head of National Council of La Raza (NCLR), is another. Those deported in December were among the millions of undocumented workers who came after Congress passed the last immigration amnesty in 1986. Since legislators at the time didn't consider people who would come in following years, "perhaps the most tragic consequences are the terrible human costs of workplace raids," she mourns. New guest worker programs will give future migrants legal status, she claims, and protect them from the *migra*.

The raids do cause terrible suffering. But Mu-oz and other Washington insiders actually supported bills last year that mandate the same worksite enforcement Chertoff carries out today. More raids were a price they were willing to pay (or that others would pay) for the guest worker programs they wanted.

Today, many Congressional leaders - Democrats and Republicans - want to allow corporations and contractors to recruit hundreds of thousands of workers a year outside of the US and put them to work here on temporary visas. Labor schemes like this have a long history. From 1942 to 1964, the *bracero* program recruited temporary immigrants. They were exploited, cheated, and deported if they tried to go on strike. Growers pitted them against workers already in the country to drive down wages. Cesar Chavez, Ernesto Galarza and Bert Corona all campaigned to get the program repealed.

Advocates of today's programs do everything they can to avoid association with the bitter "bracero" label. They used "guest worker" until that name also developed an ill repute. Now they prefer other euphemisms - "essential workers," or just "new workers."

We don't live in a magical world, however. You can't clean up an unpleasant reality by renaming it.

Current guest worker programs allow labor contractors to maintain blacklists of workers who work slowly or demand rights. Anyone who makes trouble doesn't get rehired to work in the US again. Public interest lawyers spend years in court, trying just to get back wages for cheated immigrants. The Department of Labor almost never decertifies a contractor for this abuse.

Guest workers labor under the employer's thumb. Standing up for a union or minimum wage is risky. Under current programs, and in the new Congressional proposals, if workers lose their jobs they must leave, making deportation a punishment for being unemployed. No one gets unemployment insurance, disability or workers' compensation payments. Companies save money and avoid bad publicity by sending injured workers back home, where healthcare is virtually unavailable.

But Mu-oz and others argue that Congress can allow guest workers to go to court. Our legal system is such a poor protector of workers' rights today, however, that in 30 percent of all organizing drives, workers (both citizens and immigrants) are illegally fired, with virtually no remedies or penalties on employers. Arguing that lawyers can protect immigrants on temporary work visas is preposterous.

These problems aren't aberrations, curable with legal fine print.

By their nature, guest worker programs are low-wage schemes, intended to supply plentiful labor to corporate employers, at a price they want to pay. Companies don't recruit guest workers so they can pay them more, but to pay them less.

According to Rob Rosado, director of legislative affairs for the American Meat Institute, meatpackers want a guest worker program, but not a basic wage guarantee for those workers. "We don't want the government setting wages," he says. "The market determines wages."

Major Senate sponsors of guest worker bills don't believe the government should even set a minimum wage for anyone, immigrant or citizen. John McCain, John Cornyn, James Kyl, Larry Craig and Chuck Hegel all just voted for an amendment to repeal the federal minimum wage entirely. Making them responsible for guest worker wages is putting the fox in charge of the chickens.

And it's not just wages. The schemes create a second tier of workers with fewer rights and less job security. They have none of the social benefits US workers won in the New Deal - retirement, unemployment and disability insurance. Instead of including new immigrants in these and other social programs, giving them legal residence and rights, Congress would create a huge workforce without them. Corporations that have pushed for eliminating these standards for everyone would be halfway there.

That's why workers, unions and community organizations have opposed guest worker programs, but also why corporations want them. Starting in the late 1990s, companies organized a shadowy lobby group, the Essential Worker Immigration Coalition (EWIC) which today encompasses over 40 huge employer associations, including Wal-Mart, Marriott, Tyson Foods and the Association of Builders and Contractors. They recruited the Cato Institute to produce guest worker recommendations, which President Bush repeats almost word-for-word. The hard-right Manhattan Institute provides additional cover.

The corporate lobby made other inroads as well. John Gay, who heads the National Restaurant Association and EWIC, is now board chair of the National Immigration Forum, a major Washington player. NCLR's list of corporate sponsors includes Wal-Mart and 14 other multinationals. Even two unions, the Service Employees and UNITE HERE, supported the Senate guest worker compromise last year.

The question Congress is deciding isn't "what can stop immigration?" With over 180 million people in the world living outside their countries of origin, nothing can. Migration begins when people are displaced. In the countries that are the main sources of migration to the US, most migration is caused by economic dislocation - people can no longer survive as farmers or workers. Other migrants fled the wars that raged in Central America.

NAFTA, CAFTA, and US-sponsored economic reforms, along with US military intervention, uprooted millions of people, leaving them little option other than coming north. Corporations like Wal-Mart and Marriott wrote US trade policy to improve their investment opportunities abroad. Now they also want guest worker programs to channel people displaced by those policies into their US operations. Often those leaving home are among the most skilled and educated. Their departure makes it even harder for their countries to progress.

This flow of forced migration may not stop in the near future, but changing pro-corporate trade policies would reduce the pressure on people to leave home. Unsurprisingly, that's not on EWIC's agenda.

The real question Congress is deciding is the status of people once they're here. Other proposals, from outside the Beltway, would give immigrants far greater rights and much more equality than guest worker programs. Congress could, for instance,

- Give permanent residence visas, or green cards, to people already here. Those visas don't require people to stay, but give them the chance to come and go - to work, study, or take care of family members in the US or in their home country. They can't be deported if they lose a job.
- Expand the number of green cards available for new migrants, opening the door to legal immigration far enough to accommodate those now coming illegally. Most immigrants already come through family networks. Making family reunification easier would help them and strengthen communities.
- Allow people to apply for green cards, in the future, after they've been here a few years. The US wouldn't develop the huge undocumented population it has today.
- Stop the enforcement program that has led to thousands of deportations and firings, and a border so heavily militarized that migrants cross, and die, in the most dangerous areas.
- Prohibit companies from recruiting outside the US. They can always hire immigrants with green cards here, and green card holders are in a much better position to demand rights and higher wages.

It's not likely that many corporations will support such a program. That's why those who claim to represent the interests of immigrants in Washington must choose whose side they're really on.

*David Bacon is a California photojournalist who documents labor, migration and globalization. His book Communities Without Borders was just published by Cornell University/ILR Press.*

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CQ HOMELAND SECURITY – SPYTALK  
Nov. 22, 2006 – 7:08 p.m.

## A Senate Mystery Keeps Torture Alive — and Its Practitioners Free

By Jeff Stein, CQ National Security Editor

With all the lawsuits over kidnapping and torture marching toward the Bush administration, you might think the top officials running the global war on terror would be worried just a little about the prospect that some day they might end up in court — if not having nightmares about getting measured for orange jumpsuits at Danbury Federal Prison.

Alas, no. Thanks to the legerdemain of Bush administration lawyers, a provision quietly tucked into the Military Commissions Act ([PL 109-366](#)) just before it was passed by Congress and signed into law by President Bush on Oct. 17, would ease any worries they might've had. It not only redefines torture upward, removing the harshest, most controversial techniques from the definition of war crimes, it also exempts the perpetrators — interrogators and their bosses — from punishment all the way back to Nov. 1997.

The deft wording is the Bush administration's attempt at bringing the United States' criteria for defining a war crime into line with the Geneva Convention's interpretation of torture.

The Supreme Court in June had declared the administration's hastily assembled military commissions unconstitutional, saying all prisoners in U.S. custody had to be held in accordance with the Geneva Convention's Article 3, which prohibits "outrages upon personal dignity, in particular, humiliating and degrading treatment."

Renegotiating the Geneva Convention was out of the question. So the administration's lawyers took what the president's counselor, Dan Bartlett, later called "the scenic route."

By way of the new Military Commissions Act, they effectively rewrote the U.S. enforcement mechanism for Geneva, the War Crimes Act, passed by Congress in Nov. 1997.

Never heard of this provision? That's because coverage of the act focused more on its suspension of habeas corpus, barring anyone defined as an enemy combatant from filing suit challenging the legality of their detention or raising claims of torture and other mistreatment.

Former Defense Secretary Donald H. Rumsfeld, in particular, must be pleased by this legal three-card monte.

So, too, must be President Bush.

That's because of another development that has garnered relatively minor coverage: The sworn statement of Lt. Gen. Randall M. Schmidt, the Army's inspector general, that implicates the erstwhile Defense Secretary in the abuse of a Guantanamo detainee.

On March 17, 2005, Schmidt interviewed Maj. Gen. Mike Dunlavey, the retired former commander of Task Force 170, which was in charge of Guantanamo interrogations.

In his report, first obtained last April by the Internet magazine Salon, Dunlavey described himself as "a trial lawyer" who had "done over 3,000 interrogations" during his "35 years of intelligence experience."

Under oath, Dunlavey said that Rumsfeld was "personally involved" in the interrogation of a high-ranking al Qaeda suspect, Mohammad al-Qahtani.

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So was Bush, Dunlavy testified.

### Marching Orders

In his deposition, Dunlavy refers to Rumsfeld as “SECDEF.”

“I met with the SECDEF on the 20th or 21st of February, 2002, along with the Deputy SECDEF, [Paul] Wolferwitz [sic] and a number of other personnel ...” Dunlavy said.

“The SECDEF said he wanted a product and he wanted intelligence now. He told me what he wanted, not how to do it.

“Initially,” Dunlavy continued, “I was told that I would answer to SECDEF . . . .”

But “the directions changed and I got my marching orders from the president of the United States.”

And not just by telephone.

“I was told by the SECDEF that he wanted me back in Washington every week to brief him. . . . The mission was to get intelligence to prevent another 9/11.”

No one said Rumsfeld was in the prison cell shouting questions at al-Qahtani.

But Rumsfeld was also “talking weekly” about the al-Qahtani interrogation with Gen. Geoffrey Miller, then a senior commander at Guantanamo, Schmidt reported.

The secretary of Defense was “personally involved in the interrogation of [this] one person,” he said.

Later in the year, we now know, Rumsfeld gave interrogators formal approval for hooding prisoners, exploiting their phobias, putting them in prolonged stress positions, often in complete darkness, and bombarding them with ear-splitting noise, tactics ordinarily forbidden by the Army Field Manual.

Joanne Mariner, a lawyer and director of the Terrorism and Counterterrorism Program at Human Rights Watch, took aim at Rumsfeld when the Army IG’s report surfaced.

“The question at this point is not whether Secretary Rumsfeld should resign, it’s whether he should be indicted,” Mariner said, urging the appointment of a special prosecutor.

“Gen. Schmidt’s sworn statement suggests that Rumsfeld may have been perfectly aware of the abuses inflicted on al-Qahtani,” she added.

### Murky Trail

Who dunnit? Who slipped the language that could potentially exempt torturers from prosecution into the Military Commissions Act?

The White House counsel’s office wrote it, if Dan Bartlett’s “scenic route” jibe is any guide.

A spokeswoman there denied it.

But who was the accessory?

Backdating the exemption of perpetrators wasn’t in the original bill, stitched together by Sens. John McCain, R-Ariz, Lindsey Graham, R-S.C., and John W. Warner, R-Va., said a Senate aide involved in the drafting of the bill.

The version those three and the White House seemed to agree on — it apparently changed like a Rubik’s cube every week — backdated the officials’ exemption from prosecution only to Sept. 11, 2001.

Nor did the Warner version narrow the definitions for war crimes nearly to the extent that the final version did, said the aide, on condition of anonymity.

As for the timing of the midnight riders, they had to have been inserted quietly over the last weekend, or even the last night, before the bill moved to a final vote and then to the White House, the aide speculated .

“We have no idea who it came from or how it came to be.”

The senators’ offices did not answer queries during the shortened holiday week.

White House spokesperson Dana Perrino, meanwhile, thickened the mystery.

She said the stealth changes didn’t come from the counsel’s office.

“It could’ve come from elsewhere in the White House or Justice Department,” she said, a smile in her voice.

“But it didn’t come from us.”

Ah, sweet mystery of Hill life.

In any event, with Democrats holding the gavels come January, the Republicans should enjoy their legalistic coup while it lasts.

What the Republicans got, the Democrats can take away.

*Jeff Stein can be reached at [jstein@cq.com](mailto:jstein@cq.com).*

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## Rachel's Democracy & Health News #876

"Environment, health, jobs and justice--Who gets to decide?"

Thursday, October 12, 2006

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### Featured stories in this issue...

[Some Chemicals Are More Harmful Than Anyone Ever Suspected](#)

Evidence is piling up to show that many chemicals can cause serious illnesses, which then can be passed on to our children and grandchildren.

[Chemicals and Stress Cause Gene Changes That Can Be Inherited](#)

Scientists are still deciphering what has been described as the second genetic code. They know that a number of chemicals in our bodies act like dimming switches. They suspect this chemical switching system can be affected by diet, the air pollution we inhale, whether we smoke, and the stress we endure -- and the resulting changes can be passed along to offspring.

[A Single Prenatal Chemical Exposure Can Cause Cancer Later](#)

Pregnant rats were exposed to high levels of a fungicide commonly used in vineyards. In male offspring and three subsequent male generations of the rats, 85 percent of the animals developed cancer, prostate disease, kidneying disease, premature aging or other problems.

[Marine Life Is Disappearing from Puget Sound, and Fast](#)

Puget Sound -- Washington State's unique inland sea -- is rapidly approaching an ecological tipping point.

[Scientists Find Farm Link To Breast Cancer](#)

A new study from Canada links farm life to an increased likelihood of breast cancer.



From: Rachel's Democracy & Health News #876, Oct. 12, 2006  
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### SOME CHEMICALS ARE MORE HARMFUL THAN ANYONE EVER SUSPECTED

By Peter Montague

New evidence is flooding in to suggest that many industrial chemicals are more dangerous than previously understood. During the 1990s, it came as a surprise that many industrial chemicals can interfere with the hormone systems of many species, including humans. Hormones are chemicals that circulate in the blood stream at very low levels (parts per billion, and in some cases parts per trillion), acting like switches, turning on and off bodily processes. From the moment of conception throughout the remainder of life, our growth, development and even many kinds of behavior are controlled by hormones.

Now new evidence is piling up to show that some of these hormone-related changes can be passed from one generation to the next by a mechanism that remains poorly understood, called epigenetics.

Until very recently scientists had thought that inherited traits always involved genetic mutations -- physical changes in the sequence of nucleotides that make up the DNA molecule itself. Now they know that there is a "second genetic code" that somehow influences the way genes operate, and that by some poorly-understood mechanism can be passed along to successive generations.

Medical scientists hope to take advantage of the new science of epigenetics to manipulate the behavior of genes for beneficial purposes. But the dark side of this new understanding is that stress, smoking, and pollution can cause epigenetic changes -- including many serious diseases like cancer and kidney disease -- that apparently can be passed along to one's children and even grandchildren. For example, Dutch women who went hungry during World War II gave birth to small babies. These babies, in turn, gave birth to small babies even though they themselves had plenty to eat. "It changes the whole way we think about inheritance," says Dr. Moshe Szyf at McGill University in

Toronto.

Just last month professor Michael Skinner at Washington State University in Spokane announced [results of laboratory experiments](#) showing that environmental pollution could permanently reprogram the genetic traits of a family line of rodents, creating a legacy of sickness. This research "highlights the long-term dangers from environmental pollution," professor Skinner said. Dr. Skinner showed that a single exposure to a toxic chemical in the womb could produce a sick litter of offspring, which in turn could produce its own sick offspring. "It's a new way to think about disease," Dr. Skinner said.

"A human analogy would be if your grandmother was exposed to an environmental toxicant during mid-gestation, you may develop a disease state even though you never had direct exposure, and you may pass it on to your great-grandchildren," Skinner said.

"It introduces the concept of responsibility into genetics," says Dr. Szyf. As [a recent story](#) in the Toronto Globe & Mail summarized, "Epigenetics may revolutionize medicine, said Dr. Szyf, and it also could change the way we think about daily decisions like whether or not to order fries with a meal, or to go for a walk or to stay in front of the television. You aren't eating and exercising for yourself, but for your lineage."

On average, 1800 new chemicals are registered with the federal government each year and about 750 of these find their way into products, all with hardly any testing for health or environmental effects.

Brominated flame retardants, phthalates, bisphenol-A, PFOA (related to the manufacture of Teflon) are the toxins that have gained our attention at the moment. By working overtime for 10 or 15 years in the traditional environmentalist way, we may be able to ban a half-dozen of them. But during that 10 or 15 years, the chemical industry (and the federal EPA) will have introduced somewhere between 7,000 and 10,000 new chemicals into commerce, almost entirely untested. This destructive merry-go-round is accelerating.

Faced with evidence of harm, governments tend to respond initially by conducting "risk assessments" to show there is no problem. The main function of risk assessment is to make chemical problems disappear, almost like magic. As EPA's first administrator, William Ruckelshaus, reminded us, "We should remember that risk assessment data can be like the captured spy: If you torture it long enough, it will tell you anything you want to know."

So the bad news about chemical contamination is steadily mounting, while the number of new chemicals is steadily increasing. As we have been reporting regularly in [Rachel's Precaution Reporter](#), the European Union has responded to this situation by trying to enact a new law called REACH, which requires that chemicals be tested before they can be sold. As they say in Europe, "No data, no market." The U.S. and European chemical industries -- and the White House -- have been working overtime to subvert the European effort to enact REACH. But now it looks as though REACH -- in one form or other -- will become law soon. It will be binding on any corporations that want to sell chemicals in Europe, including firms based in the U.S.

[Return to Table of Contents](#)

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From: Globe & Mail (Toronto, Ontario), Mar. 11, 2006  
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**CODE 2**

By Anne McIlroy

Scientists are rewriting the laws of heredity as they learn more about a mysterious second genetic code that turns our genes on and off.

The traditional idea that we are the passive carriers of our genes is being challenged by the notion that we are their custodians. Our lifestyles -- what we eat, how much we exercise, whether we smoke -- may play a role in a chemical switching system that activates or



deactivates our genes. There are signs that our behaviour may program sections of our children's DNA, and that how we live may even affect our grandchildren's genes.

"It introduces the concept of responsibility into genetics," said Dr. Moshe Szyf, a researcher at McGill University in Montreal and a pioneer in the field of epigenetics, the study of genetic changes that don't involve mutations in DNA.

"It changes the whole way we think about inheritance."

If DNA is the hardware of inheritance, the epigenetic operating system is the software, controlling the 30,000 genes that carry instructions for the proteins that make up our bodies and keep them running.

Scientists are still deciphering what has been described as the second genetic code. They know, Dr. Szyf said, that a number of chemicals in our bodies act like dimming switches and determine whether every gene in each cell produces a lot of a particular protein, very little or none of it.

They suspect this chemical switching system can be affected by diet, the air pollution we inhale, whether we smoke, and the stress we endure. It may be a mechanism through which our environment affects our genes.

In mice there is proof some of these changes can be passed down from generation to generation. There are signs this may be the case for humans, as well, if the environmental changes affect genes in sperm or eggs.

A recent study found that found men who started smoking before puberty are more likely to have overweight male children. Dutch women who went hungry in the Second World War gave birth to small babies, but their children also had small babies, even though they had enough to eat.

There is also evidence, at least in rats, that a mother can turn genes on and off in her offspring. Mothers who lick their pups activate a gene that restricts the production of the stress hormone cortisol. As a result, their babies are more laid back.

Canadian scientists in Montreal and Hamilton are now doing an unprecedented experiment in humans, and want to find whether a mother's behaviour affects similar genes in young children. They should have preliminary results by the fall.

A recent study in Spain found that as identical twins get older, they become genetically less similar. They start out with the same genes, but as they age, the switches that control their genes start to look different. The changes are barely noticeable in three-year-old twins, and most pronounced in elderly twins, especially those who have spent less of their lives together.

This helps explain why, in the Spanish study, a 35-year-old woman developed breast cancer but her identical twin didn't. It may also explain why when one identical twin develops schizophrenia, it is estimated that the other one has only a 50-per-cent chance of developing the mental illness.

Pamela Spiro Wagner started hearing voices the day John F. Kennedy was assassinated. Carolyn Spiro, her identical twin, became a psychiatrist. She was on call at a Boston hospital when her sister was admitted in a catatonic state, one arm extended into the air.

"This can't be my twin," she recalls thinking at the time. The two wrote a memoir, published last year, called *Divided Minds: Twin Sisters and their Journey through Schizophrenia*.

Identical twins can look less similar as they get older, and often act very differently. Epigenetics may help explain why.

Connie Millar, 31, says she began noticing more physical differences between herself and identical twin Kendra four or five years ago.

The sisters share a home in Welland, Ont.

"My hair is nice and full," Connie said. Kendra, younger by 11

minutes, conceded her hair is little thinner.

"Hers is more curly."

Their noses are a little different. Connie's turns up a little more, Kendra said. Connie weighs about 30 pounds less than her twin, and likes to curl and dance and go to the racetrack. Kendra is more of a homebody, and is fascinated by royalty.

Darrick Antell, a plastic surgeon in Manhattan, began doing face lifts on identical twins so he could compare the two surgical techniques. But he found that one twin was always an older version of the other. Smoking, sun exposure, diet and the amount of stress they had endured took a toll on their faces. But some of the differences were not so easily explained. One set of twins lived together, but one smoked and the other didn't. The smoker had much more grey hair than his twin.

"I think there is more at work here," said Dr. Antell, who has performed plastic surgery on more than 30 sets of twins, more than anyone else in the world.

But epigenetics may help explain more than the differences between people who are genetically identical.

Scientists are also looking at many common diseases to see if they might be caused, at least in part, by problems with the switching system that activates and deactivates genes. In Canada and around the world researchers are looking at the role epigenetics plays in various kinds of cancer, schizophrenia, bipolar disorder, Parkinson's disease, Alzheimer's disease, lupus and other illnesses.

Genes seem to play a part in all of these diseases, but not always the starring role. One patient with Alzheimer's can't recognize the faces of their loved ones, while someone else with the same gene linked to the disease is lucid at the age of 90.

The difference is not a mutation, or a change to the four chemicals -- known as nucleotides -- that make up the long strings of DNA in our chromosomes that we inherited from our parents. The problem may be an aberration in the operating system that controls which genes are turned on and off, and how much protein they produce.

In a number of kinds of cancer, a gene that suppresses tumour growth appears to get turned off, Dr. Szyf said. He and his colleagues believe they have discovered a way to turn it on again, with one of two epigenetic cancer drugs now being tested in clinical trials by the Montreal company MethylGene.

They aren't alone. Researchers say dozens of new epigenetic cancer drugs are now being tested around the world, almost all attempting to turn on genes that stop the growth of tumours. One, azacitidine or Vidaza, has been approved in the United States, but not yet in Canada. So far, however, it is not a miracle drug. It appears to help 16 per cent of those who take it.

Dr. Szyf is also exploring what role the switching system plays when cancer metastasizes, or spreads from the original site to other parts of the body.

He is also interested in the role gene switches play in behaviour, including suicide. He is working on epigenetic profiles of men who committed suicide, studying cells from their brains to see if there is a pattern in the genes that are turned on or off. So far, he has studied cells from 14 men who killed themselves, and says the preliminary results are promising.

Arturas Petronis, at the Centre for Addiction and Mental Health in Toronto, is working on the epigenetic profiles of both schizophrenia and bipolar disorder, which used to be known as manic depression. He is studying the brain cells of people with those mental illnesses who died, and comparing them with cells from the brains of people who didn't have either disease. He is looking for a pattern of on-off switches that is distinctive in schizophrenia and in bipolar disorder.

There is no evidence that lifestyle factors -- like drug use -- play a role in switching genes on or off in people who suffer from mental illness. Neither is there proof that lifestyle causes epigenetic

changes that lead to other diseases, like cancer. But it may be that smoking, for example, alters the activity of genes in lung cells.

Dr. Petronis characterizes the epigenetics explanation as a promising theory, one that may answer many perplexing questions about cancer and other diseases.

But first, he and other researchers caution, many mysteries need to be solved. No one knows how the switches in all our cells are controlled. Also unknown is to what extent changes in them are passed down from generation to generation.

Some researchers, however, believe epigenetics holds enormous promise for treating disease. It may be possible -- eventually -- to turn genes on or off, to increase or decrease the production of protein that is part of a disease. It may prove easier than conventional gene therapy, where new genes are inserted into a patient's genetic code.

"Epigenetics will completely change the face of medicine," Dr. Szyf predicted.

It also may change the way we think about pollution, or the chemicals in many products we use every day.

A number of scientists suspect that heavy metals, pesticides, diesel exhaust and tobacco smoke and other chemicals in the environment may be interfering with the human genetic switches. They fear that endocrine disrupters, the so-called gender-bender chemicals, may somehow be switching genes on and off, resulting in fish with both male and female sexual organs and male alligators with shrinking penises.

Michael Skinner a professor at Washington State University, briefly exposed pregnant rats to high levels of two endocrine disrupters, and insecticide and a fungicide. He and his colleagues found that their male offspring had lower fertility and sperm production for not one, but four generations.

Dr. Szyf said that in the future, chemicals should be evaluated not only for whether they cause changes to DNA, but whether they affect the amount of protein a gene produces.

He is working on a way to do this, and said the first step is to identify the sites in the genome that are most vulnerable to these changes.

Scientists are also intrigued about the role epigenetics may play in evolution. Switching genes on and off may be a way for animals, including humans, to adapt to the environment more rapidly than the glacial speed allowed by evolution, which depends on relatively rare mutations to DNA.

"You inherit DNA, but it doesn't tell you if you are living in a rich or a poor environment. If it is rich, you don't have to store fat, don't need to be anxious," Dr. Szyf said. "But if you are going to be thrown in a ghetto, that is a different thing."

Take the mother rats that don't lick their pups much. They tend to be at the low end of the rat social hierarchy, and as a result lead more stressful lives. It is probably a good thing that their pups produce more cortisol -- a stress hormone -- and are more uptight. Cortisol makes rats less aggressive, and less likely to get into fights they can't win.

Researchers in Montreal have found that the boys in neighbourhoods with high crime rates who don't get in much trouble tend to have higher levels of cortisol than boys who join gangs or steal cars. Their higher stress level seems to make them more fearful, and less likely to engage in risky business.

As for our modern lifestyles, exercise is good, but not just for burning calories. It may reprogram our genes, Dr. Szyf said.

Fat may do more than add extra body weight and clog arteries; it may also switch a number of genes on and off that in the past were helpful in preparing humans for a long winter without much food.

Epigenetics may revolutionize medicine, said Dr. Szyf, and it also could change the way we think about daily decisions like whether or not to order fries with a meal, or to go for a walk or to stay in front of the television. You aren't eating and exercising for yourself, but for your lineage.

#### Loosening the strands of DNA

Flicking genes on and off.

It would mean chaos -- and probably death -- if every gene in every cell of our body were active at once. Brain cells would get clogged with the proteins the kidneys, liver, heart, lungs and skin need to function, and vice versa.

The body needs a way to orchestrate our genes -- especially when an embryo is developing. Scientists are learning more about the chemical switching system that determines what genes get turned on or off, and when.

Most genes carry instructions about what cells they will be used in, says Tom Hudson, a researcher at McGill University in Montreal. But they still need to be activated or deactivated.

Scientists know that for easy storage, the DNA in cells is tightly wrapped around blocks that are called histone proteins. Think of string around a grapefruit, says Michael Meaney, a McGill researcher who found that mother rats can turn a gene on in their pups by frequently licking them.

For a gene to work, and make a protein, the string has to loosen, or the grapefruit has to move or change shape. So far, scientists know of at least five ways this happens, and are exploring how the different chemical reactions that turn genes on and off may be linked. The process they perhaps understand the best is called methylation, in which chemical tags are added to the DNA, tightening the string around the grapefruit so that a gene is silenced, or partially silenced.

Scientists are now mapping these tags, much as they mapped the human genome. They are marshalling resources for an international effort, similar to the human genome project. So far, scientists have mapped the differences in 25 genes that suppress the growth of tumours, says Manel Esteller, a Spanish researcher who did an experiment that showed identical twins become less genetically similar as they age.

They say the human epigenome project will produce profiles of diseases, a map that would show which genes are turned on or off in people with various forms of cancer, as opposed to people who don't get the disease.

Canadian researchers are working on their own on similar epigenetic profiles of schizophrenia, bipolar disorder and other diseases.

In most cases, it seems that epigenetic changes are not passed from parents to their offspring. Scientists aren't sure how -- but genes seem to be wiped clean after a sperm fertilizes an egg.

But they are intrigued by the notion that some changes may be passed on from generation to generation, and may be influenced by our diet or behaviour.

There is proof this sometimes happens in plants, yeast flies and mammals. Researchers in Australia and the U.S can get yellow mice to have brown babies if they feed them nutritional supplements like folic acid and vitamin B12 during pregnancy. But genetically identical yellow mice not given the supplements had yellow babies.

All of the animals had the same gene that helps determine fur colour, known as the Agouti gene. But in the mothers who were fed the dietary supplement -- and their babies -- the gene had extra chemical tags attached. It was methylated, and produced much less of the protein that colours mouse hair.

It has not been proven that changes to the epigenetic switching can be passed from generation to generation like this in humans, but there are signs it may happen, especially as it relates to diet. Swedish researcher Gunnar Kaati and his colleagues have looked at records from

1890 to 1920. They found that boys who matured in times of plenty had grandchildren with a higher rate of diabetes.

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[Return to Table of Contents](#)

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From: Spokesman Review (Spokane, Wash.), Sept. 15, 2006  
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**WASHINGTON STATE UNIVERSITY FINDS TOXIN, CANCER LINK**

**Study finds link during pregnancy**

By Shawn Vestal

New research by Washington State University scientists suggests that a single exposure to environmental toxins during pregnancy can cause cancer, kidney disease and other illnesses for future generations.

The research, led by WSU professor Michael Skinner, suggests that environmental pollution could permanently reprogram genetic traits in a family line, creating a legacy of sickness. It follows previous studies in Skinner's lab that showed similar long-term effects from toxins on the reproductive systems of successive generations.

"It's a new way to think about disease," Skinner said in a WSU news release. "If this pans out, it gives us a host of new diagnostic and therapeutic tools."

It also provides possible explanations for increases in some diseases, as well as spikes in illness that are tied to a geographical region. And it highlights the potential long-term dangers from environmental pollution, said Skinner, the director of WSU's Center for Reproductive Biology.

In the research, pregnant rats were exposed to high levels of a fungicide commonly used in vineyards. In male offspring and three subsequent male generations of the rats, 85 percent of the animals developed cancer, prostate disease, kidney disease, premature aging or other problems. Most of the rats developed more than one illness.

The research was published in two papers Thursday in the journal *Endocrinology*.

Skinner's lab has been working on the question of "epigenetic inheritance" for years, and published research last year that showed toxic exposure during embryonic development could hurt fertility over several generations. Epigenetic inheritance involves chemical modifications in the operation of genes from parent to offspring - changes in which the DNA itself isn't modified, but the way the genes "turn off" and "turn on" is affected, WSU said.

The new research suggests an environmental toxin can permanently reprogram an inheritable trait.

Skinner and a team of WSU researchers exposed pregnant rats to the fungicide vinclozolin during a period when the sex of the rats' offspring was being determined. It's a state of development when embryos are susceptible to genetic reprogramming, WSU said in its news release.

The rats were exposed to higher levels of the toxin than are normally present in the environment, and more research is needed to see if lower levels show the same effects.

Pregnant rats exposed to the toxin produced male offspring with low sperm counts and high rates of disease. When those rats mated with females that weren't exposed to the fungicide, their male offspring had the same problems -- a situation that persisted through four generations.

"A human analogy would be if your grandmother was exposed to an environmental toxicant during mid-gestation, you may develop a disease state even though you never had direct exposure, and you may pass it

on to your great-grandchildren," Skinner said.

Skinner said the findings might be applicable to the study of breast cancer and prostate disease, which are increasing faster than would be expected from genetic changes alone.

[Return to Table of Contents](#)

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From: [Seattle Post-Intelligencer](#), Oct. 9, 2006  
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**MARINE LIFE IS DISAPPEARING FROM PUGET SOUND, AND FAST**

By Robert McClure and Lisa Stiffler

Peter Lang and his buddies like to go diving by Blake Island, just across Puget Sound from West Seattle, where they can scoop up delectable Dungeness crabs.

But when they showed up last spring, the lush meadows of eelgrass where crab like to hide were nearly gone. In the sandy expanse below, they could pick out just a cell phone and an old car radio.

Where they normally spotted scads of crabs and fish, they saw just one sick-looking Dungeness -- with only one claw. It didn't bother to run from them.

The place -- within sight of Tillicum Village, where tourists savor salmon and celebrate the Sound's bounty -- had turned into an underwater desert.

In three other places where Lang and his friends expected to chase after bountiful sea life, they instead found a barren expanse.

"The shallows of Puget Sound are mostly dead," asserts Lang, who has been diving here since 1988. "Something's drastically changed in the last two years."

Lang's story and similar anecdotes match the findings of scientists who study the Sound. Their conclusion: Marine life is disappearing, and fast.

Seabird populations are plummeting. The state's largest seabird-nesting colony last year saw a catastrophic failure. In the south Sound -- years after fishing was cut way back for Pacific cod, whiting and walleye pollock -- populations are still in critical condition.

Salmon stocks stand at perhaps 10 percent of their historic abundance, and individual fish are much smaller.

The orcas that eat those salmon are the highest predator trying to eke out a living in Puget Sound. The federal government last year awarded local orcas the strongest protection available for species slipping toward extinction. Later this year, federal scientists will announce which areas of the Sound must be preserved to keep the population afloat. Whale lovers wonder if the effort will be enough.

The orcas are victims of decades of politicians' broken promises, industries' resistance to stricter regulations and -- perhaps most damagingly -- the inability to convince residents to live and work more gently on the shores of the Sound. It all has resulted in a failure to turn the environmental tide in favor of the salmon on which the orcas depend -- much less launch the broad-based rescue of Washington's unique inland sea that scientists say is necessary to prevent the loss of species.

Warnings are dire.

Recent studies show that Puget Sound's herring -- a key link in the food chain -- contain higher contamination levels than those in Europe's highly polluted Baltic Sea. In May, leading federal and state scientists reported that the "food web of Puget Sound appears to be more seriously contaminated than previously anticipated."

And orcas now are among the more chemically contaminated marine

mammals in the world's oceans.

What's causing the disappearance of the eelgrass and crabs, the birds and fish? Hard to say.

Research "has not been as robust or as consistent as it should be," said Tracy Collier, manager of the National Marine Fisheries Service's ecotoxicology program in Seattle.

"Saying why things are happening is difficult because we haven't been spending enough time and effort on it."

For example, systematic state eelgrass surveys were started just five years ago. They cover just 3 percent of the shoreline and one-fifth of the bays where eelgrass might be found.

The tale told by Lang and his diving buddies is one of several recent anecdotes that raise questions about whether we are witnessing a widespread decline in the Puget Sound ecosystem.

Jenny Black came back from college for summer break to find greatly reduced numbers of sea anemones and sea urchins off Bainbridge Island. Where many types of sea stars once thrived, a single species has taken over.

"It's definitely changed a lot. It's drastic," said Black, a Brigham Young University junior who scuba dives and studies marine biology. "I'm kind of bummed out. When you have too much of one thing, you know something's going wrong with the ecology."

These anecdotal reports from central Puget Sound raise the specter of the "dead zones" that have turned up in recent years off the Washington coast and in Hood Canal.

The news is not all bleak. Some sewage pollution and industrial contamination spots have been brought under control, at great cost, in Seattle. Tacoma's Commencement Bay is cleaner than it has been in decades. And state and federal officials have started spending millions to unravel reasons behind the increasingly desperate decline of Hood Canal -- which saw its most extensive fish kill in history last month.

But progress is slow. Despite promises to clean it up, the foul concoction known as stormwater flows into the Sound after every good rain. Shorelines crucial to marine health continue sprouting docks and waterfront owners reinforce walls that wreck the shallow-water ecology, despite a shoreline protection law that dates to 1971. And an ambitious federal effort to help Puget Sound's shoreline has been routinely underfunded.

Politicians have promised for years to save Puget Sound, starting with the chinook salmon that are orcas' main food source.

"We're concerned about the future of marine life in Puget Sound," former Gov. Gary Locke said in 2003, at least five years after he started promising to save the salmon. "We... need that road map of things we can do that will make an immediate and substantial benefit in the health of Puget Sound."

Nearly three years later, that road map still isn't finished. The sweeping actions that experts say are needed to save Puget Sound are still in their infancy.

Laws dealing with many of the problems are on the books, but enforcement is spotty.

"In our meetings with the citizens, we found out the first thing they want us to do is enforce existing law," said Rep. Norm Dicks, D-Wash., a leader in efforts to save the Sound. "They don't think existing law is being enforced."

Gov. Chris Gregoire is credited by longtime observers with trying to bring a sense of urgency to the effort, prodding extra money from the Legislature and appointing an all-star, bipartisan committee to devise a way to save the Sound. But well-intentioned plans in the past have flared and then fizzled.

"The whole system is under stress," activist Stephanie Raymond told representatives of the Puget Sound Partnership, the high-powered group organized by Gregoire to map out a Sound rescue plan. "This isn't the first or the second or even the fourth time a set of people got together and said, 'How can we help Puget Sound?'"

"So I urge this group to look at it with fresh eyes."

Time is critical. WHAT YOU CAN DO

You live, work, play here. You can help.

- \* Buy seafood that's [sustainably harvested](#).
- \* Fish responsibly. [Avoid overfished species](#).
- \* Help collect scientific data on the Sound through [scuba surveys](#).
- \* Maintain vegetation on shorelines to slow erosion and provide shade and food sources for small fish.
- \* Build away from bluffs. Prevent erosion with log barriers instead of concrete walls.
- \* Volunteer for [beach restoration projects](#).
- \* Support the creation of marine protected areas where fishing is restricted.

WHO'S WHO IN PUGET SOUND

[The Puget Sound Partnership](#): Gov. Chris Gregoire-appointed group with 21 members representing diverse public, private and non-profit interests. Their purpose is to craft a plan for recovering the Sound's health by 2020. Draft plan to be released Friday for public comment.

[Puget Sound Action Team](#): State agency overseeing the protection and restoration of the Sound. Issues biannual report cards on progress.

[People for Puget Sound](#): Non-profit group dealing with marine-related education, restoration projects and lobbying.

[Puget Soundkeeper Alliance](#): Non-profit group with strong focus on stormwater pollution and patrols of marine industrial activities.

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[Return to Table of Contents](#)

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From: Toronto Globe and Mail, Oct. 12, 2006  
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**SCIENTISTS FIND FARM LINK TO BREAST CANCER**

By Martin Mittelstaedt

A team of researchers who studied the occupations of nearly all the Windsor, Ontario women who developed breast cancer in a period from 2000 to 2002 found they were about three times more likely to have worked on farms than women who didn't have the disease.

What's more, those who farmed and then later worked in the automotive industry were four times more likely to have the disease, according to a paper about the research being published Thursday in the Annals of the New York Academy of Sciences.

The new study is one of the most detailed investigations undertaken in Canada into the occupations of women who developed breast cancer, and it indicates that something about farming increases the risk of the disease, the most common cancer to afflict females in the country.

Although the researchers didn't determine what these risks were, they speculated about pesticides, many of which are able to mimic or block the normal functioning of estrogen and other hormones.

"If you were going to hypothesize about the No. 1 most likely cause of this elevated risk, I think you'd have to look at the whole chemical



exposure that exists on farms," said Jim Brophy, head of the Occupational Health Clinics for Ontario Workers in Sarnia, and lead author of the paper.

A staggering 99 per cent of all those treated for the disease at Windsor's cancer centre during the period of the research agreed to participate. Dr. Brophy said there was an enormous desire among women, who typically are not asked about the role their jobs may have played in their illness, to be part of a study that might help explain their cancer.

That desire has a resonance with Tricia Pletsch, who worked on her parent's farm near Chatham as a teenager and developed breast cancer two years ago, at 39. Her family doesn't have a history of the cancer, but she worries about the heavy chemical use on the farm while growing up.

"Pesticides were really popular in the seventies," she said.

Like most women with breast cancer, her doctors never asked about her occupation when trying to explain her illness and were at a total loss to explain why she was afflicted.

"No one asked me what I did, and when I asked them why I got it, no one had a clue," she said.

Scientists around the world are struggling to explain the recent epidemic of breast cancer in industrialized countries because fewer than 10 per cent of those with the disease have a known genetic predisposition for it.

Rates for the cancer in Canada are among the highest in the world, with the lifetime risk of about one in nine. During the past 30 years, there has been a largely unexplained 25-per-cent increase in the country's age-adjusted incidence rate.

Previous research has found an association between breast cancer and a woman's socioeconomic status, diet, age of first pregnancy, and several other factors, but the majority of cases have no known risk factor.

It is also not known why women with higher socioeconomic status are more at risk, but Dr. Brophy says occupation should be investigated more closely because it might provide clues on cancer-causing substances and new prevention strategies.

"If you would capture the lifetime [work] histories of people with cancer, it might be very revealing in terms of risk factors that we're not currently addressing. That could have an enormous preventative effect," Dr. Brophy said.

He said there has to be a major risk in farming to cause the research results. "It's very dramatic, in the most common cancer among women where 50 per cent of the cases are unexplained, to have a three-fold excess," Dr. Brophy said.

In Canada, none of the provincial registries track cancers by occupation. About 22,000 women in Canada will develop breast cancer this year and an estimated 5,300 will die from it.

Up until now, little research on occupation and breast-cancer risk has been done in Canada, although researchers at the British Columbia Cancer Agency looked at work histories and the disease in 2000. They also found an association with agriculture, although they looked at far fewer women farmers than the current study, whose results were considered statistically significant.

An official with Canada's largest cancer registry says he thinks it would be a good idea to study the occupations of those with the disease, although he said this effort would require millions in funding and a political will to implement.

"I certainly don't dispute that it's a neglected area, particularly with women coming into the work force and the nature of work changing," said Eric Holowaty, an epidemiologist at Cancer Care Ontario.

In Windsor, the researchers compared the work histories of 564 woman treated for breast cancer over a 21/2-year period ending in 2002 against a similarly sized random control group of women who didn't have the cancer.

Those with the disease were 2.8 times more likely to have worked on farms. This rate jumped to four times more likely if the women worked in agriculture and then the automotive industry and fell to 2.3 times if they worked on farms and then in health care.

There was no extra risk of breast cancer for women who never worked on farms and then went into the auto industry or into health care, suggesting that agriculture somehow primes women to get the disease.

The Windsor area has large numbers of women employed in agriculture because it is one of the most intensively farmed regions in Canada, with major fruit and vegetable crops. The area also has one of the largest car-making sectors in the country.

About 300 women in the study worked in agriculture.

The researchers found little difference between the women who got breast cancer and the control group with respect to hormone replacement therapy, breast-feeding history, smoking, oral contraceptive use, having a mother with the cancer and previous pregnancies.

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[Return to Table of Contents](#)

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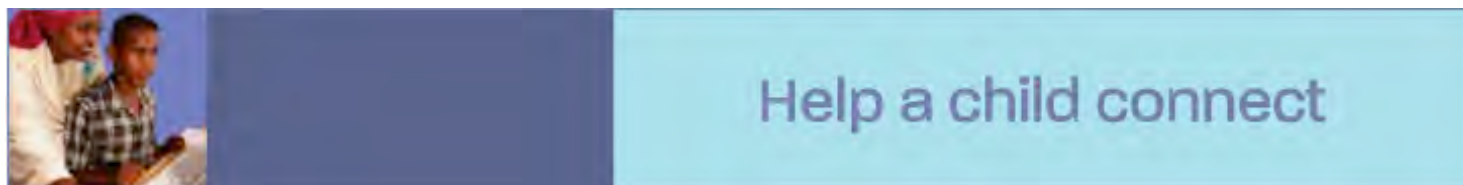
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FBI says, "No hard evidence connecting Bin Laden to 9/11"



**MUCKRAKER REPORT**

**FBI says, "No hard evidence connecting Bin Laden to 9/11"**



Ed Haas

June 6, 2006 – This past weekend, a thought provoking e-mail circulated through Internet news groups, and was sent to the Muckraker Report by Mr. Paul V. Sheridan (Winner of the 2005 Civil Justice Foundation Award), bringing attention to the FBI’s Most Wanted Terrorist web page for Usama Bin Laden.<sup>[1]</sup> (See bottom of this web page for *Most Wanted page*) In the e-mail, the question is asked, “Why doesn’t Usama Bin Laden’s *Most Wanted* poster make any direct connection with the events of September 11, 2001?” The FBI says on its Bin Laden web page that Usama Bin Laden is wanted in connection with the August 7, 1998 bombings of the United States Embassies in Dar es Salaam, Tanzania, and Nairobi, Kenya. According to the FBI, these attacks killed over 200 people. The FBI concludes its reason for “wanting” Bin Laden by saying, “In addition, Bin Laden is a suspect in other terrorists attacks throughout the world.”

On June 5, 2006, the Muckraker Report contacted the FBI Headquarters, (202) 324-3000, to learn why Bin Laden’s Most Wanted poster did not indicate that Usama was also wanted in connection with 9/11. The Muckraker Report spoke with Rex Tomb, Chief of Investigative Publicity for the FBI. When asked why there is no mention of 9/11 on Bin Laden’s *Most Wanted* web page, Tomb said, “The reason why 9/11 is not mentioned on Usama Bin Laden’s Most Wanted page is because the FBI has no *hard evidence* connecting Bin Laden to 9/11.”

Surprised by the ease in which this FBI spokesman made such an astonishing statement, I asked, “How this was possible?” Tomb continued, “Bin Laden has not been formally charged in connection to 9/11.” I asked, “How does *that* work?” Tomb continued, “The FBI gathers evidence. Once evidence is gathered, it is turned over to the Department of Justice. The Department of Justice then decides whether it has enough evidence to present to a federal grand jury. In the case of the 1998 United States Embassies being bombed, Bin Laden has been formally indicted and charged by a grand jury. He has not been formally indicted and charged in connection with 9/11 because the FBI has no *hard evidence* connected Bin Laden to 9/11.”

It shouldn’t take long before the full meaning of these FBI statements start to prick your brain and raise your blood pressure. If you think the way I think, in quick order you will be wrestling with a barrage of very powerful questions that must be answered. First and foremost, if the U.S. government does not have enough hard evidence connecting Bin Laden to 9/11, how is it possible that it had enough evidence to invade Afghanistan to “smoke him out of his cave?” The federal government claims to have invaded Afghanistan to “root out” Bin Laden and the *Taliban*. Through the talking heads in the mainstream media, the Bush Administration told the American people that Usama Bin Laden was *Public Enemy Number One* and responsible for the deaths of nearly 3000 people on September 11, 2001. Yet nearly five years later, the FBI says that it has no hard evidence connecting Bin Laden to 9/11.

Next is the Bin Laden “confession” video that was released by the U.S. government on December 13, 2001. Most Americans remember this video. It was the video showing Bin Laden with a few of his comrades recounting with delight the September 11 terrorist attacks against the United States. The Department of Defense issued a press release to accompany this video in which Secretary of Defense Donald H. Rumsfeld said, “There was no doubt of bin Laden’s responsibility for the September 11 attacks before the tape was discovered.”<sup>[2]</sup> What Rumsfeld implied by his statement was that Bin Laden was the known mastermind behind 9/11 even before the “confession video” and that the video simply served to confirm what the U.S. government already knew; that Bin Laden was responsible for the 9/11 attacks.

In a BBC News article<sup>[3]</sup> reporting on the “9/11 confession video” release, President Bush is said to have been hesitant to release the tape because he knew it would be a vivid reminder to many people of their loss. But, he also knew it would be “a devastating declaration” of Bin Laden’s guilt. “Were going to get him,” said President Bush. “Dead or alive, it doesn’t matter to me.”

In a CNN article<sup>[4]</sup> regarding the Bin Laden tape, then New York Mayor Rudy Giuliani said that “the tape removes any doubt that the U.S. military campaign targeting bin Laden and his associates is more than justified.” Senator Richard Shelby, R-Alabama, the vice chairman of the Senate Intelligence Committee said, “The tape’s release is central to informing people in the outside world who don’t believe bin Laden was involved in the September 11 attacks.” Shelby went on to say “I don’t know how they can be in denial after they see this tape.” Well Senator Shelby, apparently the Federal Bureau of Investigation isn’t convinced by the taped confession, so why are you?

The Muckraker Report attempted to secure a reference to the U.S. government authenticating the Bin Laden “confession video”, to no avail. However, it is conclusive that the Bush Administration and U.S. Congress, along with the *dead stream* media, played the video as if it was authentic. So why doesn’t the FBI view the “confession video” as hard evidence? After all, if the FBI is investigating a crime such as drug trafficking, and it discovers a video of members of a drug cartel openly talking about a successful distribution operation in the United States, that video would be presented to a federal grand jury. The identified participants of the video would be indicted, and if captured, the video alone would serve as sufficient evidence to net a conviction in a federal court. So why is the Bin Laden “confession video” not carrying the same weight with the FBI?

Remember, on June 5, 2006, FBI spokesman, Chief of Investigative Publicity Rex Tomb said, "The FBI has no hard evidence connecting Usama Bin Laden to 9/11." This should be headline news worldwide. The challenge to the reader is to find out why it is not. Why has the U.S. media blindly read the government-provided 9/11 scripts, rather than investigate without passion, prejudice, or bias, the events of September 11, 2001? Why has the U.S. media blacklisted any guest that might speak of a government sponsored 9/11 cover-up, rather than seeking out those people who have something to say about 9/11 that is contrary to the government's account? And on those few rare occasions when a 9/11 dissenter has made it upon the airways, why has the mainstream media ridiculed the guest as a conspiracy nut, rather than listen to the evidence that clearly raises valid questions about the government's 9/11 account? Why is the *Big Media Conglomeration* blindly content with the government's 9/11 story when so much verifiable information to the contrary is available with a few clicks of a computer mouse?

Who is it that is controlling the media message, and how is it that the U.S. media has indicted Usama Bin Laden for the events of September 11, 2001, but the U.S. government has not? How is it that the FBI has no "hard evidence" connecting Usama Bin Laden to the events of September 11, 2001, while the U.S. media has played the Bin Laden - 9/11 connection story for five years now as if it has conclusive evidence that Bin Laden is responsible for the collapse of the twin towers, the Pentagon attack, and the demise of United Flight 93?

...No hard evidence connecting Usama Bin Laden to 9/11... Think about it.

[1] Federal Bureau of Investigation, Most Wanted Terrorists, Usama Bin Laden, <http://www.fbi.gov/wanted/terrorists/terbinladen.htm>, [Accessed May 31, 2006]

[2] United States Department of Defense, News Release, U.S. Releases Videotape of Osama bin Laden, December 13, 2001, [http://www.defenselink.mil/releases/2001/b12132001\\_bt630-01.html](http://www.defenselink.mil/releases/2001/b12132001_bt630-01.html), [Accessed June 5, 2006]

[3] BBC News, [Bin Laden video angers New Yorkers](http://news.bbc.co.uk/1/hi/world/americas/1711874.stm), December 14, 2001, Peter Gould, <http://news.bbc.co.uk/1/hi/world/americas/1711874.stm>, [Accessed June 5, 2006]

[4] CNN, [Bin Laden on tape: Attacks 'benefited Islam greatly'](http://archives.cnn.com/2001/US/12/13/ret.bin.laden.videotape), December 14, 2001, <http://archives.cnn.com/2001/US/12/13/ret.bin.laden.videotape>, [Accessed June 5, 2006]

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**MURDER OF U.S. NATIONALS OUTSIDE THE UNITED STATES; CONSPIRACY TO MURDER U.S. NATIONALS OUTSIDE THE UNITED STATES; ATTACK ON A FEDERAL FACILITY RESULTING IN DEATH**

**USAMA BIN LADEN**



**Aliases:** Usama Bin Muhammad Bin Ladin, Shaykh Usama Bin Ladin, The Prince, The Emir, Abu Abdallah, Mujahid Shaykh, Hajj, The Director

**DESCRIPTION**

<b>Date of Birth Used:</b>	1957	<b>Hair:</b>	Brown
<b>Place of Birth:</b>	Saudi Arabia	<b>Eyes:</b>	Brown
<b>Height:</b>	6'4" to 6'6"	<b>Sex:</b>	Male
<b>Weight:</b>	Approximately 160 pounds	<b>Complexion:</b>	Olive
<b>Build:</b>	Thin	<b>Citizenship:</b>	Saudi Arabian
<b>Language:</b>	Arabic (probably Pashtu)		
<b>Scars and Marks:</b>	None known		
<b>Remarks:</b>	Bin Laden is left-handed and walks with a cane.		

**CAUTION**

Usama Bin Laden is wanted in connection with the August 7, 1998, bombings of the United States Embassies in Dar es Salaam, Tanzania, and Nairobi, Kenya. These attacks killed over 200 people. In addition, Bin Laden is a suspect in other terrorist attacks throughout the world.

**REWARD**

The Rewards For Justice Program, United States Department of State, is offering a reward of <http://www.fbi.gov/wanted/terrorists/terbinladen.htm>

6/5/2006

Click on image for larger view.

up to \$25 million for information leading directly to the apprehension or conviction of Usama Bin Laden. An additional \$2 million is being offered through a program developed and funded by the Airline Pilots Association and the Air Transport Association.

**SHOULD BE CONSIDERED ARMED AND DANGEROUS**

**IF YOU HAVE ANY INFORMATION CONCERNING THIS PERSON, PLEASE CONTACT YOUR LOCAL FBI OFFICE OR THE NEAREST AMERICAN EMBASSY OR CONSULATE.**

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| [FBI Home Page](#) | [FBI Field Offices](#) |

<http://www.fbi.gov/wanted/terrorists/terbinladen.htm>

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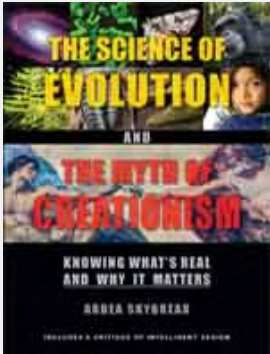


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## Environment

# Military Waste In Our Drinking Water

By [Sunaura Taylor](#) and [Astra Taylor](#), [AlterNet](#). Posted [August 4, 2006](#).

The U.S. military is poisoning the very citizens it is supposed to protect in the name of national security.

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In 1982 our family was living on the southside of Tucson, Ariz., in a primarily working class and Latino neighborhood not far from the airport. That year Sunaura was born with a congenital birth defect known as arthrogyrosis, a condition that severely impedes muscle growth and requires her to use an electric wheelchair. On nearby blocks, women were giving birth to babies with physical disabilities and neighbors were dying of cancer at worrisome rates. Over time, we learned that our groundwater was contaminated.

Most of us are vaguely aware that war devastates the environment abroad. The Vietnamese Red Cross counts 150,000 children whose birth defects were caused by their parents' exposure to Agent Orange. Cancer rates in Iraq are soaring as a result of depleted uranium left from the Gulf War. But what about [closer to home](#)?

Today the U.S. military generates over one-third of our nation's toxic waste, which it disposes of very poorly. The military is one of the most widespread violators of environmental laws. People made ill by this toxic waste are, in effect, victims of war. But they are rarely acknowledged as such.

On Sept. 11, 2001, we were living together in New York City. In the months following the attack on the World Trade Center, the media and government routinely informed a fearful citizenry of the importance of clean drinking water. Terrorists, they warned, might contaminate public sources with arsenic. We were instructed to purchase Evian along with our duct tape.

In 2003, when the Defense Department sought (and later received) exemptions from America's main environmental laws, the irony dawned on us. The military was given license to pollute air and water, dispose of used munitions, and endanger wildlife with impunity. The Defense Department is willing to poison the very citizens it is supposed to protect in the cause of national security.

Our family knows of something much more dangerous than arsenic in the public aquifers: trichloroethylene, or TCE, a known carcinogen in laboratory animals and the most widespread industrial contaminant in American drinking water.

### Disturbingly common

Last week a [study](#) was released by the National Academy of Sciences, raising already substantial concerns about the cancer risks and other health hazards associated with exposure to TCE, a solvent used in adhesives, paint and spot removers that is also



'Depleted Uranium' (2003). Oil painting by Sunaura Taylor. You can see more of Sunaura's work at [sunnytaylor.org](#).

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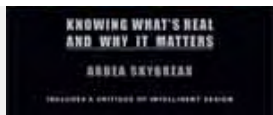
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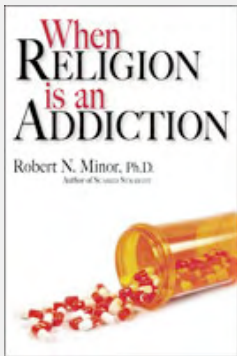


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"widely used to remove grease from metal parts in airplanes and to clean fuel lines at missile sites." The report confirms a 2001 EPA document linking TCE to kidney cancer, reproductive and developmental damage, impaired neurological function, autoimmune disease and other ailments in human beings.

The report has been garnering some publicity, but not as much as it deserves. TCE contamination is disturbingly common, especially in the air, soil and water around military bases. Nationwide millions of Americans are using what Rep. Maurice D. Hinchey, D-NY, has called "TCE-laden drinking water." The Associated Press reports that the chemical has been found at about 60 percent of the nation's worst contaminated sites in the Superfund cleanup program.

"The committee found that the evidence on carcinogenic risk and other health hazards from exposure to trichloroethylene has strengthened since 2001," the study says. "Hundreds of waste sites are contaminated with trichloroethylene, and it is well-documented that individuals in many communities are exposed to the chemical, with associated health risks."

The report urges the EPA to amend its assessment of the threat TCE poses, an action that could lead to stricter regulations. Currently the EPA limits TCE to no more than five parts per billion parts of drinking water. Stricter regulation could force the government to require more thorough cleanups at military and other sites and lower the number to one part per billion.

The EPA found it impossible to take such action back in 2001, because, according to the Associated Press, the agency was "blocked from elevating its assessment of the chemical's risks in people by the Defense Department, Energy Department and NASA, all of which have sites polluted with it." The Bush administration charged the EPA with inflating TCE's risks and asked the National Academy to investigate. Contrary to the administration's hopes, however, the committee's report has reinforced previous findings, which determined TCE to be anywhere from two to 40 times more carcinogenic than previously believed.

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*Sunaura Taylor, a figurative painter, has written on disability for various publications. View her paintings online at [www.sunnytaylor.org](http://www.sunnytaylor.org). Astra Taylor is a writer and documentary filmmaker. Her first book, "Shadow of the Sixties," is forthcoming from the New Press in 2007.*

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The comments for this story have been closed. Thank you to everyone who participated.

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**criminals**

Posted by: rsaxto on Aug 4, 2006 3:31 AM

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Current rating: **Not yet rated** [1 = poor; 5 = excellent]

We already knew that the Bushies are war criminals and environmental criminals but most of us were unaware of the huge amounts of toxic chemicals used and casually disposed of by the military, corporations and others. No wonder USA life expectancy is so far below that of England, for example. It is because our corporations and governments are poisoning us! Another reason to IMPEACH the rich criminals who profit from us and who poison us. Get these criminals out of office, out of corporations and out of the military before they bomb and poison the entire world.

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- » [RE: criminals...](#) Posted by: adp3d
- » [Intentional poisoning?](#) Posted by: colinmeister
  - » [RE: Intentional poisoning?](#) Posted by: babs
  - » [RE: Intentional poisoning?](#) Posted by: blitzmesser
- » [RE: criminals](#) Posted by: minny
  - » [I fear we are too late for that. Can't get rid of ourselves now can we???](#) Posted by: Propहित
  - » [RE: I fear we are too late for that. Can't get rid of ourselves now can we???](#) Posted by: DCostello
  - » [RE: How do we change that?](#) Posted by: DCostello
  - » [RE: How do we change that?](#) Posted by: dangerouslylsane
- » [RE: criminals](#) Posted by: sanngetalsson
  - » [RE: criminals](#) Posted by: symcokid
- » [RE: criminals](#) Posted by: DCostello
- » [RE: criminals](#) Posted by: joeaddison79
- » [The real criminals](#) Posted by: Conservasaurus

**This is happening all over the US**

Posted by: Lizmv on Aug 4, 2006 4:34 AM

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Current rating: **Not yet rated** [1 = poor; 5 = excellent]

And it's not just TCE causing problems. Just ask the residents of Cape Cod. For over 20 years, they have been trying to get the contamination caused by Otis Air Force Base cleaned up. ALL of Cape Cod's water comes from the sole-source aquifer that lies under Cape Cod and the plume from Otis continues to grow. Is the huge increase in women suffering Hashimoto's Thyroiditis caused by perchlorate (known to inhibit thyroid production) that is leaching from the air force base? The Air Force refuses to release the study. Was my daughter's bladder defect caused by drinking the contaminated water (which was known at the time I was pregnant, but the information wasn't released until a year after her birth)? Do my daughter and I suffer from Hashimoto's because of the contamination? How much of the epidemic of thyroid disease in the US caused by our own military?

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- » [RE: This is happening all over the US](#) Posted by: Conservasaurus

**RE: crimlnals**

Posted by: commonMan on Aug 4, 2006 4:38 AM

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Current rating: **Not yet rated** [1 = poor; 5 = excellent]

"In 1982 our family was living on the southside of Tucson, Ariz". It's a bi-partisan problem. Been going

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on for decades. Republican or Democrat, Frick or Frack; it's the rich screwing everyone else in the name of profit. Wake up. It's the wealth accumulation oriented society we live in that's the problem.

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**otto**

Posted by: otto on Aug 4, 2006 5:22 AM

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Current rating: **Not yet rated** [1 = poor; 5 = excellent]

Thanks for the informative article. It constantly amazes me how much government - and especially the Bush administration - does and gets away with!

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**What? ho hum just another "dumb and dumber" caused problem?**

Posted by: concerned Canadian on Aug 4, 2006 5:56 AM

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Current rating: **Not yet rated** [1 = poor; 5 = excellent]

Just goes to show again that this is not the land of the brave and the free, unless you translate that to mean that the land belongs to those who are brave enough and feel free enough to do whatever they want because they know that the passivity rate in the US is mighty high when it comes to actually confronting those that do these deeds because they feel comfortable in the knowledge that they will get away with it no problem.

Ever miss a tax payment? they are on you like a hungry vulture at a roadside feast. Ever NOT pay a parking ticket and then try to renew your driver's license? No way. But these perps walk around as if they own the land, so DO THEY???

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**US vs. UK life expectancy?**

Posted by: charlie on Aug 4, 2006 6:44 AM

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Current rating: **Not yet rated** [1 = poor; 5 = excellent]

Ok, whilst I appreciate the scare tactics about lower life expectancy here in the US than in "England", I'd really like to see some proof, stats, a link maybe, to substantiate your claim?

As a Brit living in New York for some years now, I know only too well the appalling record of companies [including the AEA in Britain] with regard to contamination of the land surrounding these facilities - whether they be chemical, nuclear or whatever.

Any Brit can tell you about Windscale, a nuclear reprocessing plant [in North West England], built in 1953. It leaked all kinds of radioactive contaminants into the surrounding countryside after a fire in its graphite cores in 1957. The seriousness was routinely covered up. Until Three-Mile-Island in 1979, it was the world's worst nuclear disaster. Both since dwarfed by Chernobyl.

So, as much as I want to vilify the US Defence Department as the next poster on here, let's have some supporting evidence when stats are thrown around.

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>> **RE: US vs. UK life expectancy?** Posted by: Robinho

>> **RE: US vs. UK life expectancy?** Posted by: Angie

**Environmental Terrorism**

Posted by: rwa on Aug 4, 2006 7:17 AM

[\[Report this comment\]](#)

Current rating: **Not yet rated** [1 = poor; 5 = excellent]

These monsters are now blackmailing the world with environmental terrorism. If a nation resists persistent assault, as did Lebanon, oil storage can be bombed and clean-up can be stymied.

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>> **RE: nvironmental Terrorism** Posted by: symcokid

**Clean drinkable water?**

Posted by: AlienSlave on Aug 4, 2006 9:22 AM

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Current rating: **Not yet rated** [1 = poor; 5 = excellent]

Now I understand the intense interest in the Triple Border area of South America. The Guarani Aquifer is the biggest reservoir of fresh, potable water in the world. And Guess what!!!! The terrorist must already be there, so now that Iraq and the middle East is in uncontrollable full blown civil war we will need open a new front in defense of the world's last clean water supply.

Alienslave

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**RE: Freedom and our Military are more important than the "environment"**

Posted by: Maryanne on Aug 4, 2006 9:33 AM

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Current rating: **Not yet rated** [1 = poor; 5 = excellent]

I don't use questionable language but...

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- » [The only thing wrong with Jesse Cristo is his sense of humour.](#) Posted by: MatthewSavage
- » [RE: Freedom - why did you erase my post? hmmm](#) Posted by: Jesse Cristo
- » [RE: Freedom - why did you erase my post? hmmm](#) Posted by: Conservasaurus
- » [RE: Freedom - why did you erase my post? hmmm](#) Posted by: maxpayne
- » [RE: Freedom - why did you erase my post? hmmm](#) Posted by: Conservasaurus

**RE: Freedom and our Military are more important than the "environment"**  
 Posted by: ladywhosmokes on Aug 4, 2006 9:42 AM [Report this comment]  
 Current rating: **Not yet rated** [1 = poor; 5 = excellent]

WHAT!!!!

Ok, how are we supposed to live if the destruction of Mother Earth continues, all for the sake of "freedom" and our "military." That makes no sense. To sacrifice our Mother Earth for those two illusions is demented.

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**distilled water bbbabies at play**  
 Posted by: timeless on Aug 4, 2006 9:53 AM [Report this comment]  
 Current rating: **Not yet rated** [1 = poor; 5 = excellent]

distilled water may help the situation of babies at play poison is the game...hide under the sand another game...kill other self because of rejection,another game....and the children play and die.

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**RE: Freedom and our Military are more important than the "environment"**  
 Posted by: DCostello on Aug 4, 2006 10:09 AM [Report this comment]  
 Current rating: **Not yet rated** [1 = poor; 5 = excellent]

Except that our military has never fought for our freedom. The only thing our military fights for is corporate profits. Always has, always will.

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**RE: Freedom and our Military blah, blah----damn, Cristo, shoulda known**  
 Posted by: DCostello on Aug 4, 2006 10:10 AM [Report this comment]  
 Current rating: **Not yet rated** [1 = poor; 5 = excellent]

That is was you. You're just as nutty and dangerous about national policy as you are about Christianity. Good to see you again, mush brain.

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- » [RE: Freedom and our Military blah, blah----damn, Cristo, shoulda known](#) Posted by: Jesse Cristo
- » [RE And you need a dose of thorazine in yours Cristo!!](#) Posted by: Againstthewindwalking

**More Government BS**  
 Posted by: NoPCZone on Aug 4, 2006 10:18 AM [Report this comment]  
 Current rating: **Not yet rated** [1 = poor; 5 = excellent]

The Congress routinely exempts itself from many workplace laws and regulations while requiring it of everyone else. The problem is the basic attitude that rules, laws and regulations apply to everyone else. It's close relative is Bush's declaration that he is incapable of breaking the law in the performance of official duties. Arrogance and elitism, plain and simple.

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**Please do not feed the trolls!**  
 Posted by: Lizmv on Aug 4, 2006 10:25 AM [Report this comment]  
 Current rating: **Not yet rated** [1 = poor; 5 = excellent]

Jesse Crist? How original is that!

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**US military bases cause health problems all over the world**  
 Posted by: Haz Mom on Aug 4, 2006 10:32 AM [Report this comment]  
 Current rating: **Not yet rated** [1 = poor; 5 = excellent]

Unfortunately there is no shortage of communities with alarming health problems living near military bases with known contamination problems. Here are some more of them:

[Fallon childhood leukemia cluster](#) Reno Gazette Journal portal site to dozens of articles about the childhood leukemia cluster near Fallon, NV--home of the Navy's "Top Gun" flight training facility, and most severe leukemia cluster known in history

[Sierra Vista childhood leukemia cluster](#), near Fort Huachuca army base in AZ.

[Guam childhood leukemia cluster](#) Pacific Daily News profile of a father fighting to clean up PCBs and other military toxics.

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[Marine training base Camp Lejeune in NC](#) has a long history of toxics in the water and [contaminated base housing](#), with terrible health results.

[Toxic Kitsap and Polluted Puget](#) Puget Sound Naval Shipyard has a leukemia cluster in their workers.

[Pratt & Whitney Jet Engine Factory](#) in Connecticut, where 87 workers have been diagnosed with brain cancer since the 1960s, and 36 have died.

[Norwich England Esophageal Cancer Cluster](#), the British military tested chemical weapons spreading by dropping cadmium, a known carcinogen, on the townspeople of Norwich.

[BE SAFE](#) overview of military toxics.

It is easy for this subject to fall into an argument between the right and the left, but we should rise above these party lines. One of the most exposed populations are the enlisted personnel themselves. These exposures on military bases lead to an increase in infertility, birth defects, and children suffering chronic illnesses like cancer, asthma, ADD, autism, etc. Our troops are willing to risk their lives to defend our country, but they never agreed to sacrifice their children's lives as well.

We need to follow Europe's lead in shifting the burden of proof for toxicity to the polluters, not their victims. We need to take a precautionary approach, and find safe substitutes for the toxic chemicals currently in widespread use by the military and others.

For more information, visit [Families Against Cancer & Toxics](#)

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#### **RE: Freedom and our Military are more important than the "environment"**

Posted by: babs on Aug 4, 2006 11:03 AM

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Current rating: **Not yet rated** [[1](#) = poor; [5](#) = excellent]

Why doesn't he just post as Jesus Christ? how many stupid handles does he have?

There's a new breed of troll out there - they're called shills - can't the neocons hire somebody with a brain? Oh wait, I forgot, Bush is their leader so never mind.

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[» RE: Freedom and our Military are more important than the "environment"](#) Posted by: siouxsee

#### **Terry**

Posted by: tctech on Aug 4, 2006 12:54 PM

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Current rating: **Not yet rated** [[1](#) = poor; [5](#) = excellent]

This article is just the very tip of the iceberg on toxic chemicals and their effects on health. I just finished my second reading of a really well-written and thoroughly documented new book, 'The Hundred Year Lie', 'How Food and Medicine Are Destroying Your Health', by Randall Fitzgerald, investigative journalist. There is also a website [www.hundredyearlie.com](#). The book documents the health disaster created by the last 100 years, during which synthetic chemicals have been introduced into our air, water, food and medicine at ever-increasing rates, with truly devastating and accelerating consequences for the health and reproduction of our own and many other species. The book is scary as hell, necessarily so; but the good news is that Fitzgerald demonstrates that these toxins can be cleaned out of the body. It is absolutely essential that people learn about issues like this one and global warming, and confront and overcome the inevitable denial that results when we are forced to make changes in our lives. Obviously we can't rely on the government to protect us...we have to make the choices about what goes into our bodies, and for detoxifying what winds up there because it is unavoidable. I highly recommend this book to everyone.

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#### **POLLUTERS SELF- POLLUTED THEIR BRAINCELLS**

Posted by: chanceney on Aug 4, 2006 2:54 PM

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Current rating: **Not yet rated** [[1](#) = poor; [5](#) = excellent]

If these guys regard global warming as junk science and pay off faux experts to dissemble their bogus information to contest credible scientific data, why would they acknowledge the poisonous conditions created by their nifty killing machinery? Amass all the statistics you can, show slides of the deformities exemplifying what such pollutants produce, but it won't crack their reality-protected hardened shells formed by limitless callous greed and just plain sadistic warmongering warprofiteering that compose their governing principles. We need a documentary, ala Al Gore's "Inconvenient Truth", a Michael Moore expose or some vehicle that could reach enough Americans and inject enough anger that change is demanded!!!

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#### **So this is what "trickle down" supply-side economics is all about?**

Posted by: Sojourner on Aug 4, 2006 3:04 PM

[\[Report this comment\]](#)

Current rating: **Not yet rated** [1 = poor; 5 = excellent]

It means living in a nation where the enemy seems to be everything alive. The importance of the story told in this piece is to help us all recognize that when measured against levels of toxic pollution, our system is broken.

China kills their own people with pollution. Russia, Poland, Germany, France, and the US likewise. The so-called First World is committing suicide.

I remember reading the novel "Amboy Dukes" as a teenager, where I learned that the gang members' motto was "Live fast, die young, and have a beautiful corpse."

We are now officially as sick as the criminal class. The US has become a criminal enterprise. As with all criminals, we eat our young.

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**The Price We Pay for the Military-Industrial Complex**

Posted by: hotlipsin61 on Aug 4, 2006 4:23 PM

[\[Report this comment\]](#)

Current rating: **Not yet rated** [1 = poor; 5 = excellent]

You nearly had to turn your head away from the gruesome photo of the deformed child at the beginning of the article.

You can multiply that photo by X and see the results of pollution near a weapons plant in many American towns and cities.

I remember reading about Times Beach, Missouri, a dot of a town SW of St. Louis which was evacuated by a dioxin spill in the mid eighties. Let's say that dioxin is not something you add to Kool-Aid.

Anyway, lots of us work in weapons factories across the country and who knows how many of us are infected with military effluence. Are we willing to pay a very hefty price for being a part of the military-industrial complex?

We've bragged and boasted about how powerful our military is to the world, and now people's health is suffering.

Northwest of Los Angeles is a small town called Simi Valley, where high levels of waste from beryllium, molybdenum, copper, were found at the now closed Santa Susana Lab and there have been a number of former workers whose lives are wrecked from the contaminants left over from the Cold War lab.

Numerous lawsuits were filed. It takes years to get a judgment.

The area near the 118 Freeway heading into Simi is eerily void of life. Only a few homes are located there. Only the hardiest of chaparral and drought resistant vegetation can survive in this environment. There are few trees. The landscape is bleak.

Yes, the EPA says cleanup efforts are underway, but the money isn't enough and there are too few workers available to do this dirty and hazardous work.

We're trying, at least, to understand what is going on at Raytheon, Westinghouse, General Dynamics, Northrop, Boeing, TRW, etc. I know we all have to work, but ask yourself what price do we pay for the catastrophe we've created.

This is an indictment on the lives we lead. This is our lasting legacy. It is a footprint that can't be erased from our mental landscape.

We could quit making weapons but that would swell the unemployment ranks. Which way do we go?

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**water filtration resources & FACTS**

Posted by: waterfilters on Aug 4, 2006 9:18 PM

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Current rating: **Not yet rated** [1 = poor; 5 = excellent]

Solid carbon block technology is considered the most effective method for reducing contaminants of health concern. In addition to the removal of cysts, a solid carbon block filter also reduces:

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- pesticides;
- herbicides;
- disinfection byproducts;
- heavy metals;
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**They planned to turn us all into nuclear waste:**

Posted by: pjrsullivan on Aug 4, 2006 9:27 PM

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Current rating: **Not yet rated** [1 = poor; 5 = excellent]

If our nuclear war criminal elite had it to do over again, they may have made a different choice. As it stands, they planned all along to exterminate us with the use of nuclear weapons.

So if you child gets cancer or grows an extra head from drinking water contaminated with TCE from cleaning out the fuel lines of a missile, what the heck, that missile was designed to kill us all so that we would all die before we figured out that they are poisoning us.

America is more than an ordinary criminal enterprise, it is no longer a viable organization. At the moment the decision was made to go ahead with a build-up of nuclear weapons, and the plans were made to use them, any agreements that we had with our "Master" class, ended.

America is and has been operating strictly on the basis of Force and Fraud, a classic good old fashioned Extortion Murder racket.

Our nuclear war criminal elite have already pulled the nuclear trigger on us, though most people find it hard to believe. We continue to exist due only to the fact of the continuing intervention into our world from some still unknown "Higher Level Power."

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» **RE: They planned to turn us all into nuclear waste:** Posted by: [symcokid](#)

**one mistake**

Posted by: [Status Quo Exile](#) on Aug 5, 2006 7:47 PM

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Current rating: **Not yet rated** [[1](#) = poor; [5](#) = excellent]

why do we need nuclear, chemical, and biological weapons? because "they" have them too. why do they have them? because we developed them to combat the pervious generations of weapons, e.g. h-bomb, a-bomb, ICBM's. why were those developed? so that fewer people would be in the way of machine guns, etc. and why were those developed? so people would be out of range of a sword or canon. why were those invented? longer range than a knife. why is a knife a weapon instead of a tool? because some fucker 20,000 years ago figured out that you could end an argument really fast with one. evolution of weaponry. darwinism in the arms race. and I just can't wait to see what crawls out of the soup next. humanity's one mistake was not stopping this accelerating cycle of its own destruction. and now...no one even wants to make the effort. why are weapons made? war. why is war made? greed. there is not one war in history that wasn't started by greed. and now greed is fashionable. what next?

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» **RE: one mistake** Posted by: [maxpayne](#)

**Where are the "pro-life" shenanigans when you need them the most?**

Posted by: [maxpayne](#) on Aug 6, 2006 3:07 PM

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Current rating: **Not yet rated** [[1](#) = poor; [5](#) = excellent]

Oh, I forgot, they must be bribed. According to them, poisoning and killing people is "pro-life". I guess for them, if they want to get all the bribes they can get, all they got to do is dangle a fetus around on the telly and government and distract the nation into being POISONED ! Tell the "pro-lifers" to protest the military instead of abortion clinics and they'll tell you the same old lie "support the troops" bullshit. If it weren't for the Laci Peterson distraction, the American people would have held our government accountable for drowning US into a war with Iraq. If it weren't for the media goose-chasing on Chanda vs Condit, our corrupt government wouldn't be able to allow 9/11 to slip through. Just terrorism, "pro-life" bullshit is a business in the worst regards.

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**Do Not Need Terrorists**

Posted by: [PeaceThinkTank.org](#) on Aug 7, 2006 8:32 AM

[\[Report this comment\]](#)

Current rating: **Not yet rated** [[1](#) = poor; [5](#) = excellent]

I bet if we counted up all of the dead bodies caused by the military and its pollution of the whole world, that it would dwarf by comparison all of those killed by all terrorists worldwide.

We do not need terrorists when the US military is doing it to us right here at home.

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**H.A.A.R.P.**

Posted by: [saywhat](#) on Aug 9, 2006 10:28 AM

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Current rating: **Not yet rated** [[1](#) = poor; [5](#) = excellent]

You might want to view "Holes in Heaven? H.A.A.R.P. And Advances In Tesla Technology." It's about weather modification, mind control, and advanced surveillance. IT'S HAPPENING.

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**Let's fix the gaping head wound....with a bandaid!**

Posted by: [AFWXMAN](#) on Aug 24, 2006 9:54 AM

[\[Report this comment\]](#)

Current rating: **Not yet rated** [[1](#) = poor; [5](#) = excellent]

Yes the military made mistakes regarding toxic waste in the past, the same way many civilian corporations did. Love canal, Three Mile Island, and DDT overspraying were all civilian issues. These days the military bends over backwards to follow all federal and state environmental regulations. They don't


do this because they're altruistic; they do it because fighting lawsuits is a pain in the butt!

Do you know what I see civilians doing when military bases go away? Often I see them overdeveloping the heck out of it! I don't think the upper peninsula in Virginia would have any green areas left if it weren't for military reservations. The snowy plowers would be closer to extinction if it weren't for Vandenberg AFB. The only place I've seen wild antelope in Cheyenne WY was at FE Warren AFB. Pointing the finger at the military won't solve this type of problem. Respect for the environment and for the value of green spaces is the only thing that will help, but that requires a societal change.

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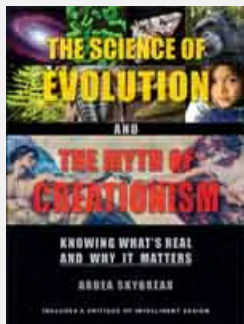
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## Evidence of Election Fraud Grows in México

By **Chuck Collins** and **Joshua Holland**, *AlterNet*. Posted **August 2, 2006**.

As the U.S. media distorts the aftermath of the July 2 election, evidence suggests there may be an attempted theft in progress.

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A month after more than 41 million Mexicans went to the polls to elect their next president, the country is still awaiting a result. A preliminary count of polling station tally sheets put conservative Felipe Calderón of the National Action Party (PAN) ahead with a slight lead over left-populist Andres Manuel López Obrador of the Democratic Revolution Party (PRD). Both candidates have claimed victory, with López Obrador and his supporters holding vigils and protests across the country and calling for a vote-by-vote recount.

That hasn't kept a consensus from emerging in the commercial media that Calderón won by a small margin in a squeaky-clean election. In a [hyperbolic editorial on July 30](#) -- one that bordered on the ridiculous -- the *Washington Post* accused López Obrador, known as AMLO to his supporters, of taking "a lesson from Joseph Stalin" and launching an "anti-democracy campaign" by demanding a manual recount and urging his supporters to take to the streets in peaceful protests. Calling the vote "a success story and a model for other nations," the editors concluded that it's "difficult to overstate the irresponsibility of Mr. López Obrador's actions."

Days after the election, the *New York Times* irresponsibly declared candidate Calderón the winner, even though no victor had been declared under Mexican law, and just this week, in [an article about López Obrador's protests](#), the *Times* reported that López Obrador had "escalated his campaign to undo official results."

But there are no "official" results and probably won't be until after Sept. 1. Under Mexican law, the Federal Electoral Institute (IFE) is charged with running the elections and counting the vote. But only the country's Election Tribunal, known by its Mexican nickname as the "TRIFE," has the power to declare a victor (See [here](#) for background on the TRIFE). They have until Sept. 6 to rule on the election.

It appears that the U.S. media has become so enamored with the construct of the "anti-democratic" left in Latin America -- the ubiquitous "fiery populists" (a term that has described everyone from the centrist Lula da Silva to Hugo Chávez) -- that they are incapable of fulfilling their basic mandate to inform their readers when it comes to the political landscape south of the border. It's nothing short of journalistic malpractice.

But back in the real world, a growing body of credible evidence from mainstream Mexican journalists, independent election observers and respected scholars indicates that an attempt was made to deliver the presidency to Calderón. It includes a pattern of irregularities at the polls, interference by the ruling party and some very suspicious statistical patterns in the "official" results.

The TRIFE is now sifting through 900 pages of formal complaints lodged by López Obrador. Their ruling on those challenges will indicate how well México's electoral process holds up in a closely fought and highly polarized race.

### Growing evidence of irregularities and fraud

México has a history of the party in power's using



Hundreds of thousands gather in the Mexican capital on July 16 to protest the election results.

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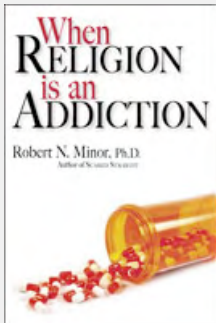
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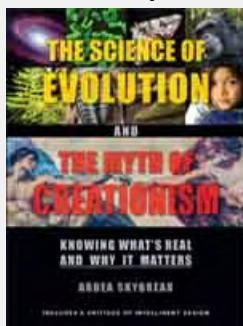
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its clout to tip the election in its favor, and strict laws prohibiting ruling party interference were enacted in the 1990s. Election law prevented Vicente Fox, the outgoing PAN president, from making public statements of a partisan or political nature. But he overstepped this line many times in the 2006 campaign, including dozens of speeches reinforcing candidate Felipe Calderón's basic message that López Obrador was a "danger to México." In a well-publicized speech, candidate López Obrador responded, "With all respect, Mr. President, shut up. You sound like a chattering bird." Fox continued with these speeches until election authorities and public commentators warned Fox he was violating election laws.

The Fox administration also ran public service announcements touting government programs and services and promoting the vote. PAN saturated the television airwaves with "swift-boat" style attack ads against López Obrador, comparing him to Venezuela's Hugo Chávez and calling him a "danger to México." Election authorities eventually ordered these commercials off the air on the grounds that they were untrue and maligned the candidate's character, but critics believe they moved too slowly.



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Chuck Collins is the co-author of "*Economic Apartheid in America: A Primer on Economic Inequality and Insecurity*" (New Press). He is a senior scholar at the Institute for Policy Studies and lives in Oaxaca, México. Joshua Holland is an AlterNet staff writer.

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The comments for this story have been closed. Thank you to everyone who participated.

View:

**Lopez Obrador aka Joseph Stalin**

Posted by: HeroesAll on Aug 2, 2006 2:32 AM  
 Current rating: **Not yet rated** [1 = poor; 5 = excellent]

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*the Washington Post* accused López Obrador, known as AMLO to his supporters, of taking "a lesson from Joseph Stalin" and launching an "anti-democracy campaign" by demanding a manual recount and urging his supporters to take to the streets in peaceful protests.

Because it's well known that Stalin's most feared tactic was the street protest. And a manual recount of votes, as we all know, is contrary to all democratic principles, and will undoubtedly destroy Civilisation As We Know It (hereinafter referred to as CAWKI).

Ptchah. WaPo is such a handmaiden of the right (and I'm using the very genteel term here, not the one that springs to mind). I'm just waiting for one of the doofus posters here to do the usual whining about the 'left wing media'.

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Very nice work again, Josh and Chuck. Looking forward to more in this saga. It's going to be a long-running one, I can tell. Like *Days of Our Lives*.

Actually, on further thought, a recount probably **would** destroy CAWKI. Remember 2000? Who did, and who didn't, want a recount? Can't let that sort of thing catch on, you know.

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- >> **RE: Lopez Obrador aka Joseph Stalin** Posted by: willymack
- >> **RE: Lopez Obrador aka Joseph Stalin** Posted by: El\_Cid
- >> **RE: Lopez Obrador aka Joseph Stalin** Posted by: ivansg

**Plutocratic back-scratching**

Posted by: shangrilalad on Aug 2, 2006 4:06 AM

[Report this comment]

Current rating: **Not yet rated** [1 = poor; 5 = excellent]

Can anyone remember an election in Mexico that the "RIGHT" didn't win?

Strange how the plutocracy in the U.S. always supports the plutocracy in other countries. Both the Washington Post and New York Times are owned by multimillionaires which I think includes them in our plutocracy.

Even after all the Republican tax cuts they've received, our billionaires are reportedly still cheating on the taxes. How much money do they need to satisfy them? I have a theory that goes like this: Some rich people act as if they think they can bribe death if they have enough money. It works with politicians, so maybe it will work with the Grim Reaper.

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- >> **RE: Plutocratic back-scratching** Posted by: Lauren
- >> **RE: Plutocratic back-scratching** Posted by: peridot

**only good conclusion**

Posted by: rsaxto on Aug 2, 2006 4:21 AM

[Report this comment]

Current rating: **Not yet rated** [1 = poor; 5 = excellent]

Since there is so much real evidence of vote fraud in the Mexican election the only good way to explain the refusal to recount votes and the big media drumbeat against recounting of votes follows: the best conclusion is that there is enormous collusion in government/major media to cover up vote fraud and to have a false president elected just as happened in 2000 USA. The same people, organizations, medias and corporations that stole 2000 are hard at work to try to steal the 2006 Mexico election. If they succeed it will be clear that most USA people still! believe the crooks.

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**Fraud -- or politics as usual?**

Posted by: jules\_siegel on Aug 2, 2006 4:32 AM

[Report this comment]

Current rating: **Not yet rated** [1 = poor; 5 = excellent]

It all still looks like politics as usual to me. The undue influence charges are serious, but they aren't the same as voter fraud.

The argument about the higher vote count in the voting stations without PRD observers raises the question why the PRD would expect a lot of votes in areas in which it couldn't even come up with poll watchers.

The statistical arguments are highly speculative, at best. Using the PREP is considered poor statistical practice. That's why López Obrador got off the cyberfraud charges right away and, in fact, explicitly denied any claims of cyberfraud. He then reversed himself a day later. I checked with R. Mansilla, who did the Benford's Law study on the PREP results and he admitted that he could not say if the variations he saw were statistically significant -- a minor point, I'm sure.

**Vote buying or providing social services?**

Vote buying is an old story that has never been proven to have any effect on how people actually vote. It was raised during the 2000 election, but an opinion study at the time clearly demonstrated that even if true (dubious in most cases) it was not in any way a significant factor.

A survey carried out in May, 2000, by the nonprofit watchdog group Alianza Cívica (reported by Mexico Solidarity Network, Weekly News Summary May 22-31 2000) suggested that of the 24% of the Mexican population which receives federal welfare aid of some sort, 11% feel obligated to vote for a particular party (in most cases, the PRI) in return for their aid. In the countryside the figure rises to 14%, and is 18% among those Mexicans living in extreme poverty. The story also reported that the opposition in Guerrero (if I remember correctly), then a PRI stronghold, admitted it was unable to come up with any concrete examples of vote-buying.

Assuming that the survey is properly constructed (a very big assumption) what it is really saying is that 89% don't feel obligated. Of those who do feel obligated, not all will vote for the PRI. Then there is the semantic question of what "obligated" means. How would this change if the question were phrased differently? Gratitude? Loyalty? Finally, how many votes does this all add up to? At the most, a *part* of 11% of those receiving the benefits?

This is an area in which you should be especially wary. Vote buying is usually a neo-Liberal code word for providing desperately needed public assistance and social services. Hugo Chávez is routinely accused of vote buying, isn't he? That would include setting up free medical clinics all over Venezuela, I guess, staffed by Cuban doctors.

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### Criminal fraud

The area you should look into is criminal fraud, which would be handled by the Fedape, the Federal District Attorney for Election Crime. Is the PRD pressing any charges of criminal voter fraud? If so, what are they?

Their web page is at <http://www.pgr.gob.mx/fepade/fepade/ANTECEDENTES.htm>

Email: [fepadenet@pgr.gob.mx](mailto:fepadenet@pgr.gob.mx) and [fiscalenlinea@pgr.gob.net](mailto:fiscalenlinea@pgr.gob.net)

At <http://www.pgr.gob.mx/fepade/directorio/mapa.asp> you will find a directory of contacts with telephone and fax numbers.

The top person is María de los Ángeles Fromow Rangel. Her phone number is (0155) 5346-3101 in Mexico.

I'll be very interested to learn what you find out. I am in the middle of a huge and very demanding project on a very tight deadline. Otherwise, I'd do this myself. Good luck to you.

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- >> [RE: Fraud -- or politics as usual?](#) Posted by: HeroesAll
- >> [RE: Fraud -- or politics as usual?](#) Posted by: Joshua Holland
- >> [RE: Fraud -- or politics as usual?](#) Posted by: jules\_siegel
- >> [RE: Fraud -- or politics as usual?](#) Posted by: Joshua Holland
- >> [RE: Fraud -- or politics as usual?](#) Posted by: Jane Doe

### WORST EVER SECURITY FLAW FOUND IN DIEBOLD TS VOTING MACHINE

Posted by: Liberalandproudfit on Aug 2, 2006 4:49 AM

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Current rating: **Not yet rated** [1 = poor; 5 = excellent]

[Open Voting Foundation](#) Managed to aquire a Diebold TS Voting Machine and discovered that a screwdriver is all that is needed to get the machine to load uncertified code.

**ALL** the certification and testing in the world is useless if a person managed to get physical access to the machine. And cities and counties are asking for "voluteers" to move the machines.

Sounds like herr Bush and company are already planning to rig the election

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- >> [RE: WORST EVER SECURITY FLAW FOUND IN DIEBOLD TS VOTING MACHINE](#) Posted by: boydranchitos
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- >> [except....](#) Posted by: brasilaron
- >> [RE: WORST EVER SECURITY FLAW FOUND IN DIEBOLD TS VOTING MACHINE](#) Posted by: wilymack
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» [RE: WORST EVER SECURITY FLAW FOUND IN DIEBOLD TS VOTING MACHINE](#) Posted by: pzzp

» [RE: WORST EVER SECURITY FLAW FOUND IN DIEBOLD TS VOTING MACHINE](#) Posted by: Liger

#### "Lies, damned lies, and statistics." -- Mark Twain

Posted by: Sojourner on Aug 2, 2006 6:45 AM

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Current rating: **Not yet rated** [1 = poor; 5 = excellent]

The statistical studies are interesting but hardly conclusive of anything. Statistics are a tool. They are not knowledge. Rather than revise reality because a set of statistics comes up in an unexpected fashion, maybe it's the tool that needs revising.

Yes, I expect that computer voting needs more safeguards. But sometimes tea leaf readers do a better job than number technicians.

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» [Depends who's got their hands on the stats](#) Posted by: HeroesAll

» [RE: Depends who's got their hands on the stats](#) Posted by: Sojourner

» [RE: Depends who's got their hands on the stats](#) Posted by: HeroesAll

#### Maybe AMLO has learned from Gore

Posted by: Uncle Tupelo on Aug 2, 2006 7:35 AM

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Current rating: **Not yet rated** [1 = poor; 5 = excellent]

Don't be timid. Demand a full and accurate count, and fight in every court of law and court of opinion to get that and nothing less. Get your people on the street and keep them there. If people in your inner circle are advising you to back down, kick them to the curb. Ignore the establishment media, or make the case directly to the people that they too are part of the corrupt system. Don't be timid.

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» [RE: Maybe AMLO has learned from Gore](#) Posted by: Liger

» [yes, Democracy means accepting, unquestioningly everything that winners say](#) Posted by: brasilaron

» [RE: yes, Democracy means accepting, unquestioningly everything that winners say](#) Posted by: Liger

» [Should we accept without question everything the losers say?](#) Posted by: jules\_siegel

» [RE: Maybe AMLO has learned from Gore](#) Posted by: Joshua Holland

» [RE: Maybe AMLO has learned from Gore](#) Posted by: Liger

» [RE: Maybe AMLO has learned from Gore](#) Posted by: Joshua Holland

» [RE: Maybe AMLO has learned from Gore](#) Posted by: Liger

» [RE: Maybe AMLO has learned from Gore](#) Posted by: Joshua Holland

» [RE: Maybe AMLO has learned from Gore](#) Posted by: Liger

» [RE: Maybe AMLO has learned from Gore](#) Posted by: Joshua Holland

#### on the right

Posted by: mrjones on Aug 2, 2006 8:45 AM

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Current rating: **Not yet rated** [1 = poor; 5 = excellent]

They believe that all is fair in love, war, and elections! If there was fraud so what? Whoever wins wins because they had a stronger team willing to fight harder. Never mind that the other team outnumbers them and would win a truly free and fair election. Fairness doesn't count, only might makes right (no pun intended). And when anybody complains about the lack of fairness they can accuse them of being big cry babies. On the right they'll use any tactic they can get away with to achieve all that their little hearts desire. In many cases they know they're going to get caught sooner or later, and that justice may eventually triumph, but in the mean time they use their illegitimate power to wreak havoc and steal everything they can lay their gubby little paws on, so even if they lose they still win. Sometimes it seems that there's no real way to fight against the unjust who are willing to perpetrate every kind of injustice in order to obtain and maintain power for their selfish ends.

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» [RE: on the right](#) Posted by: Liger

» [RE: on the right](#) Posted by: harinama

» [RE: on the right](#) Posted by: bassman

#### arguments and beliefs

Posted by: aemulus on Aug 2, 2006 10:31 AM

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Current rating: **Not yet rated** [1 = poor; 5 = excellent]

As you have noticed, constructive discussion may be performed when everybody understands the topics and the evidence. In this case, the arguments are in a special level of knowledge. Ciberfraud and statistics are not stuff that every mexican may talk about, so argumentation falls in the level of what people believes. Politicians and media know that, so we are in a war about credibility.

Which one would you believe most?

a)A candidate able to speak to bankers, middle class, CEO´s, but not identified with low-income mexicans ; or

b) a candidate that speaks directly to the people ("el pueblo"), and likes to send malicious messages to bankers, commerce and industrial associations and even the president.

And seeing this in a different perspective, a peer told me, "if there is a fraud, involving IFE, international observers, civilians, media, and some organizations (almost a million and a half people)...and if there is a person leading it , that is the person we need to lead the country"

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It is all about beliefs and credibility...

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- » **RE: arguments and beliefs** Posted by: jules\_siegel
- » **Not yet convinced that large-scale vote fraud impossible** Posted by: El\_Cid
- » **RE: Not yet convinced that large-scale vote fraud impossible** Posted by: jules\_siegel
- » **Fraud and Astrophysics** Posted by: YinRising
- » **RE: arguments and beliefs** Posted by: ivansg

**Not to worry (hopefully)**

Posted by: Patrick\_Ross on Aug 2, 2006 10:35 AM [\[Report this comment\]](#)  
 Current rating: **Not yet rated** [1 = poor; 5 = excellent]

Historically, Mexico is a fairly politically volatile society with a strong revolutionary tendency. This tends to go hand-in-hand with a government that, in many respects, follows the populist tendency to listen to the people. It's considered that people marching in the streets are a breath away from a civilian coup d'etat.

The recount will happen. Whether or not any of the candidates in this election are fit to lead is another question entirely.

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**Your theory is right on!**

Posted by: starvinmarvy on Aug 2, 2006 11:26 AM [\[Report this comment\]](#)  
 Current rating: **Not yet rated** [1 = poor; 5 = excellent]

Thats it brother! And they STILL DON`T GET IT! The filthy rich have an unquenchable desire for more wealth.Fact is... they`re still gonna die.Fact is....they`ll see after their last breath how they`ve done so many wrong!!Fact is...after that last breath and they review that life that they once thought of as "brilliant maneuvers and HARD WORK"...as now a "pathetic, rueful,...SAD waste of a lifetime. Until these so called "human beings" that hold the wealth of this planet in their hands..... finally realize that its so much more important to help your fellow man ...than to build personal wealth and power....we will all continue to do ....and die....whatever and whenever they want. And that includes the so called leaders of this country!

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- » **this was a "reply" to the second post...** Posted by: starvinmarvy

**US will never have to worry about a populist government**

Posted by: jreinhardt1 on Aug 2, 2006 11:30 AM [\[Report this comment\]](#)  
 Current rating: **Not yet rated** [1 = poor; 5 = excellent]

The Secret State of America could care less about votes. It's all been decided before the elections except for some local issues. I certainly won't vote again until Diebold is killed off and evoting machines can print out a pair of "carbon" copies, one for the voter and the copy for QA against the electronic voting machine tally.

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**THAT'S WHY IT IS TIME FOR US TO DO THE SAME THING**

Posted by: krose on Aug 2, 2006 6:43 PM [\[Report this comment\]](#)  
 Current rating: **Not yet rated** [1 = poor; 5 = excellent]

NEXT TIME, IF OUR VOTE IS TAMPERED WITH LIKE THE LAST 2 TIMES.....

WE MUST TAKE TO THE STREETS, LIKE THEY DID IN THE UKRAINE, AND IN MEXICO!

IT IS THE ONLY ANSWER TO TAKING OUR COUNTRY BACK FROM THE CROOKS, LIARS, AND THIEVES WHO HAVE IT NOW!

[< [Reply to this comment](#)] [[Post a new comment](#) >] [Rate this comment: 1 - 2 - 3 - 4 - 5]

- » **The Revolution will NOT be televised, it will be blogged** Posted by: YinRising
- » **RE: The Revolution will NOT be televised, it will be blogged** Posted by: Jane Doe
- » **RE: The Revolution will NOT be televised, it will be blogged** Posted by: alternorock

**What fraud?**

Posted by: Mex on Aug 2, 2006 6:53 PM [\[Report this comment\]](#)  
 Current rating: **Not yet rated** [1 = poor; 5 = excellent]

*But back in the real world, a growing body of credible evidence from mainstream Mexican journalists, independent election observers and respected scholars indicates that an attempt was made to deliver the presidency to Calderón.*

There is only one important newspaper (La Jornada, not "La Journada") who claims that there was a fraud and this newspaper is very well know to be very attached to the PRD party and his candidate.

About the international observers, non of them found any evidence or indication of fraud before or during the election and Chuck Collins' article doesn't give any sustainable evidence of a "fraud", he even write that non of the reports that he has quoted "constitute a smoking gun".

Is very valid to demand a recount, but that decision doesn't belong to the candidates, belongs to the electoral court, 'El TRIFE', according to the electoral law (approved even by the PRD).

Comparing this election with the fraud of 1988, or with the USA election of 2000, is a BIG disproportion.

The electoral system right now is much better than the one in 1988 and even better than the USA. By the way, one of the Andrés Manuel López Obrador (AMLO) supporters, Manuel Barlett (from the PRI party) among others, were one of the architects of the 1988 election fraud against Cuauhtémoc Cárdenas [linked text](#)

Now, does AMLO represent the real left in México, I don't think so. He represents the old PRI with a democrat custom or, if you want, that "exotic populism" that some progressive people in the USA love, but damage the economy and the institutions of a country.

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- >> **RE: What fraud?** Posted by: Joshua Holland
- >> **if there is an elephant in front of you and you don't see it...** Posted by: wake-up
- >> **RE: if there is an elephant in front of you and you don't see it...** Posted by: Jane Doe

**Mea Culpa**

Posted by: YogiBear on Aug 2, 2006 7:16 PM [\[Report this comment\]](#)  
 Current rating: **Not yet rated** [1 = poor; 5 = excellent]

Wait a minute. I coulda sworn that the Alternet was sure that Mexico's election would be the bastion of democratic fairness compared to the USA. Will someone be eating his words?

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- >> **Maybe Tea Culpa** Posted by: Joshua Holland
- >> **Retract this** Posted by: YogiBear

**Felipe Calderon chosen by God.**

Posted by: Jesse Cristo on Aug 2, 2006 8:43 PM [\[Report this comment\]](#)  
 Current rating: **Not yet rated** [1 = poor; 5 = excellent]

Clearly God's hand is behind the wonderful victory of Felipe Calderon. It is a message from Heaven itself that only our President's fervent supporters will enjoy victory. Scurrilous accusations of election fraud from leftists cannot sully the beauty of Calderon's divine legitimacy. Obrador represents the Mexican rabble, whose collective mind is as dark as it is ignorant. They will believe any lie which elevates their victim status and whets an appetite for entitlements. These people cannot be trusted to make good political choices any more than the Palestinians - who elected Hamas. May the Lord bless Mexico and Calderon as they join America in a righteous turn to neo-conservatism.

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- >> **RE: Felipe Calderon chosen by God.** Posted by: Joshua Holland
- >> **RE: Felipe Calderon chosen by God.** Posted by: xbj
- >> **RE: Felipe Calderon chosen by God.** Posted by: Joshua Holland
- >> **RE: Felipe Calderon chosen by God.** Posted by: Jesse Cristo
- >> **Sacrilege** Posted by: Joshua Holland
- >> **RE: Sacrilege** Posted by: xbj
- >> **xbj** Posted by: Joshua Holland
- >> **RE: xbj** Posted by: xbj

**Glad to See Democracy still survives in NA in Mexico and Canada**

Posted by: xbj on Aug 2, 2006 9:02 PM [\[Report this comment\]](#)  
 Current rating: **Not yet rated** [1 = poor; 5 = excellent]

On the eve of Democracy's death and complete morphing into Fascism and Fascist Empire in the United States, it sure is encouraging to see it still alive and kicking in Mexico and Canada.

Perhaps there is hope after all, without China and Russia having to nuke the US off the face of the planet.

Time WILL tell.

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- >> **RE: Glad to See Democracy still survives in NA in Mexico and Canada** Posted by: Jesse Cristo
- >> **RE: Glad to See Democracy still survives in NA in Mexico and Canada** Posted by: xbj

**In the meantime...**

Posted by: AnaB on Aug 2, 2006 9:48 PM [\[Report this comment\]](#)  
 Current rating: **Not yet rated** [1 = poor; 5 = excellent]

Im not sure how many people are aware but Vicente Fox has already named an interim president in case the controversy is not settled by the time he leaves office. This person is one of the founders of the PRD party and a sort of creepy power hungry former presidential candidate in 1994. His name is Chuautemoc Cardenas and many believe he won the 1994 election but was bribed by the PRI into keeping quiet and accept defeat. Ironically the only other candidate from 1994 to protest the election on behalf of Cardenas was the PAN candidate and he was myseriously killed shortly after the election. Cardenas ran for president in 2000 and wanted to run in 2006 but he had little support. It is a well known fact that he doesnt like AMLO and refused to throw his support behind his own party's candidate during this presidential election.

One can only interpret Fox naming him interim president as another effort to bribe a powerful figure withing the PRD party. And, its a well known fact that Cardenas is open for business.

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- >> **RE: In the meantime...** Posted by: Joshua Holland
- >> **RE: In the meantime...** Posted by: JDMB
- >> **AMLO HAS SAID HE WILL ABIDE BY THE RECOUNT** Posted by: ignition

» **RE: In the meantime...** Posted by: AnaB

**if there is an elephant in front of you and you don't see it...**

Posted by: wake-up on Aug 3, 2006 2:53 AM

[[Report this comment](#)]

Current rating: **Not yet rated** [1 = poor; 5 = excellent]

mexican society is polarized, so people are a bit to keen on quick answers with little reflection or analysis. if people took their time, did a little reading and went beyond their partisan feelings perhaps they would by now know that the math doesn't add up. there are a total of around 1.5 million votes that have no backing on paper. what that means is that after a comparison of copies of certificates from every electoral booth (which all parties now have) with the information from the electronic counting of the votes which is posted on the internet by the federal electoral institute (IFE), there are more votes than voters. 1,5 million of them... when mr.calderon's advantage in the official count is of around 240,000 it makes it hard not to DEMAND a vote by vote recount. I would think any citizen that believes in democracy regardless of who they voted for would agree with this.

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**Statistician uses Benford's Law to Conclude Recount Needed**

Posted by: El\_Cid on Aug 3, 2006 5:35 AM

[[Report this comment](#)]

Current rating: **Not yet rated** [1 = poor; 5 = excellent]

Walter R. Mebane, Jr., political scientist and scholar in the application of statistical methods to political behavior, has performed a statistical test to the published IFE results and concluded that a recount is likely needed, though of course he is only concluding that the election results have deviated too much from an expected distribution than desirable, and cannot conclude why.

In a paper prepared for 23rd Annual Summer Meeting of the Society for Political Methodology, July 20-22, 2006 ([available as a PDF for download HERE](#)) he studies election results from Florida in 2004 and from Mexico in 2006.

He employs a statistical analysis based on Benford's law, which has to do with the observation that in looking to large samples (such as voting or census data), there is actually a predictable distribution of how often the digits (i.e., 0-9) should appear in a certain position (in Mebane's analysis, the 2nd digit from the left), and that if the digits appear to skew very far from the expected distribution, then there may be a problem, such as errors or some type of fraud ('fraud' may include cases in which data is made up or manipulated for other reasons than aiming at a desired result, i.e., no one ever originally gathered the data and they're making it up).

*In this paper I study a statistical method intended to help detect election fraud. Other methods, using regression- based techniques for outlier detection, have previously been proposed to help detect election anomalies... The method described here is distinctive in that it does not require that we have covariates to which we may reasonably assume the votes are related across political jurisdictions. **The method is based on tests of the distribution of the digits in reported vote counts, so all that is needed are the vote counts themselves.** Being based on so little information, the method cannot in itself diagnose whether an anomaly it may flag is a consequence of fraud or of some other kind of irregularity. But, as I show, some patterns of fraud will cause the method to trigger. So **the method is best understood as an indicator for places where investigations that use other kinds of information -- for instance, audits of election administration records and manual ballot recounts -- might best be targeted.***

He concludes that there is enough departure from the expected model at his level of analysis to warrant a manual recount, whether of a sample or, of course, a complete recount.

*The 2BL {2nd digit Benford's Law} test results for secciones **certainly suggest there are problems with the 2006 presidential vote counts in many Mexican states, although probably not in most of them.** More refined analysis is needed to reach sharper conclusions, but the general impression is that **more intensive investigation of the election results is in order. That might include doing a manual recount of many -- perhaps all -- of the individual ballots.** A cost efficient method may be to begin by recounting a random sample of the ballots -- all the ballots in a sample of secciones -- where the probability that a seccion is selected for recounting is greater in places where the 2BL test results are worse. For such an exercise it may be reasonable to conduct 2BL tests for secciones collected into sets that correspond to the legislative districts they are part of, with sampling for purposes of initial recounting done at the level of districts. Perhaps a two-stage sampling plan could be used, with districts selected at the first stage (weighted by the 2BL test results) and secciones within each district selected at the second stage. If such an initial sampling did identify problems with the vote tabulations, then the case for a comprehensive manual recount would become extremely strong.*

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**My friend in Mexico tells me.....**

Posted by: harvsss on Aug 3, 2006 11:19 AM

[[Report this comment](#)]

Current rating: **Not yet rated** [1 = poor; 5 = excellent]

My friend in Mexico tells me that it is true that the court will give it's decision in Sept.

He also told me that Obrador was too far to the left and he did not vote for him.

See the propaganda machine works just fine in Mexico too. He voted against his own best intrest. Somehow(the media), he had been convinced that Obrador was just like the commie Chaves. I explained to him that all the BS about Chavez was just that. I told him about what I know about Chavez that he did not know. He thought that Chavez was a commie and bad for his country(the usual BS). I told him how Chavez had done many good things for his country and the Republican press has painted him a bad picture. Obrador is a man of the people and I hope he prevaes. I hope that Mexico can have the democracy they should have and not one like here in the EEUU(Estadoe Unidos-USA).

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» **RE: My friend in Mexico tells me....** Posted by: wake-up

### REBUTTAL, part 1

Posted by: JDMB on Aug 3, 2006 5:29 PM

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Current rating: **Not yet rated** [1 = poor; 5 = excellent]

There are so many factual errors in this piece, it's really disappointing (especially considering that Chuck Collins "...lives in Oaxaca, Mexico"; he either wrote the inaccuracies, or at least vetted the article and didn't catch them), and I don't know where to start. And would that this post not get lost among all the other posting in this blog, but rather received similar prominence as the original article. And for the record: I'm not a Republican, Conservative or Right-Winger: I consider myself a progressive, open-minded, bi-cultural individual who appreciates few things as much as looking at both sides of an issue.

*In a hyperbolic editorial on July 30 ... the Washington Post accused López Obrador, ... of taking "a lesson from Joseph Stalin":* Actually, it was AMLO (or at least his party, PRD) that quoted Stalin (and Wikipedia, curiously) in its 800-plus page complaint lodged before TRIFE, where, incidentally, they never ask for a full recount: that has been handled exclusively in the media, *never in the formal petition before TRIFE* (although they did present arguments for the annulment of the election, which they have publicly stated they do not seek: then why present arguments for something you don't want?).

*The Fox administration also ran public service announcements touting government programs and services and promoting the vote.* In the interests of fairness and balance ( :D ) you should have pointed out that all governments do the same in Mexico: indeed, some of the allegations in this regard concern not only the federal government but state governments as well ((PAN & PRI, of course, never PRD). The Mexico City (PRD) government did the same, and continues to this date, with huge banners hanging from government buildings in support of AMLO during the election and now during the recount effort. And when AMLO "suggested" ("*What do you say, shall we stay here until we get the recount? All those in favor raise your hands. Those opposed raise your hands. Motion carried.*") I wouldn't raise my hand in objection in that crowd) taking over the *Zócalo* and blocking the main thoroughfares of the city (which is something he said he would not do, and is in direct violation of an edict AMLO personally put into place while mayor of Mexico City: look up *Bando 13* forbidding setting up camps on city thoroughfares), the city's PRD government refuses to enforce the law citing the protesters' right to assembly and free speech. Isn't the government supposed to enforce the laws for everyone, not just those with whom it agrees? But I digress...

*López Obrador's campaign and hundreds of independent election observers documented several hundred cases of "old fashioned" election-day fraud in making their case for a recount.* Actually, they haven't presented any such proof: the lower courts in the TRIFE system are rejecting virtually all such claims because the proof just isn't there. For instance, a video of "ballot-box stuffing" turned out to be the precinct president placing ballots for a different race (senator, congressman) that were incorrectly deposited in the presidential ballot-box – *as required under law and with the consent of the party reps, including PRD's*. This incident led to said rep's public disavowal of AMLO's charges, which in turn led him to say that "some party reps sold out." Talk about being loyal to your troops...

*... there weren't enough independent and party observers to go around. In regions where one party was dominant, this created opportunities for vote shaving, ballot stuffing, lost ballots and other forms of fraud.* Again: not documented at all. I believe a famous Greek philosopher summed it up nicely: "Woulda, coulda, shoulda."

To be continued...

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» **RE: BUTTAL, part 1** Posted by: alternorock

### REBUTTAL, part 2

Posted by: JDMB on Aug 3, 2006 5:32 PM

[\[Report this comment\]](#)

Current rating: **Not yet rated** [1 = poor; 5 = excellent]

*One analysis of IFE results found that there were 2,366 polling places where only a PAN observer was present. In these districts, Calderón beat López Obrador by a whopping 71-21 margin.* Where were these districts? If they were in PAN strongholds, wouldn't you expect a result like that? And why weren't there any observers from different parties? Could they have concluded that they were going to lose in those districts anyway and decided to concentrate on those districts where the results might be closer? Getting more "bang for their buck", as it were?

*Other elements of PRD's legal challenge include documentation of several ballot boxes found in dumps in the PRD stronghold of México City.* This was investigated and turned out to be a red herring (or is it a Macguffin?), just like the ballot-box-stuffing video. *They also point to evidence such as the nonpartisan Civic Alliance's report documenting 17 polling sites in PAN-dominated Nuevo León, Michoacán and Querétaro, where the number of votes cast vastly exceeded the number of registered voters at a site.* This is more serious, and is one of the (few) legitimate questions raised being dealt with by TRIFE.

*... But the cumulative evidence is damning in such a closely contested race.* Again: What evidence? I'm not a lawyer (thank God), but it seems to me that there has to be an intention, a will to do something wrong for it to be fraud, otherwise it can be something as simple as human error due to lack of education, lack of training, unintentional transposition of numbers, writing the number in the wrong box, not pressing down hard enough on the carbon copy, etc.

*In the weeks after the election, PRD observers again sounded the alarm as sealed ballot packets were being illegally opened at IFE district offices in several PAN-dominated regions.* You might have mentioned that these packets were being opened at the request of PRD reps (PRD sure didn't mention it; I wonder why?); and in any event, the ballots themselves were not touched (they're sealed in a separate bag within the packet), only the tally sheets and other documentation was being withdrawn – at the request of PRD in most cases. *The TRIFE ordered these offices to stop opening vote packets:* to avoid malicious



allegations of wrongdoing, because the procedures were legal and done with the knowledge of party officials.

To be continued again...

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### REBUTTAL, part 3

Posted by: JDMB on Aug 3, 2006 5:34 PM

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Current rating: **Not yet rated** [1 = poor; 5 = excellent]

*For the 2006 election, the IFE had developed a sophisticated system to provide preliminary results called the PREP. Actually, PREP has been in place since 2000. Relying on results being phoned in from a sample of precincts, the IFE could compile a credible picture of the vote. First of all, the PREP is the tally of all the precincts, not of a sample: the sampling is done with some 7,000-plus precincts, geographically and socio-economically distributed to give a 0.3% (not a typo: zero point three percent) margin of error. This "quick count" or *conteo rápido* is what would have ...allowed Mexicans to go to sleep on election night knowing who their next president would be. But the result was so close no winner could be determined this way, so IFE didn't release the results that night (as it turns out, probably a mistake). IFE's chairman went on national TV to say just that, and ask the candidates to please refrain from claiming victory until the formal count on Wednesday. President Fox went on TV right after to say the same thing. So within minutes, AMLO went out to claim victory by half a million votes, claiming to have the *actas* to prove it. (He's never produced those *actas*; they would seem to constitute evidence, don't you think?). Calderón (in a political mistake, in my opinion), felt obliged to follow with his own claim of victory, citing half a dozen exit polls and PAN's own copies of the *actas* (and PAN has set up an exhibit in Mexico City of copies of all 130,477 *actas* for all to see – now *that* sounds like evidence).*

I'm not a statistician, so I can't comment on the work of López and Mochan. However, other statisticians have taken issue with their conclusions. And Mochan states that "...I understand that no booth was to receive more than 750 votes." This is a mistake: special polling booths were set up all over the country for people who were traveling or otherwise out of their immediate city of residence, to vote for president only; all the parties unanimously agreed to have only 750 ballots available at these special booths, and it is well documented that they were grossly insufficient for the demand (and surely had some impact on the level of non-voting registered).

*Whether it was human error or intentional vote shaving, in a tight election race, these examples gain heightened significance.* Completely agree: but to imply by inference that there was fraud no matter what, you do a disservice to your readers.

*None of these reports in and of themselves constitute a smoking gun.* Again: the inference is that there was a smoking gun, it just hasn't been found.

*A poll released this week found that Mexicans, by a 20-point margin (48-28), want a vote-by-vote count.* What about the other polls that show Mexicans believe by an even larger margin that the elections were clean and transparent? And that IFE did a good job despite the criticisms? And that AMLO's support is dropping steadily? *López Obrador has said he will call off protests when the Tribunal agrees to a recount and will honor its final decision.* Actually, he has said he will honor the decision – provided it isn't that Calderón won. Repeatedly.

Just one more...

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- » **RE: BUTTAL, part 3** Posted by: ivansg
- » **re: REBUTTAL, part 3** Posted by: JDMB
- » **RE: re: REBUTTAL, part 3** Posted by: ivansg
- » **RE: BUTTAL, part 3** Posted by: ivansg
- » **re: REBUTTAL, part 3** Posted by: JDMB

### REBUTTAL, part 4 (and last)

Posted by: JDMB on Aug 3, 2006 5:34 PM

[Report this comment]

Current rating: **Not yet rated** [1 = poor; 5 = excellent]

*President and PAN leader Vicente Fox called for direct action when he believed he was victimized by electoral fraud in his race for the governorship of Guanajuato in 1991. Key point: 1991. The current rules were enacted in 1996, and you yourselves point out that the situation today is very different. Fox called on thousands of supporters to take to the streets and block highways, ... Asked before the 2000 presidential election if he would do the same thing if he suspected fraud, he didn't hesitate to say "... If there is any instability ... it will be due to whatever they have done fraudulently to avoid recognizing our victory." 2000 was the first election under the new rules, and nobody knew what to expect; besides, PRI was still in power and has a well-earned reputation for electoral dirty tricks; and it wasn't a statistical tie, Fox was way ahead in the polls. To not mention these differences in this paragraph is misleading.*

*While Calderón has opposed a ballot-by-ballot recount, he has stated that he will abide by whatever the TRIFE decides, including recognizing AMLO as the winner if that is what the recount shows. AMLO has said just the opposite. And indeed, Calderón's opposition is a political mistake: rather than insist that the votes have been counted and that he is the winner, he should just keep quiet and go along with whatever TRIFE decides. But AMLO is imploding: even *La Jornada* is starting to criticize his stance and actions. But in the end, you're right: everybody must wait for TRIFE's decision and abide by it. And when AMLO doesn't, I'll be back to say "I told you so."*

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- » **RE: BUTTAL, part 4 (and last)** Posted by: wake-up
- » **RE: BUTTAL, part 4 (and last)** Posted by: JDMB

- » [RE: BUTTAL, part 4 \(and last\)](#) Posted by: JDMB
- » [RE: BUTTAL, part 4 \(and last\)](#) Posted by: wake-up
- » [RE: BUTTAL, parts 1 through 4](#) Posted by: Jane Doe

**He's baaaaaaaaaaaaaaaaaaaaaack!**

Posted by: bettyn on Aug 3, 2006 6:01 PM

[\[Report this comment\]](#)Current rating: **Not yet rated** [1 = poor; 5 = excellent]

Welcome back Danny Ortega! The former Sandinista honcho is about to be elected President of Nicaragua.

Another thorn in Dumbya's side.

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**Is the Fraud in the mexican elections ever going to get discovered?**

Posted by: Juan2 on Aug 3, 2006 7:03 PM

[\[Report this comment\]](#)Current rating: **Not yet rated** [1 = poor; 5 = excellent]

Very doubtfull if you only look at the last few months of news abot the mexican elections. The real fraud started by people connected with the Brother in Law of a third class politician named Felipe Calderon back when he was one obscure Minister of Foxilandia. that Mr Zorrry had filled that position because he had to have some one there. Something or some one gave that Brother in Law the Idea tht by stealing the documents of the IFE. (Institute of Federal Electors) which could have been sold to the USA Government and other takers at a fairly good price mainly to know who is in those Lists, that could have been of good use to the Secretary of State of the USA or other companies interested in knowing names and addresses of most mexican people.

In order to understand why a Third Class Politician has made it to be a contender in a presidential race you need to have a real method to pick a winner for it and since the favorite to succed Mr Zorro in keeping in Mexico the most perfect Dictatorship in the World. Which was started back almost 8, decades ago, which started when a bunch of so called Revolutionaries they named a Political Party the PRI (Party Revolutionary Institutional) and within a few more years was eventually coming to be known as the PRIAN, under those names the dupped the poor people of Mexico for soo many years.

So knowing that the oposition was going to be strong from the PRD Mr. Zorro asked his wife to join efforts with another Dark Person in the mexican political arena, Elba Ester Gordillo a Former PRI Secretary and head of the Teaches Association one of the strongest groups that any politician would love to lead or to have in their side. Maybe th efforts of Mr Zorro to have an strong sucesor made him dump his former Peon and accept the named Candidate by the Governor of Jalisco a strong party hold for the PAN or maybe PRIAN so Calderon won the acceptance of the bunch of the potential largest Fraudulent bunch of polititians in any voting poll in the World.

Having the List of all the people that could vote in the country and having the President of Instituto Federal Electoral which is a close friend of the Calderon Bunch they started to nominate Directors of the Voting Polls that were either personnel of the PAN, PRI or PRIAN and the new PANAL that Elba was the main person in charge.

Having also in their side most of the Governors of the PRI and PAN which also had chances to make good their usual customs of having Fraudulent Polls for soo many years that winning the 2006 Elections which hardly any body really has made any notice of how one soo powerfull document can make wonders and the document is the List of the Instituto Federal Electoral that The Director of the IFE Knew that is was stolen and sold in the uSA and never dis any thing about it or went after any one because he knew of its future use?.

But to put the Cherry on the cake the reazon for the alliance of those two named Ladies martita and Elbita was to brake the one time strong party the PRIAN and to end usinf its 5 letters that standed for Partido Republicano Institucional Accion Nacional and now because their involvement on both of their former Parties they will use a name for each ans since the PAN with Mr. Zorro was in Power the new name of their Party was going to brak Off of the PRI nd wwill be known exclusivly as the PAN. and since Elbita was trown out of the Bank Account that with the name of the Former party name those Ladies were going to rename the other Party and usung the Sixth letter for the Party they changed the firts letter of the party and putting it on the last to be known henceforth as the RIP Party.

What ever s going to happen with the Presidential election Some one should have thought of this obscure piece of widly known information the Stealing of the List of the IFE by Hildebrando????

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- » [RE: Is the Fraud in the mexican elections ever going to get discovered?](#) Posted by: ivansg

**Just a really great piece.**

Posted by: kenhymes on Aug 4, 2006 9:05 AM

[\[Report this comment\]](#)Current rating: **Not yet rated** [1 = poor; 5 = excellent]

That's one of the best, most helpful pieces I've read on Alternet in a long time. It clarified a lot of things for me about the Mexican electoral system that are important to understanding what's going on now. And it demonstrated a strength of the best non-MSM journalism (when it avoids rushed, sloppy outrage-mongering): the ability to make a decisive judgement about where the problem is, and present a clear and compelling case for that judgement, combined with offering an understanding of what might change things. I just want to give Josh a big thumbs up.,

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**Let's start Alternet bashing**

Posted by: vescalant on Aug 4, 2006 5:17 PM

[\[Report this comment\]](#)Current rating: **Not yet rated** [1 = poor; 5 = excellent]

Now that Alternet has decided to publish right wing propaganda to bash the left, like its anti-Chavez "Modern-Day-Tyrant" article , I think it is time to get even and do some Alternet bashing here.

Alternet coverage of the Mexican election has been tainted with inaccuracies, and more importantly, with a total lack of understanding of how the political and economic system works in modern day capitalism. Inaccuracies in reporting are common in the main stream media, but the lack of understanding seems a unique trait of the left these days. At least of the new left.

To mention a few inaccuracies, the PREP did not rely a sample of results as Chuck Collins "reports". The IFE was supposed to give a statistical projection of results on election night, Sunday July 2, from a sample of polling stations as had been done in the past. Exit polls were conducted, but IFE was supposed to report a projection of results from the actual tally sheets of selected stations. This time, however, IFE chose not to report the results because the difference between the leading candidates was too small. The PREP was a *second attempt* to announce the results to the public. The PREP was supposed to give a near-total tally during the next day after the election by using a computer network connected to main servers at the National University of Mexico. It did so and those results were supposed to be highly reliable because the data came from almost all the tally sheets. The right wing candidate came some 400,000 votes ahead of AMLO in the PREP. Doubts arose when it was known that many tally sheets had not been counted because of "inconsistencies" in them. When they were counted the difference in votes became 200,000 plus votes. *The actual count of the tally sheets* began on Wednesday at IFE district offices around the country. TV stations had continuous coverage and reported the results as IFE officers read and counted the tally sheets. The law does not allow to recount the ballots except in a few cases. The final tally reproduced the PREP results to a great extent and Calderón celebrated victory at 4 AM on Thursday when the tally sheet count was nearing completion. *In his victory speech on TV Calderón said that the count had been purposely devised in such a way that tally sheets from the state of Guanajuato, where he had won by a large margin, were to be counted last.* That way he had lagged behind López Obrador all day, but came ahead of him in the early morning and stayed ahead until the end of the count on Thursday afternoon.

After all this it is clear that a well mounted charade has taken place. To find a fraud, if there was one, is going to be next to impossible. It is obvious that the whole system is against a victory of the left in Mexico. Past reports of annulled governor's elections in Tabasco and Colima don't mean much because those elections were won by the right in the end. In Colima in 2003 the Federal Tribunal annulled an election that had been won by PRI candidate Vázquez Montes because of interference of the governor in office. What nobody says, and that includes Alternet, is that the Tribunal called for a new election that was *won again by Vázquez Montes* . Similar story for Tabasco. We have yet to see a ruling by the Tribunal that actually leads to a victory by the left. What Alternet editorialists don't want to understand is that the system is designed to keep the left out of real power in Mexico. Whether the fraud was in the PREP computer system or in the manual count of the votes (there are no voting machines in Mexico, thank God), not to say of the dirty smear campaign by the right against López Obrador, is irrelevant here, and my guess is whatever the outcome, recount or not, the left won't be allowed to rule Mexico, least a revolution takes place.

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>> **RE: Let's start Alternet bashing** Posted by: JDMB

#### Jury will rule August 5

Posted by: ivansg on Aug 4, 2006 8:41 PM

[[Report this comment](#)]

Current rating: **Not yet rated** [1 = poor; 5 = excellent]

Not a final ruling for all allegations, but they will decide if they should proceed to a full recount right away, a partial recount (which might lead back to a full recount), or none at all.

This will happen at 10:00am Central Time. It will be televised in the judicial channel in cable.

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#### Mexican Election Decision Very Important For Oaxaca

Posted by: mdenevan on Aug 5, 2006 7:24 AM

[[Report this comment](#)]

Current rating: **Not yet rated** [1 = poor; 5 = excellent]

Here in Oaxaca, Mexico one of the poorest southern states, Calderón's anointing by federal election officials could mean big trouble for the union and civic groups demanding the ouster of Gov. Ulises Ruiz. There has been a "war of low intensity" here for the past two years with incredible impunity by the state government in killing and imprisoning local leaders. (For more info on this protest contact [denevan2001@yahoo.com](mailto:denevan2001@yahoo.com)) Calderón and the PAN in general have made an ally of the PRI against López Obrador and there could be military reprisals, not just the local police, against the protesters here if Calderón gives the go ahead, a la Chiapas.

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#### Large Partial Recount Ordered

Posted by: El\_Cid on Aug 5, 2006 12:19 PM

[[Report this comment](#)]

Current rating: **Not yet rated** [1 = poor; 5 = excellent]

The Tribunal (TEPJF) has clarified its ruling today: it has ordered that there be a manual (hand) recount of the paper ballots for a specified list of 11,839 polling stations (out of 130,000+ stations throughout the country), representing a (non-random) 9.07% of total stations.

<http://www.eluniversal.com.mx/notas/366854.html>

With an average of often 200+ votes per polling stations, this could represent over 2.5 million votes out of a total vote of 42 million.

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#### Josef Stalin Again

Posted by: sofia100 on Aug 5, 2006 9:22 PM [\[Report this comment\]](#)  
 Current rating: **Not yet rated** [1 = poor; 5 = excellent]

This reminds me of another quote by Josef Stalin,  
 "it is not who votes that matters, it is he who counts the votes"

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» **RE: Josef Stalin Again** Posted by: El\_Cid

**Calderon - the new Bush**  
 Posted by: Ray S on Aug 7, 2006 8:08 PM [\[Report this comment\]](#)  
 Current rating: **Not yet rated** [1 = poor; 5 = excellent]

Well, I guess in the interest of accuracy, the PRESS should begin referring Calderon as his alter ego, the premier of stolen elections, George W. Bush.

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**Ballots, We Don't Need No Stinkin' Ballots!**  
 Posted by: albrechtkrause on Aug 8, 2006 7:38 PM [\[Report this comment\]](#)  
 Current rating: **Not yet rated** [1 = poor; 5 = excellent]

Yup, with electronic voting and strong-arm tactics the oft heard phrase from the mexicans in the early 20th century immortalised in 'Treasures of the Sierra Madre' is now applicable for voting. Laughably funny (if it wasn't so true.)

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» **RE: Ballots, We Don't Need No Stinkin' Ballots!** Posted by: JDMB

» **RE: Ballots, We Don't Need No Stinkin' Ballots!** Posted by: albrechtkrause

**Latest Developments, protests in Mexico**  
 Posted by: Jane Doe on Aug 14, 2006 12:11 AM [\[Report this comment\]](#)  
 Current rating: **Not yet rated** [1 = poor; 5 = excellent]

Source: "La Esquina" [La Cronica, August 14, 2006.](#)

On the same date and place where the military parade **(1)** of September the 16th must take place, AMLO **(2)** will head a "National Democratic Convention". He will attempt to prevent the designation of the presidential election winner.

And on "la noche del grito" **(3)** at the Zocalo he will, right there, host a popular celebration. Sheer defiance. What a shame: he has proved us right all along.

1- The 16th of september marks the anniversary of Mexico's Independence (1810), contrary to popular belief in the U.S.'s celebration of 5 de Mayo.

2- AMLO (**A**ndres **M**anuel **L**opez **O**brador, for the uninitiated) the losing candidate.

3- "La noche del grito" "The night of the cry (of freedom)". A popular celebration held on the night of September the 15th to commemorate the onset of the war of independence, hosted by the President in turn at Mexico City's central square "El Zocalo". The President opens the ceremonies by ringing the historic liberty bell that Father Hidalgo once rang to rouse the people. Then he gives the "El Grito," shouting, "Viva Mexico!" The crowd echoes back.

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**Latest Developments, protests in Mexico**  
 Posted by: JDMB on Aug 14, 2006 10:43 AM [\[Report this comment\]](#)  
 Current rating: **Not yet rated** [1 = poor; 5 = excellent]

*"Sheer defiance. What a shame: he has proved us right all along."*

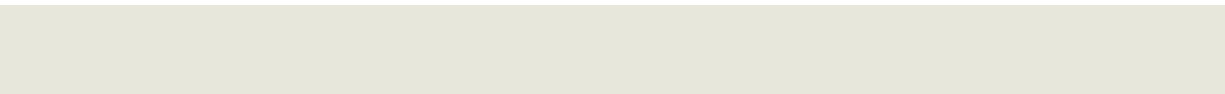
Precisely. I find it somewhat distressing that so many take him on face value without looking deeper into his character, his past actions... No one is perfect, but there are some who are less imperfect than others. Still, Altnet is to be commended for bringing these issues to the attention of its readers, focusing on Latin America (like today's article by J. Holland on Hugo Chavez for instance) when the rest of the media don't even care.

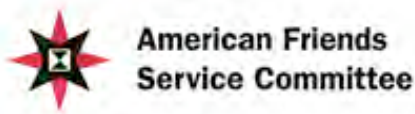
(And thank you for your kind words in your other post!)

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# trade matters

Home > Issues > Trade Matters > Trade Agreements > FTAA

## Is the US Free Trade Model Losing Steam?

### Trade Matters Update

Providing Summarized Updates on Trade Issues , May 3, 2006



Protesting free trade. Photo: Jessica Walker  
Beaumont, AFSC

While the Bush Administration continues to push its free trade agenda around the globe there are signs of progress for communities of resistance, and signs that the Bush Administration itself is adjusting its priorities in the face of worldwide resistance to the Free Trade model. In mid-April it was announced that Rob Portman was resigning as

the U.S. Trade Representative (USTR) to become the Director of the President's Office of Management and Budget. Portman is a man of considerable clout in Washington, and the President's choice to relocate him may be a sign that he is lowering expectations for advancing his trade agenda. This comes on the heels of a year that has seen several victories for popular resistance against neo-liberal free trade agreements imposed by the U.S. on trading partners in the Global South. Evidence of the growing strength of this resistance recently materialized in Southern Africa and has been particularly evident in Latin America where massive opposition to U.S. economic domination among the population, including massive street demonstrations, have enabled populist leaders and parties to gain control of national governments in Bolivia, Ecuador, and possibly Peru, joining other countries in a shift to the left.

*Presidential candidates have promised to fix the economic reforms of the last 25 years, and this promise has won elections in Argentina, Brazil, Ecuador, Bolivia, Uruguay and Venezuela. This is not surprising if one looks at the basic economic facts: the last 25 years have been an unprecedented failure for Latin America. (1)*

Newly elected president of Bolivia, Evo Morales, has declared Bolivia will never negotiate a free trade agreement with the U.S., and recently released a Peoples Trade Agreement (PTA) outlining guiding principles for the type of trade agreements Bolivia seeks with other countries.

The PTA prioritizes protecting national industries and internal production, and human well being.

### U.S.-SACU



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The United States-Southern Africa Customs Union FTA (U.S.-SACU FTA) negotiations began in June 2003 and have been in a state of start and stop ever since. On April 18th, the SACU countries again rejected a "comprehensive" FTA that would have included all economic sectors, and worked from the same template the U.S. has used for trade agreements in Latin America, Southeast Asia, North Africa and the Middle East. SACU countries were particularly concerned about protecting post-apartheid affirmative action policies and against aggressive liberalization demands in the services negotiations. Instead, discussion appears to be heading down a path of a "Trade Investment Cooperation Agreement" (TICA) — the first of its kind. The TICA steps away from the all-or-nothing agenda and sets up a mechanism for developing work programs in areas that could lead to memoranda of understanding around certain areas typically included in an FTA like customs, trade facilitation, and even intellectual property. This is in part a victory because the U.S. has been unwilling to set a precedent of an agreement that is less aggressive than CAFTA and the recent U.S.-Peru agreement. However, this new strategy may be even less transparent and a back door mechanism for avoiding a need for Congressional approval.

## WTO

Negotiations at the World Trade Organization (WTO) continue to flounder. The 6th Ministerial in Hong Kong last December produced a more aggressive negotiating framework in services (GATS) negotiations and an aggressive timeline for concluding the Doha Round by the end of the year. Although the last two months have seen a number of negotiating efforts in the form of a mini-ministerial between select WTO members, the WTO did not meet the April 30th deadline for finalizing "modalities" in agriculture and manufacturing (NAMA) casting the meeting of other deadlines into doubt. In an attempt to save the negotiations, WTO Director-General Pascal Lamy has called for continuous negotiations over the first few weeks of May. [\(2\)](#)

## CAFTA

Last July the U.S. Congress ratified the Central American FTA (CAFTA) by a mere two votes after extensive arm twisting and pork barrel deals by the Bush Administration. U.S., El Salvador, Guatemala, Honduras, Nicaragua, and the Dominican Republic have ratified the agreement, Costa Rica, has yet to do so. The closeness of the vote in Congress was a significant accomplishment for AFSC's *Stop the CAFTA Vote* campaign and others. Thanks to continued work by U.S. activists, many Representatives' pro-CAFTA vote may cost them their office come November elections. In Costa Rica, a virtually unknown opposition candidate, Otton Solis of the Citizens' Action Party, who ran primarily on an anti-CAFTA platform, almost defeated former President and Nobel Peace Prize winner Oscar Arias in the Presidential election last February. The election was a virtual tie that took several weeks and a recount to determine Arias as the winner.

## Andean FTA's

Because of strong opposition to the Andean Free Trade Agreement (AFTA) in Ecuador, the U.S. shifted to negotiating individual agreements with Peru and Colombia. Peru and the U.S. officially signed the **U.S.-Peru FTA** on April 12, 2006. After presidential elections that gave nationalist and anti-FTA candidate Ollanta Humala a small majority in a

three-way race, Peruvian President Alejandro Toledo flew to D.C. to witness the signing of the agreement, which he made sure took place before leaving office on July 28. The FTA faces strong opposition from the Peruvian public. A referendum against the deal gained 60,000 signatures and after being accepted by the National Elections Board the referendum will now move on to the Peruvian Congress. The future of the FTA depends largely on who wins the run-off Presidential election in late May, which is reflected in the U.S. Trade Representative's recent announcement that they will not take it before Congress until after Peru does.

The **U.S.-Colombia FTA** negotiations were completed on February 27, 2006. This FTA is being pushed forward despite considerable opposition in rural areas, particularly among indigenous peoples and Afro-Colombians; and widespread concern that the implementation of the FTA will intensify violence in the country (see [Trade and Militarization in Colombia](#)). In pursuing a policy of "democratic security" similar to the United State's Patriot Act the Colombian government has singled out indigenous and Afro-Colombia communities as "terrorists" for resisting their policies of militarization and trade with the U.S. When leaders from the Nasa indigenous community organized a referendum on the free trade agreement in six mostly indigenous municipalities of the southwestern province of Cauca that mobilized 51,330 voters out of a total of 68,448 registered voters with 98 percent voting against the FTA, the President stated that there were "dark forces of terrorism" organizing these plebiscites and accused indigenous peoples of knowing nothing about trade.

In **Ecuador**, popular opposition to AFTA or a bilateral trade agreement with the U.S. in part led to the ousting of President Lucio Gutierrez last April and continues to apply extensive pressure on the current administration. Beginning on March 13, 2006, massive mobilizations led by the Confederation of Indigenous Peoples of Ecuador (CONAIE) with the support of a broad cross-section of Ecuador's population forced the government and business leaders to publicly debate the implications of a free trade agreement with the U.S., an unprecedented achievement. To learn more about how CONAIE and Ecuadorian civil society are holding their government accountable in the defense of life and national sovereignty visit [CONAIE's website](#)

## The Peoples Trade Agreement

Strong ties between Venezuela's Hugo Chavez, Cuba's Fidel Castro, and Bolivia's Evo Morales, along with other major economies like Argentina and Brazil charting their own path and rejecting U.S. dictated economic policy has created the potential for real alternatives in the Western Hemisphere. Additionally, with Venezuela's massive oil revenues it can extend credit to countries that no longer want to march to the tune of the International Monetary Fund (IMF) and other lending institutions. The Bolivian Peoples Trade Agreement (PTA) released in April 2006 represents an exciting alternative to the neo-liberal free trade model. The PTA emphasizes indigenous culture, reciprocity, solidarity, and national sovereignty. Above all the PTA emphasizes improved human well being for the whole population as the desired outcome of trade and investment, rather than wealth accumulation for the few.

Bolivia was one of the first countries to implement the IMF's structural adjustment policies which have since become a staple of neo-liberal



economic globalization. Beginning in the mid 1980s Bolivia followed almost all the recommendations coming from the IMF including raising interest rates, cutting public spending, privatizing state owned industries and public services, and opening their economy to foreign trade. While the initial "shock therapy" package created by the IMF succeeded in reigning in hyper-inflation the long term performance of these reforms has been poor and Bolivia's per capita income is lower today than it was in 1978.(3)

On January 22, 2006, Evo Morales of the Movement for Socialism Party assumed the presidency with a clear majority of 54% of the vote. Morales, who is Quechua, is the first indigenous president of this predominantly indigenous nation. Previously, Morales was a leader of the largely indigenous coca growers union, and led workers, peasants, and ingenious peoples in stopping a deal that would have given control of Cochabambas' water services to the transnational corporation Aguas de Tanari during the Water War of 2000. The deal would have made water services unaffordable for the majority of Cochabambinos (the term for residents of Cochabamba).

Last May Bolivia passed a Hydrocarbons Law that raised royalties paid by foreign gas companies. While this has angered many in the U.S. and goes against free trade ideology it has provided tens of millions of dollars in revenue for the government(4) and may enable them to sever ties with the IMF, as Brazil and Argentina are working towards. The PTA released by the Morales government outlines the type of trade policy Bolivia now seeks. In its own prose, the PTA is what free trade is not:

*If the FTA's are negotiated in secret, the PTA needs the active participation and discussion of social movements, who through using our new political instrument, have begun to govern Bolivia for Bolivians.*

*The objectives [of the PTA] are to strengthen small producers, micro-businesses, cooperatives and communitarian enterprises and to facilitate the interchange of goods with external markets.(5)*

The PTA also emphasizes that it serves to rebuild the state rather than dismantle it, and to foster an indigenous vision of development:

*Recovering the essence of indigenous culture, the PTA postulates complementarity rather than competition, living in harmony with nature rather than irrational resource exploitation; defense of social property versus extreme privatization; the promotion of cultural diversity rather than mono-culture and uniformity of markets and consumption patterns.*

The PTA sets forth 10 principles for developing trade agreements that reemphasize micro-production, solidarity, sustainability, and communitarian development. Central to the philosophy of the PTA is that countries must be free to determine what development path suits their respective history and culture ([view the entire PTA proposal](#)).

## Conclusion

The people of Latin America know how free trade has impacted their lives – negatively. Because of the massive failure of neo-liberal economic reforms in the region(6) people have called for change, and political change has taken place in six South American countries. This

to an extent is the fruit of long term movement against corporate-globalization, and also indigenous peoples' and other movements that proceeded. Changing economic dynamics globally, such as the growth of China and India, and the recent economic success of Argentina and Venezuela are opening up new possibilities for regional economic relationships. The U.S. economy is no longer the only game in town, but can Bolivia and other countries seeking alternative economic policies turn their vision into reality? If the global solidarity movement against corporate globalization can bring the "free trade" steamroller to a crawl, then their alternative vision might be possible.

1. Weisbrot, Mark, "Latin American 'Populism' Doing Well" *Charlotte Observer*, 3-20-2006
2. Pruzin, Daniel., "Lamy Calls for Non-stop Ag, NAMA Talks After Admitting Missing Modalities Deadline" *BNA: Daily Report for Executives* 4-25-2006
3. Dolan, Mike, "Bolivia seen likely to end IMF financing ties.," *Reuters* 4-12-2006
4. Weisbrot, Mark, "Latin American 'Populism' Doing Well," *Charlotte Observer*, 3-20-2006
5. Proposal from Bolivian President Evo Morales concerning: A Peoples Trade Agreement <http://quest.quixote.org/node/295>
6. See Baker, Dean, Rosnick, David and Weisbrot, Mark, *Scorecard on Development: 25 Years of Diminished Development*. Center for Economic and Policy Research, September 2005

# Vermont Journal of Environmental Law

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2006-2007

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2004-2005

2003-2004

2002-2003

2001-2002

2000-2001

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### RESPONSE TO ANDREW KOHN: THE ANIMAL ENTERPRISE TERRORISM ACT IS INVIDIOUSLY DETRIMENTAL TO THE ANIMAL RIGHTS MOVEMENT (AND UNCONSTITUTIONAL AS WELL)

DAVID HOCH\* AND ODETTE WILKENS\*\*

MARCH 9, 2007

Andrew Kohn's editorial,[1] for those who missed it, was an enthusiastic apologia defending and supporting the recently passed Animal Enterprise Terrorism Act (AETA).[2] It was an interesting essay, in which Mr. Kohn implied sympathy with animal rights causes and activists by at one point stating "[t]hose of us in the animal rights movement,"[3] but showed no such sympathy in his arguably odious characterization of animal rights activists, at one point in his paper, labeling these activists as "terrorists,"[4] a strange expression of camaraderie, indeed.

The Act in question has the ostensible intent to "provide the Department of Justice the necessary authority to apprehend, prosecute, and convict individuals committing animal enterprise terror." [5] Not to worry if you don't know what "animal enterprise terror" is, for it is too vague a term to mean anything either definable or adjudicable, but it seems under the Act to include anything which in any way interferes with the conduct of any commerce whatsoever, be it legal or illegal, involving animals or animal products. It also, as will be shown below, tramples upon First and Fourteenth Amendment rights, but in our war on terror, the first casualty is constitutionalism.

Pointing out that the law was passed under Congress' Commerce Clause power,[6] Mr. Kohn quite correctly asserts that "precious little will be able to escape the reach of this bill as 'animal enterprises' can almost always make a plausible argument for influence on interstate and foreign commerce." [7] That is why this invidiously discriminatory Act, which also flagrantly chills constitutionally protected speech, should be opposed with vigor and, let us hope, efficacy.

AETA promotes the maximization of profits for all industries that use animals as commodities and inanimate disposables, and the minimization of interference with those enterprises by those concerned with the wretched suffering of animals. How does the Act pursue this end? It simply risks categorizing all animal activists who in any way "interfere" with "animal enterprises," as terrorists.

Mr. Kohn points out that the Act punishes any intentional act which, either by "damaging or causing the loss of any real or personal property," or placing a "person in reasonable fear of death or serious bodily injury to that person." [8] Mr. Kohn states that "[t]he most important word in the entire Act is 'intentional,' " explaining it is "outrageous that animal terrorists believed intentionally harassing fast-food executive and/or his family is consistent with ethical behavior." [9] Leaving aside the fact that the nearly unanimous majority of animal rights activists would never dream of harassing anyone, let alone placing a person in reasonable fear of anything, he didn't mention that the American Civil Liberties Union (ACLU) requested that the phrase "loss of any real or personal property" be amended to say tangible property, because otherwise one might be found guilty of terrorism if she or he, by wholly nonviolent and constitutionally protected behavior, caused someone to lose profits. [10]

The legislative committee added the words "loss of profits" as a basis for liability in the penalty section of the Act, a decision Mr. Kohn understands the importance of, because he placed this phrase in italics in his editorial, stating that "[l]oss of profits' is a blanket term that could apply to any number of activities undertaken by animal rights groups." [11] Leaving aside the ambiguity of that statement, Mr. Kohn's explanation that "there would be a level of reasonableness involved in this form of economic damage as it must be defined under a cloud of intentional behavior" [12] is truly remarkable. It seems reasonable to conclude that Mr. Kohn is presuming that animal activists will be treated fairly under an Act that was designed to imprison them for engaging in the nonviolent exercise of constitutionally permissible free expression.

He then asks if complaints about the Act are a publicity ploy by those "unable to effectively fight for animal rights because of their already marginalized status." [13] Mr. Kohn has employed both tortured logic and syntax in defending

the equity of AETA.

He then assures the reader that the Act makes an exception for "lawful economic disruption (including a lawful boycott)."[14] However, the seeming exemptions for First Amendment rights are illusory, because the Act's language emphatically restricts the very rights it later alleges to protect. Stating that lawful boycotts are protected does not make it so. One person's boycott is another person's interference, which, under AETA, spells terrorism. Mr. Kohn further opines that "[t]he distinction between lawful loss of profits and those that create an economic damage seem readily apparent and contestable in a court of law." [15] This distinction is only readily apparent to Mr. Kohn and the four hundred twenty nine members of the House that never voted on the Bill. How then, did the Bill pass the House?

The House Judiciary Committee placed AETA on the suspension calendar, under which process, bills that are non-controversial can be passed by voice vote.[16] Then the vote on the bill was held hours earlier than scheduled, with what appears to have been only six Congresspersons present.[17] Five voted for the bill, and Dennis Kucinich, who said that "[t]his bill will have a real and chilling effect on people's constitutionally protected rights," [18] voted against it. Was this a non-controversial bill, belonging on the suspension calendar? One hundred and sixty groups, including the National Lawyers' Guild, the Natural Resources Defense Council, the League of Humane Voters, the Physicians Committee for Responsible Medicine, and the New York City Bar Association opposed its passage.

Mr. Kohn admits that the universally respected Humane Society of the United States (HSUS) was also troubled by the chilling effect the bill would have on "a broad range of lawful, constitutionally protected, and valuable activit[ies] undertaken by citizens and organizations seeking change," [19] but he dismisses the reservations of Kucinich, the HSUS, and the more than two hundred groups opposing the bill, [20] by explaining that "[a] chilling, however, is not an end. It is a cautionary flag that asks groups to carefully think about their decision before they act," [21] and even more incredulously adds that "thoughtful groups should not have difficulty in either working around these new limitations or successfully litigating unconstitutional provisions of the Act." [22] Thoughtful groups might, however, find difficulty in working around these new limitations if their members are imprisoned for engaging in activities that, prior to AETA's passage, were protected by the Constitution.

Mr. Kohn posits a unique notion of governance, by essentially suggesting that the burden of assuring constitutional legislation falls on a vigilant citizenry, rather than its elected representatives in Congress.

The patina of "reasonableness" that Mr. Kohn casts over this Act, and his allusion to the ease with which its unconstitutional provisions might be litigated, are too facile. AETA does have a chilling effect on advocacy, that being the reason the law was passed, and no "cautionary flag" is justified when it means that people must pause or stop exercising their First Amendment rights, lest they go bankrupt defending themselves against unconstitutional charges, while the threat of extensive fines and incarceration hang over their heads like the sword of Damocles.

Mr. Kohn assures those suspicious of AETA that the political process can bring about "other bills with the power to counter such legislation," [23] rationalizing his support of a bad bill by assuring us that future legislation can neutralize its detrimental consequences. He unsympathetically adds that positive change will not come "from the subversive fringe that look (sic) to disrupt society in the ill-fated hope of raising awareness and succeeding in their (sic) mission." [24]

In his concluding paragraph, Mr. Kohn counsels us to ask why we have AETA and "what can be done to overcome it," [25] a strange query from an ardent defender of the Act. As an alleged member of the animal rights movement, he should know that this law was passed to chill constitutionally protected activities that would increase public awareness of the brutality employed by "animal enterprise" industries.

Space precludes a lengthy analysis of the Act's particulars, but a brief consideration of some of its other shortcomings may buttress the fact that Mr. Kohn was cavalier in dismissing the concerns of AETA's critics.

Under AETA, merely intending to engage in acts that cause no harm or damage, but interfere with an animal enterprise, may result in fine and imprisonment. For example, if two people living in different states exchange e-mails evidencing a clear intention to cause "economic damage" to an animal enterprise, by persuading customers to purchase less veal at a supermarket, their conduct may constitute both legal "attempt" and "conspiracy" under AETA, subjecting the e-mailers to electronic surveillance [18 USC Section 2516(1)(c)] and a fine and up to a year in prison. [26]

The law targets animal rights activists, subjecting them to stiffer criminal sanctions than others who commit identical "crimes" not aimed at animal enterprises. AETA's disproportionate penalties exceed the 2005 federal sentencing guidelines, and single out animal activists for negatively disparate treatment, in violation of equal protection guarantees under the Fourteenth Amendment. [27]

The language in AETA is unconstitutionally void for vagueness. The term "animal enterprise" is subject to countless

interpretations, and the word "interfere," which suffers from similarly obfuscatory imprecision, could be used to chill and proscribe undercover investigations and whistle-blowing activities that expose illegal animal enterprises. It may also bar acts of civil disobedience. Under the provisions of this Act, Martin Luther King, Jr. might have been convicted of animal enterprise terrorism if a lunch-counter he sat at lost profits that day. The penalties for nonviolent acts of civil disobedience, such as sitting in front of an office door, are "...a fine or imprisonment for not more than one year, or both." [28]

The threshold of proof for alleged profit loss, the causing of which constitutes animal terrorism under AETA, [29] appears to be nil. Glaringly absent from the Act are provisions for restitution for wrongful arrest or prosecution, loss of reputation, lost wages, attorneys' fees, etc., although anyone wrongfully arrested under the Act risks being humiliated, disgraced, and permanently branded as a terrorist in the court of public opinion. The Act also serves as a predicate for wiretapping animal rights advocates [18 USC Section 2516(1)(c)], as intent to interfere with an animal enterprise appears to be sufficient cause to justify surveillance.

It is not likely that all legitimate protest activities will necessarily be exempted from prosecution under the Act. AETA's vague and overly broad wording would likely subject even lawful protestors to wrongful arrest and prosecution. So thought the ACLU, when in March, 2006, it argued that "...AETA criminalizes First Amendment activities such as demonstrations, leafleting, undercover investigations, and boycotts. The bill is overly broad, vague, and unnecessary..." [30] The Act's boilerplate words assuring constitutional protections are not a panacea, but a Pandora's Box.

Mr. Kohn is entitled to his opinion of AETA, but as Bobby Kennedy once advised, "[w]isdom can only emerge from the clash of contending views," [31] and in that spirit, this alternative assessment of the Act, for all the above-stated reasons, considers Mr. Kohn's dismissal of legitimate concerns regarding AETA to be unwise and naive.

Perhaps Congressman Dennis Kucinich, a Democrat from Ohio, best captured AETA's failings, when he said, "[m]y concern about this bill is that it does nothing to address the real issue of animal protection but, instead targets those advocating animal rights." [32] AETA is an unconstitutional and mean-spirited product of "animal enterprise" lobbying that should be overturned by wise judges serving as "a counter-friction to stop the machine," [33] or repealed by a Congress which passed this bill through a glass darkly, but then came face to face with compassion.

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\*\* Executive Director of the Equal Justice Alliance located in Bethesda, Maryland.

[1] Andrew Kohn, *The Animal Terrorism Enterprise Act: A positive for the animal rights movement?*, Vt. J. Env'tl. L., Dec. 14, 2007, <http://www.vjel.org/editorials/2006F/Kohn%20HTML.html>.

[2] The Animal Terrorism and Enterprise Act, Pub. L. No. 109-374 (2006).

[3] Kohn, *supra* note 1.

[4] *Id.*

[5] The Animal Terrorism and Enterprise Act, Pub. L. No. 109-374, Preamble (2006).

[6] U.S. Const. art. I, § 8, cl. 2.

[7] Kohn, *supra* note 1.

[8] *Id.* (citing The Animal Terrorism and Enterprise Act, Pub. L. No. 109-374 § 2 (a) (2) (A-B) (2006)). Kohn's quotation of § (a) (2) (A) is not verbatim, as that section of the statute actually states "intentionally damages or causes the loss of any real or personal property... ."

[9] Kohn, *supra* note 1.

[10] Letter from Caroline Fredrickson & Mark Johnson, American Civil Liberties Union, to Honorable F. James Sensenbrenner & Honorable John Coyens, respectively Chair and Ranking Member of the House Judiciary Committee, ACLU Urges Needed Minor Changes to AETA, But Does Not Oppose Bill (Oct. 30, 2006), [http://www.aclu.org/images/general/asset\\_upload\\_file809\\_27356.pdf](http://www.aclu.org/images/general/asset_upload_file809_27356.pdf).

- [11] Kohn, *supra* note 1.
- [12] *Id.*
- [13] *Id.*
- [14] *Id.* (citing The Animal Terrorism and Enterprise Act, Pub. L. No. 109-374 § (d)(3)(B) (2006)).
- [15] *Id.*
- [16] The Library of Congress, <http://thomas.loc.gov/cgi-bin/bdquery/z?d109:SN03880:@@@@S>.
- [17] Equal Justice Alliance, <http://noaeta.org/report.htm>.
- [18] Congressman Dennis J. Kucinich, Statement of Congressman Dennis J. Kucinich (D-OH) on the Animal Enterprise Terrorism Act, <http://www.greenisthenewred.com/blog/2006/12/01/kucinich-aeta-statement> (posted on Dec. 1, 2006).
- [19] Kohn, *supra* note 1 (quoting The Humane Society of the United States, Animal Enterprise Terrorism Act, at [http://www.hsus.org/legislation\\_laws/federal\\_legislation/animals\\_in\\_research/animal\\_enterprise\\_terrorism.html](http://www.hsus.org/legislation_laws/federal_legislation/animals_in_research/animal_enterprise_terrorism.html) (last visited Nov. 30, 2006)).
- [20] Equal Justice Alliance, AETA Opposition List, <http://www.noaeta.org/opposition.htm>.
- [21] Kohn, *supra* note 1.
- [22] *Id.*
- [23] *Id.*
- [24] *Id.*
- [25] *Id.*
- [26] The Animal Terrorism and Enterprise Act, Pub. L. No. 109-374 § 2 (b) (2006).
- [27] U.S. Const. amend. XIV, §2.
- [28] The Animal Terrorism and Enterprise Act, Pub. L. No. 109-374 § 2 (b)(1) (2006).
- [29] The Animal Terrorism and Enterprise Act, Pub. L. No. 109-374 § 2 (d) (3) (A) (2006).
- [30] Letter from Carolin Fredrick & Lisa Graves, American Civil Liberties Union, to Congress, Urging Opposition to the Animal Enterprise Act, S. 1926 and H.R. 4239 (Mar. 3, 2006), *available at* <http://www.aclu.org/freespeech/gen/25620leg20060306.html>. In October 2006, the ACLU inexplicably withdrew its opposition to the Act, although it still recommended several changes in the law. *See* Fredrickson & Johnson, *supra* note 9.
- [31] Robert F. Kennedy, quoted in *Dissent from Poverty-Kennedy: Civil Rights*, The Daily Californian, Oct. 24, 1966.
- [32] Kucinich, *supra* note 15.
- [33] Henry David Thoreau, *Walden and Civil Disobedience*, 396 (1849).



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Published: 29 June 2006

**Oxfam Press Release – 29 June 2006**

## **US seeks “get-out clause” for illegal farm payments**

The US is maneuvering at world trade talks in Geneva this week to insert a special clause in trade negotiations that would make its illegal use of farm subsidies immune from prosecution, international agency Oxfam said today.

The euphemistically named “Peace Clause” is better described as a “get-out clause” or a “license to dump” heavily subsidized farm goods, because it prevents other WTO member countries from challenging the farm subsidies through the WTO dispute settlement process.

Celine Charveriat, head of Oxfam’s Make Trade Fair Campaign, said: “A new Peace Clause would be scandalous. Giving immunity from legal challenges gives the green light to the US and EU to break the rules, leading to market distortions that hurt poor farmers. This is another nail in coffin for development in this Round.

“A new Peace Clause will be a step back for development. The US and EU currently pay at least \$13bn (Oxfam’s [Truth or Consequence Briefing Paper \( /en/policy/briefingpapers/bp81\\_truth \)](/en/policy/briefingpapers/bp81_truth), 2005) worth of illegal subsidies for agriculture. If the Peace Clause were reintroduced, no poor country would be able to take them to the WTO court for this, for possibly up to 10 years.”

Pascal Lamy, director general of the WTO, admitted yesterday that even though the Peace Clause was not part of the Doha Mandate, and isn’t in the framework agreement (or modalities), it is still likely to be included in the final deal. It’s expected that the EU would not oppose any such move and some EU members have already said that they need it in a Doha agreement.

“Members of the WTO, including the EU, should recognize this outrageous goalpost-shifting and stand against the peace clause effort,” said Charveriat. “The Doha Mandate laid out what was, and was not, going to be included in this round of trade talks. You can’t just put something on the table at the last minute that totally undermines what has already been agreed,” said Charveriat.

The US said last week that it needs the Peace Clause to be renewed to protect itself from litigation while it is in the process of reducing its trade-distorting subsidies. But instead of cutting subsidies, its current Doha proposal would actually allow the US to increase its farm support from \$19.7bn (2005 level) to \$22.7bn. Similarly the EU offer would allow it to increase its farm subsidies from \$22.9bn (post CAP estimate) to \$33.1bn.

Oxfam International analysis shows that 38 developing countries are suffering from unfair competition as a result of trade distorting subsidies by the EU and US, including larger countries such as Mexico and Brazil as well as poor countries like Malawi, Mozambique and West African cotton growing countries.

A new “Peace Clause” would protect US cotton subsidies from further challenges and negotiations on a

big reduction in US cotton subsidies are stalled.

“This would mean West African countries could be worse off after a Doha Round than they are now. This is just unbelievable. The EU and US have already shown their willingness to sacrifice this trade round by refusing to address key issues of market access and real subsidy reform,” added Charveriat.

The Peace Clause was introduced at the eleventh hour during the Uruguay Round as a “take-it-or-leave-it” condition for signing a deal. After protecting illegal subsidies for nine years, that Peace Clause elapsed in 2003. While the details of a new Peace Clause are not known it is almost certain that it would block developing countries from taking a raft of new cases to the WTO.

## Contact

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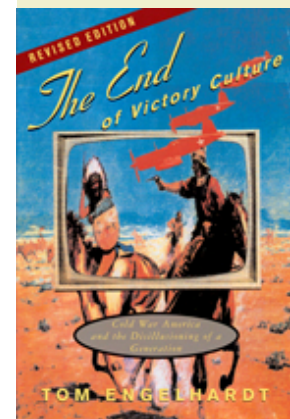
posted September 19, 2006 8:25 pm

## Tomgram: Mike Davis on Manifest Destiny, the Sequel

TOM ENGELHARDT:  
READ THE LATEST

Recently, when the Saudi government announced plans to build a 560-mile electrified fence along its border with Iraq, U.S. officials were angered. According to Yochi J. Dreazen and Philip Shishkin of the *Wall Street Journal* ("Growing Concern: Terrorist Havens in 'Failed States,'" September 13), they "communicated 'unease'" to the Saudis, seeing their decision as a potential "slap in the face of the new Iraqi government." And remember, the people heading across the Saudi border from Iraq are far less likely to be carrying snipping shears and hoes than your basic set of bombs and RPGs.

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The End of Victory Culture

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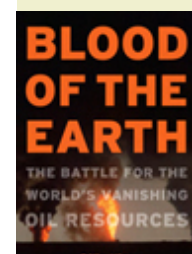
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America Victorious has been our country's postulate since its birth. Tom Engelhardt, with a burning clarity, recounts the end of this fantasy, from the split atom to Vietnam. It begins at our dawn's early light and ends with the twilight's last gleaming. It is as powerful as a Joe Louis jab to the solar plexus.  
--Studs Terkel

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Now, tell that to the House of Representatives which [just passed a bill](#) that included support for a 700-mile-long, double-layered fence on the Mexican border. Okay, it won't make it through the Senate and was essentially meant to embarrass the Democrats -- especially in southwestern states -- on the immigration issue as mid-term elections near, and it's not a slap in the face of Iraq, but still...

**NEW THIS WEEK**  
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**Blood of the Earth**  
THE BATTLED FOR THE WORLD'S VANISHING OIL RESOURCES  
BY DILIP HIRO

Our image of the West was once, "Don't Fence Me In." Of course, that song was written by Cole Porter, who never made it much west of New York City, and was most famously sung by Bing Crosby, son of Tacoma, Washington, resident of Hollywood (both on the west coast but not in the official "West"). So maybe it was all entertainment myth and someone should produce a new all-American song called, "Please Fence Me In."

Let me point out one problem though: Fences don't work if you've got your own plane. As Mike Davis points out below, no one is paying a whit of attention to the reverse immigration crisis in which Orange County Republicans (and other Americans of a certain age) leave their (illegal) Mexican gardeners behind to make sure the weeds don't push the plants out of the old California *hacienda*, and fly down to their property on Mexico's Baja peninsula. They are part of an overflow of largely unnoticed gringos heading south for Mai Tais and retirement. So consider the latest piece from Mike Davis, co-author of a new book, [No One is Illegal](#), actual news about an overlooked reverse immigration crisis. *Tom*

### Border Invaders The Perfect Swarm Heads South

By Mike Davis

The visitor crossing from Tijuana to San Diego these days is immediately slapped in the face by a huge billboard screaming, "Stop the Border Invasion!" Sponsored by allies of the rabidly anti-immigrant vigilante group, the Minutemen, the same truculent slogan reportedly insults the public at other border crossings in Arizona and Texas.

The Minutemen, once caricatured in the press as gun-toting clowns, are now haughty celebrities of grassroots conservatism, dominating AM hate radio as well as the even more hysterical ether of the right-wing blogosphere. In heartland as well as in border states, Republican candidates vie desperately for their endorsement. With the electorate alienated by the dual catastrophes of Baghdad and New Orleans, the Brown Peril has suddenly become the Republican *deus ex machina* for retaining control of Congress in the November elections.

A faltering GOP hegemony, too long sustained by the scraps of 9/11 and the imaginary weaponry of Saddam Hussein, now has a new urgency in its appeal to the suburbs. Not since Kofi Annan conspired to send his black helicopters to terrorize Wyoming, has such a clear-and-present danger threatened the Republic as the sinister armies of would-be busboys and gardeners gathered at the Rio Grande.

To listen to some of these demagogues, one would assume that the Twin Towers had been blown up by followers of the Virgin of Guadalupe or that Spanish had recently been decreed the official language of Connecticut. Having failed to scourge the world of evil by invasions of Afghanistan and Iraq, Republicans, supported by some Democrats, now propose that we invade ourselves: sending the Marines and Green Berets, along with the National Guard, into the hostile deserts of California and New Mexico where national sovereignty is supposedly under siege.

As in the past, nativism today is bigotry as surreal caricature, reality stood on its head. The ultimate irony, however, is that there really is something that might be called a "border invasion," but the Minutemen's billboards are on the wrong side of the freeway.

### The Baby-Boomers Head South

What few people -- at least, outside of Mexico -- have bothered to notice is that while all the nannies, cooks, and maids have been heading north to tend the luxury lifestyles of irate Republicans, the Gringo hordes have been rushing south to enjoy glorious budget retirements and affordable second homes under the Mexican sun.

Yes, in former California Governor Pete Wilson's immortal words, "They just keep coming." Over the last decade, the U.S. State Department estimates that the number of Americans living in Mexico has soared from 200,000 to 1 million (or one-quarter of all U.S. expatriates). Remittances from the United States to Mexico have risen dramatically from \$9 billion to \$14.5 billion in just two years. Though initially interpreted as representing a huge spike in illegal workers (who send parts of their salaries across the border to family), it turns out to be mainly money sent by Americans to themselves in order to finance Mexican homes and retirements.

Although some of them are certainly naturalized U.S. citizens returning to

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In a recent edition of Yale Global Online, Dilip Hiro explains why playing the oil card only goes so far in international diplomacy. Read it [here](#).

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towns and villages of their birth after lifetimes of toil *al otro lado*, the director-general of FONATUR, the official agency for tourism development in Mexico, recently characterized the typical investors in that country's real estate as American "baby boomers who have paid off in good part their initial mortgage and are coming into inheritance money."

Indeed, according to the *Wall Street Journal*, "The land rush is occurring at the beginning of a demographic tidal wave. With more than 70 million American baby boomers expected to retire in the next two decades... some experts predict a vast migration to warmer -- and cheaper -- climates. Often such buyers purchase a property 10 to 15 years before retirement, use it as a vacation home, and then eventually move there for most of the year. Developers increasingly are taking advantage of the trend, building gated communities, condominiums, and golf courses."

The extraordinary rise in U.S. Sunbelt property values gives gringos immense economic leverage. Shrewd baby-boomers are not simply feathering nests for eventual retirement, but also increasingly speculating in Mexican resort property, sending up property values to the detriment of locals whose children are consequently driven into slums or forced to emigrate north, only increasing the "invasion" charges. As in Galway, Corsica, or, for that matter, Montana, the global second-home boom is making life in beautiful, natural settings unaffordable for their traditional residents.

Some expatriates are experimenting with exotic places such as the Riviera Maya or Tulum in Quintana Roo, but more prefer such well-established havens as San Miguel de Allende and Puerto Vallarta. Here the *norteamericanos* make themselves at home in more ways than one.

An English-language paper in Puerto Vallarta, for instance, recently applauded the imminent arrival of a new shopping mall that will include Hooters, Burger King, Subway, Chili's and Starbucks. Only Dunkin' Donuts (*con salsa?*), the paper complained, was still missing.

The gringo footprint is largest (and brings the most significant geopolitical consequences) in Baja California, the 1,000-mile long desert appendage to the gridlocked state-nation governed by Arnold Schwarzenegger. Indeed, Baja real-estate websites ooze almost as much hyperbole as those devoted to stalking the phantom menace of illegal immigrants -- just in a far more upbeat tone when it comes to the question of immigrant invasions.

In essence, Alta (Upper) California is beginning to overflow into Baja, an epochal process that, if unchecked, will produce intolerable social marginalization and ecological devastation in Mexico's last true frontier region. All the contradictions of post-industrial California -- runaway land inflation in the coastal zone, sprawling suburban development in interior valleys and deserts, freeway congestion and lack of mass transit, and the astronomical growth of motorized recreation -- dictate the invasion of the gorgeous "empty" peninsula to the south. To use a term from a bad but not irrelevant past, Baja is Anglo California's *Lebensraum*.

Indeed, the first two stages of informal annexation have already occurred. Under the banner of NAFTA, Southern California has exported hundreds of its sweatshops and toxic industries to the *maquiladora* zones of Tijuana and Mexicali. The Pacific Maritime Association, representing the West Coast's major shipping companies, has joined forces with Korean and Japanese

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corporations to explore the construction of a vast new container port at Punta Colonel, 150 miles south of Tijuana, which would undercut the power of longshore unionism in San Pedro and San Francisco.

Secondly, tens of thousands of gringo retirees and winter-residents are now clustered at both ends of the peninsula. Along the northwest coast from Tijuana to Ensenada, a recent advertisement for a real-estate conference at UCLA boasts that "there are presently over 57 real-estate developments... with over 11,000 homes/condos with an inventory value of over \$3 billion... all of them geared for the U.S. market."

Meanwhile, at the tropical end of Baja, a gilded gringo enclave has emerged in the twenty-mile strip between Cabo San Lucas and San Jose de Cabo. Los Cabos is part of that global archipelago of real-estate hot spots where continuous double-digit increases in property values suck in speculative capital from all over the world. Ordinary gringos can participate in this glamorous Los Cabos real-estate casino through the purchase and resale of fractional time-shares in condominiums and beach homes.

Although Western Canadian and Arizona speculators have taken large bites out of Baja's southern cape, Los Cabos -- at least judging from the registration of private planes at the local airport -- has essentially become a resort suburb of Orange County, the home of the most vehement Minutemen chapters. (Many wealthy Southern Californians evidently see no contradiction between fuming over the "alien invasion" with one's conservative friends at the Newport Marina one day, and flying down to Cabos the next for some sea-kayaking or celebrity golf.)

### **Manifest Destiny, the Sequel?**

The next step in the late-colonization of Baja is the "Escalera Nautica," a \$3 billion "ladder" of marinas and coastal resorts being developed by FONATUR that will open up pristine sections of both Mexican coasts to the yacht club set.

Meanwhile, *The Truman Show* has arrived in the picturesque little city of Loreto on the Gulf side of the peninsula. There, FONATUR has joined forces with an Arizona company and "New Urbanist" architects from Florida to develop the Villages of Loreto Bay: 6,000 homes for expatriates in colonial-Mexico motif on the Sea of Cortez.

The \$3 billion Loreto project boasts that it will be the last word in Green design, exploiting solar power and restricting automobile usage. Yet, at the same time, it will balloon Loreto's population from its current 15,000 to more than 100,000 in a decade, with the social and environmental consequences of a sort that can already be seen in the slum peripheries of Cancun and other mega-resorts.

One of the irresistible attractions of Baja is that it has preserved a primordial wildness that has disappeared elsewhere in the West. Local residents, including a very eloquent indigenous environmental movement, cherish this incomparable landscape as they do the survival of an egalitarian ethos in the peninsula's small towns and fishing villages.

Thanks to the silent invasion of the baby-boomers from the north, however, much of the natural history and frontier culture of Baja could be swept away in the next generation. One of the world's most magnificent wild

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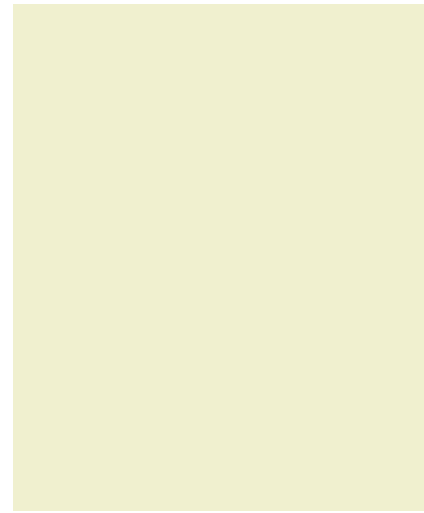
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coastlines could be turned into generic tourist sprawl, waiting for Dunkin' Donuts to open. Locals, accordingly, have every reason to fear that today's mega-resorts and mock-colonial suburbs, like FONATUR's entire tourism-centered strategy of regional development, are merely the latest Trojan horses of Manifest Destiny.

*Mike Davis is the author, most recently, of [Planet of Slums](#) (Verso 2006), and, with Justin Chacon Akers, [No One is Illegal](#) (Haymarket 2006). His history of the car bomb -- **Buda Wagon's** -- which grew out of a two-part Tomdispatch article, will be published by Verso early next year.*

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### Senator Feinstein's Iraq Conflict

As a member of the Military Construction Appropriations subcommittee, Sen. Feinstein voted for appropriations worth billions to her husband's firms



By Peter Byrne

IN THE November 2006 election, the voters demanded congressional ethics reform. And so, the newly appointed chairman of the Senate Rules Committee, Dianne Feinstein, D-Calif., is now duly in charge of regulating the ethical behavior of her colleagues. But for many years, Feinstein has been beset by her own ethical conflict of interest, say congressional ethics experts.

As chairperson and ranking member of the Military Construction Appropriations subcommittee (MILCON) from 2001 through the end of 2005, Feinstein supervised the appropriation of billions of dollars a year for specific military construction projects. Two defense contractors whose interests were largely controlled by her husband, financier Richard C. Blum, benefited from decisions made by Feinstein as leader of this powerful subcommittee.

Each year, MILCON's members decide which military construction projects will be funded from a roster proposed by the Department of Defense. Contracts to build these specific projects are subsequently awarded to such major defense contractors as Halliburton, Fluor, Parsons, Louis Berger, URS Corporation and Perini Corporation. From 1997 through the end of 2005, with Feinstein's knowledge, Blum was a majority owner of both URS Corp. and Perini Corp.

While setting MILCON agendas for many years, Feinstein, 73, supervised her own staff of military construction experts as they carefully examined the details of each proposal. She lobbied Pentagon officials in public hearings to support defense projects that she favored, some of which already were or subsequently became URS or Perini contracts. From 2001 to 2005, URS earned \$792 million from military construction and environmental cleanup projects approved by MILCON; Perini earned \$759 million from such MILCON projects.

In her annual Public Financial Disclosure Reports, Feinstein records a sizeable family income from large investments in Perini, which is based in Framingham, Mass., and in URS, headquartered in San Francisco. But she has not publicly acknowledged the conflict of interest between her job as a congressional proprietor and her husband's longtime control of Perini and URS—and that omission has called her ethical standards into question, say the experts.

### Insider Information

The tale thickens with the appearance of Michael R. Klein, a top legal adviser to Feinstein and a long-time business partner of Blum's. The vice-chairman of Perini's board of directors, Klein was a partner in Wilmer, Cutler & Pickering, a powerful law firm with close ties to the Democratic Party, for nearly 30 years. Klein and Blum co-own ASTAR Air Cargo, which has military contracts in Iraq and at Guantanamo Bay, Cuba. Klein also sits on the board of SRA International, a large defense contractor.

In an interview with this reporter in September, Klein stated that, beginning in 1997, he routinely informed Feinstein about specific federal projects coming before her in which Perini had a stake. The insider information, Klein said, was intended to help the senator

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avoid conflicts of interest. Although Klein's startling admission was intended to defuse the issue of Feinstein's conflict of interest, it had the effect of exacerbating it.

Klein said that he regularly gave Feinstein's chief of staff, Mark Kadesh, lists of Perini's current and upcoming contractual interests in federal legislation, so that the senator would not discuss, debate, vote on or participate in matters that could affect projects in which Perini was concerned.

"Earmarks, you know, set asides, you name it, there was a system in place which on a regular basis I got notified, I notified her office and her office notified her," Klein said.

"We basically identified any bid that Perini was going for and checked to see whether it was the subject of already appropriated funds or funds yet to be appropriated, and if it was anything that the senator could not act on, her office was alerted and she did not act on it."

This is an extraordinary thing for Klein and the senator to do, since the detailed project proposals that the Pentagon sent to Feinstein's subcommittee for review do not usually name the firms already contracted to perform specific projects. Nor do defense officials typically identify, in MILCON hearings, which military construction contractors were eligible to bid on upcoming work.

In theory, Feinstein would not know the identity of any of the companies that stood to contractually benefit from her approval of specific items in the military construction budget —until Klein told her.

Klein explained, "They would get from me a notice that Perini was bidding on a contract that would be affected as we understood it by potential legislation that would come before either the full Congress or any committee that she was a member of. And she would as a result of that not act, abstain from dealing with those pieces of legislation."

However, the public record shows that contrary to Klein's belief, Feinstein did act on legislation that affected Perini and URS.

According to Klein, the Senate Select Committee on Ethics ruled, in secret, that Feinstein did not have a conflict of interest with Perini because, due to the existence of the bid and project lists provided by Klein, she knew when to recuse herself. Klein says that after URS declined to participate in his conflict of interest prevention plan, the ethics committee ruled that Feinstein could act on matters that affected URS, because she did not have a list of URS' needs. That these confidential rulings are contradictory is obvious and calls for explanation.

Klein declined to produce copies of the Perini project lists that he transmitted to Feinstein. And neither he nor Feinstein would furnish copies of the ethics committee rulings, nor examples of the senator recusing herself from acting on legislation that affected Perini or URS. But the Congressional Record shows that as chairwoman and a ranking member of MILCON, Feinstein was often involved in supervising the legislative details of military construction projects that directly affected Blum's defense contracting firms.

After reviewing the results of this investigation, Wendell Rawls, executive director of the Center for Public Integrity in Washington, D.C., observes that by giving Feinstein notice of Perini's business objectives, Klein achieved the opposite of preventing a conflict of interest.

Rawls comments, "Sen. Feinstein has had a serious conflict of interest, a serious insensitivity to ethical considerations. The very least she should have done is to recuse herself from having conversations, debates, voting or any other kind of legislative activity that involved either Perini Corporation or URS Corporation or any other business activity where her husband's financial interests were involved.

"I cannot understand how someone who complains so vigorously as she has about conflicts of interest in the government and Congress can have turned such a deaf ear and a blind eye to her own. Because of her level of influence, the conflict of interest is just as serious as the Halliburton-Cheney connection."

## Called Into Question

Here are a few examples from the Congressional Record of questionable intersections between Feinstein's legislative duties and her financial interests:

- At a MILCON hearing in 2001, Feinstein interrogated defense officials about the details of constructing specific missile defense systems, which included upgrading the early warning radar system at Cobra Dane radar on Shemya Island, Alaska. In 2003, Perini reported that it had completed a contract to upgrade the Cobra Dane radar system. It has done similar work at Beale Air Force Base in California and in the United Kingdom. URS also bids on missile defense work.
- In the 2002 MILCON hearings, Feinstein questioned an official about details of the U.S. Army's chemical demilitarization program. URS is extensively involved in performing chemical demilitarization work at key disposal sites in the United States.
- At that same hearing, Feinstein asked about the possibility of increasing funding for anti-terrorism-force protection at Army bases. The following year, on March 4, 2003, Feinstein asked why the anti-terrorism-force protection funds she had advocated for the year before had not yet been spent. On April 21, 2003, URS announced the award of a \$600 million contract to provide, among other services, anti-terrorism-force protection for U.S. Army installations.
- Beginning in 2003, both Perini and URS were awarded a series of open-ended contracts for military construction work around the world, including in Iraq and Afghanistan. Under Feinstein's leadership, MILCON regularly approved specific project "task orders" that were

issued to Perini and URS under these contracts.

- At a March 30, 2004, MILCON hearing, Feinstein grilled Maj. Gen. Dean Fox about whether or not the Pentagon intended to prioritize funding the construction of "beddown" maintenance facilities for its new airlifter, the C-17 Globemaster. After being reassured by Fox that these funds would soon be flowing, Feinstein said, "Good, that's what I really wanted to hear. Thank you very much. Appreciate it very much, General." Two years later, URS announced a \$42 million award to build a beddown maintenance facility for the C-17 at Hickam Air Base in Hawaii as part of a multibillion dollar contract with the Air Force. Under Feinstein's leadership, MILCON approved the Hickam project.
- In mid-2005, MILCON approved a Pentagon proposal to fund "overhead coverage force protection" in Iraq that would reinforce the roofs of U.S. Army barracks to better withstand mortar rounds. On Oct. 13, 2005, Perini announced the award of a \$185 million contract to provide overhead coverage force protection to the Army in Iraq.
- In the 2005 MILCON hearings, Feinstein earmarked MILCON legislation with \$25 million to increase environmental remediation at closed military bases. Year after year, Feinstein has closely overseen the environmental cleanup and redevelopment of McClellan Air Force Base near Sacramento, frequently requesting that officials add tens of millions of dollars to that project. URS and its joint ventures have earned tens of millions of dollars cleaning up McClellan. And CB Richard Ellis, a real estate company headed by Feinstein's husband Richard Blum, is involved in redeveloping McClellan for the private sector.

This investigation examined thousands of pages of documents, including transcripts of congressional hearings, U.S. Security and Exchange Commission filings, government audits and reports, federal procurement data and corporate press releases. The findings were shared with contracting and ethics experts at several nonpartisan, Washington, D.C.-based government oversight groups. Danielle Brian, executive director of the Project on Government Oversight, a nonprofit organization that analyzes defense contracts and who examined our evidence says, "The paper trail showing Sen. Feinstein's conflict of interest is irrefutable."

On the face of it, there is nothing objectionable about a senator closely examining proposed appropriations or advocating for missile defense or advancing the cleanup of a toxic military base. Blum profitably divested himself of ownership of both URS and Perini in 2005, ameliorating the conflict of interest. But Feinstein's ethical dilemma arose from the fact that, for five years, the interests of Perini and URS and CB Richard Ellis were inextricably entwined with her leadership of MILCON, which last year approved \$16.2 billion for military construction projects.

Melanie Sloan, executive director of Citizens for Responsible Ethics in Washington, remarks, "There are a number of members of Congress with conflicts of interest. [California Republican Congressman John T.] Doolittle, for example, hired his wife as a fundraiser, and she skimmed 15 percent off of all campaign contributions. Others, like [former] Speaker [Dennis] Hastert and Cong. [Ken] Calvert, were earmarking federal money for roads to enhance the value of property held by their families.

"But because of the amount of money involved," Sloan continues, "Feinstein's conflict of interest is an order of magnitude greater than those conflicts."

## Family Matters

Californians elected San Francisco's former Mayor Dianne Feinstein to the Senate in 1992. She was overwhelmingly re-elected in November 2006. She is well liked by both liberals and conservatives. She supports abortion rights and gun control laws. She politicized this year for renewal of the Patriot Act and sponsored a constitutional amendment to ban American flag burning. She is currently calling for President Bush to set a timetable for withdrawing troops from Iraq, but she strongly supported the invasions, occupations and "reconstructions" of both Iraq and Afghanistan. She sits on the Defense Appropriations subcommittee and the Senate Intelligence Committee, and she is a consistent hawk on matters military.

And she is wealthy. In 2005, *Roll Call* calculated Feinstein's wealth, including Blum's assets, at \$40 million, up 25 percent from the year before. That made her the ninth wealthiest member of Congress. Feinstein's latest Public Financial Disclosure Report shows that in 2005 her family earned income of between \$500,000 and \$5 million from capital gains on URS and Perini stock combined. From CB Richard Ellis, Blum earned between \$1.3 million to \$4 million. (The report allows for disclosure of dollar amounts within ranges, which accounts for the wide variance.)

A talented financier and deal-broker, Blum, 70, presides over a global investment empire through a labyrinth of private equity partnerships. His flagship entity is a merchant banking firm, Blum Capital Partners, L.P., of which he is the chairman and general partner. Through this bank, Blum bought a controlling share of Perini in 1997, when it was nearly broke. He named his close associate, the attorney Michael R. Klein, to represent his interest on the board of directors. Blum declined to comment for this story. Perini CEO Robert Band deferred to Klein for comment.

In 2000, according to public records, Perini—which partly specializes in erecting casinos—earned a mere \$7 million from federal contracts. Post-9/11, Perini transformed into a major defense contractor. In 2004, the company earned \$444 million for military construction work in Iraq and Afghanistan, as well as for improving airfields for the U.S. Air Force in Europe and building base infrastructures for the U.S. Navy around the globe. In a remarkable financial recovery, Perini shot from near penury in 1997 to logging gross revenues of \$1.7 billion in 2005.

In December 2005, Perini publicly identified one of its main business competitors as Halliburton. The company attributed its growing profitability, in large part, to its Halliburton-like military construction contracts in Iraq and Afghanistan. But the company



warned investors that if Congress slammed the brakes on war and occupation in the Middle East, Perini's stock could plummet.

According to Klein and to public records, Blum's firm originally paid \$4 a share for a controlling interest in Perini's common stock. After a series of complicated stock transactions, Blum ended up owning 13 percent of the company, a majority interest. In mid- and late 2005, Blum and his firm took their profits by selling about 3 million Perini shares for \$23.75 per share, according to Klein and reports filed with the SEC. Klein says Blum personally owned 100,000 of the vastly appreciated shares when they were sold. Shortly thereafter, Feinstein began calling for winding down the Iraq war while urging that the "global war on terror" continue indefinitely.

## Perini's Payday

It is estimated that Perini now holds at least \$2.5 billion worth of contracts tied to the worldwide expansion of American militarism. Its largest Department of Defense contracts are "indefinite delivery-indefinite quantity" or "bundled" contracts carrying guaranteed profit margins. As is all too common, competitive bidding was minimal or nonexistent for many of these contracts.

In June, U.S. Rep. Henry Waxman, D-Los Angeles, released a report by the House Committee on Government Reform criticizing the Pentagon's growing use of bundled contracts. Waxman complained that these contracts give companies an incentive to increase costs. One of the "problem contracts" identified by Waxman was a no-bid, \$500 million contract held by Perini to reconstruct southern Iraq's electrical grid.

In fact, bundled military construction contracts fueled Perini's transformation from casino builder to major war contractor. As of May 2006, Perini held a series of bundled contracts awarded by the Army Corps of Engineers for work in the Middle East worth \$1.725 billion. Perini has also been awarded an open-ended contract by the U.S. Air Force for military construction and cleaning the environment at closed military bases. Perini shares that \$15 billion award with several other firms, including URS.

Perini regularly performs military construction jobs from Afghanistan to Alaska. It built a biological warfare laboratory for the Navy in Virginia. It built fuel tanks and pipelines for the Navy in North Africa. Details of these projects are typically examined and approved or disapproved by MILCON.

At a 2001 MILCON hearing, Feinstein, attending to a small item, told Maj. Gen. Earnest O. Robbins that she would appreciate receiving an engineering assessment on plans to build a missile transport bridge at Vandenberg Air Force Base. He said he would give it to her. She also asked for and received a list of unfunded construction projects, which prioritize military construction wish lists down to the level of thousand-dollar light fixtures. While there is no evidence to point to nefarious intent behind Feinstein's request for these details, it is worth noting that Perini and URS have open-ended contracts to perform military construction for the Air Force. The senator could have chosen to serve on a subcommittee where she had no potential conflict of interests at all.

In 2003 hearings, MILCON approved various construction projects at sites where Perini and/or URS are contracted to perform engineering and military construction work. The sites included: Camp Lejeune; the Underwater Systems Lab in Newport, R.I.; Hill Air Force Base, Utah; the Naval facilities at Dahlgren, Va.; projects at the Naval Surface Warfare Center in Crane, Ind., and Roosevelt Roads, Puerto Rico; and military bases in Guam, Diego Garcia and Crete.

There are some serious problems with Perini's work in Iraq. In June 2004, the Government Accountability Office reported that Perini's electrical reconstruction contract in southern Iraq suffered from mismanagement and lack of competition. In 2006, the Office of the Special Inspector General for Iraq Reconstruction found that Perini was paid to construct multimillion-dollar electrical substations in the desert that could not be connected to the electrical grid. And the company was billing the government for purchasing and subcontracting costs that were not justified, according to the Defense Contract Audit Agency. An October 2005 audit by the Defense Department's Inspector General criticized the execution of Perini's cost-plus military construction work in Afghanistan, saying, "The contractor had an incentive to increase costs, because higher costs resulted in higher profit."

## URS and McClellan

URS dwarfs Perini. With more than 100 subsidiaries, it employs nearly 30,000 engineers and workers worldwide. The firm's largest customer is the U.S. Army, from which it booked \$791 million in work in 2005 out of a total revenue of \$3.9 billion.

URS is not just a construction company; it also develops and maintains advanced weapons systems. In 2002, URS purchased weaponry firm EG&G Technical Services from the Carlyle Group, in which former President George H.W. Bush was a principal. But as profitable as its arms dealing division is, URS reports that its growth sectors are military construction, homeland security and environmental services for military sites under existing Defense Department contracts.

According to a database of federal procurement records made available for this investigation by Eagle Eye Publishers of Fairfax, Va., URS's military construction work in 2000 earned it a mere \$24 million. The next year, when Feinstein took over as MILCON chair, military construction earned URS \$185 million. On top of that, the company's architectural and engineering revenue from military construction projects grew from \$108,726 in 2000 to \$142 million in 2001, more than a thousandfold increase in a single year.

As Congress gave the Bush administration the green light on military spending after 9/11, the value of Blum's investment in URS skyrocketed. Between 2003 and 2005, URS' share price

doubled. In late 2005, Blum resigned from the URS board of directors, after 30 years as a member. Simultaneously, he sold 5.5 million URS shares, worth about \$220 million at market price.

The Congressional Record shows that in year after year of MILCON hearings, Feinstein successfully lobbied defense officials to increase the budget for military base cleanup and redevelopment, especially at the decommissioned McClellan Air Force Base. The detoxification of McClellan is a plum job: it is estimated to cost \$1.3 billion and take many years to complete. There is, of course, nothing unusual about a senator advocating for projects that improve environmental health, particularly when the project is in her home state; and the Pentagon is notoriously lax about cleaning up its Superfund sites.

It turns out, though, that URS specializes in environmental consulting and engineering work at military installations. It holds a \$69 million contract to manage the cleanup of Hill Air Force Base in Utah, which was awarded in 2004. It has a \$320 million contract to remediate pollution at U.S. Army bases in the United States and the Caribbean, which was awarded in 2005. And from 2000 to 2005, URS and its partners were paid \$204 million for work at McClellan Air Force Base, according to Eagle Eye.

At a MILCON hearing in 2001, Feinstein cited the environmental work at McClellan as needing more money. "That is a base that I am very familiar with, and I am glad that we were able to provide that funding so that work at McClellan can proceed," she said. Feinstein then asked for and received detailed information concerning the Pentagon's projected schedule to finish the McClellan cleanup and the effect of delaying cleanup upon its potential for commercial reuse.

At a MILCON hearing in March 2002, Chairwoman Feinstein interrogated Assistant Secretary of Defense Nelson F. Gibbs:

**Sen. Feinstein:** Is the Air Force capable of executing greater [cleanup] funding in 2003 at McClellan?

**Mr. Gibbs:** Yes, ma'am.

**Feinstein:** And how much would that be? How about \$22 million?

**Gibbs:** That would be very close. That would be almost exact as a matter of fact. ... If you would like, I can provide for you a list of those individual projects.

**Feinstein:** I would. If you would not mind. Thank you very much.

The next week, Gibbs sent Feinstein a memo showing the addition of \$23 million to the McClellan environmental budget, mostly for groundwater remediation, URS' specialty.

In the 2003 MILCON hearings, Feinstein told Dov S. Zakheim, then the Defense Department comptroller, that she "was really struck by the hit that environmental remediation [at McClellan Air Force Base] took. ... However, I have just [received] a list from the Air Force of what they could use to clean up ... McClellan, and one other base, and it is 64 million additional dollars this year."

Dr. Zakheim replied, "Well, let me first say that I remember your concern last year, and I am glad that we took care of [McClellan]. That is important."

Feinstein remarked that the Pentagon had already spent \$7 billion on environmental cleanup of closed bases, and that another \$3.5 billion should be immediately allocated so that the clean bases can be transferred to the private sector. Demonstrating her grasp of technical details, she remarked, "I am particularly concerned with the dilapidated condition of the sewer line at McClellan that continues to impede significant economic redevelopment of the base."

That is where CB Richard Ellis comes in.

The real estate firm is politically well-connected. Sen. Feinstein's husband chairs the board of directors. Bill Clinton's secretary of commerce, Michael Kantor, joined in 2004. Former Senate Majority Leader Thomas A. Daschle signed on in 2005. The firm specializes in consulting with local governments and developers from California to Puerto Rico on how best to redevelop cleaned-up military bases. It also brokers the sale and lease of redeveloped base lands to the private sector. Since Blum took over CB Richard Ellis, for example, the company has closed deals leasing tens of thousands of square feet of commercial space on cleaned-up portions of McClellan to private developers.

In a 2003 MILCON hearing, Sacramento County redevelopment official Robert B. Leonard told Feinstein, "We wanted to express our appreciation for your efforts over the last year in supporting our needs at McClellan." During the five years that Feinstein led the subcommittee, support for the McClellan cleanup and the redevelopment deals were particular focuses of her attention.

URS declined to comment for this story. The sole comment that Feinstein's office made in response to a series of written questions about facts in this story is that "Sen. Feinstein has never had any knowledge nor has she exercised any influence on the award of environmental cleanup contracts under the jurisdiction of the Military Construction Appropriations Subcommittee."

## Let the Sunlight In

Last week, the Senate voted to close some significant loopholes in its ethics rules. But it stopped short of creating an office of public integrity, which would independently monitor lobbyists and members of Congress for ethical compliance. Setting her own limits on the extent of reform she will countenance, Feinstein says she is opposed to the creation of an independent congressional ethics watchdog. "If the law is clear and precise, members will follow it," she assured *The New York Times* on Nov. 18, 2006.

The problem with the existing rules governing congressional ethics is that they are neither clear nor precise, and neither are they effective. Senate rules governing conflicts of interest are so vaguely worded, say government watchdogs, that short of stashing cash bribes in the refrigerator, the line between serving constituents and serving oneself is often blurred. The public record shows that Feinstein has a history of crossing that blurry line.

Charles Tiefer is a professor of law specializing in legislation and government contracting at the University of Baltimore in Maryland. He served as solicitor and deputy counsel to the House of Representatives for 11 years. He has taught at Yale Law School and written books on congressional procedures and separation of powers. Tiefer observes that, unlike the executive and judiciary branches of government, Congress does not have enforceable conflict of interest rules. It is up to Sen. Feinstein's constituents, Tiefer says, to decide if she has a conflict of interest and to take whatever action they want. To make that possible, Feinstein should have publicly disclosed the details of her family investments in Perini, URS and CB Richard Ellis as they related to her actions on MILCON. Tiefer avers that when Klein gave Feinstein lists of Perini's interests, he worsened her conflict of interest.


"The senator should, at a minimum, have posted Klein's lists on her Senate website, so that the press and the public would be warned of her potential conflicts," Tiefer says, noting that she should also make public her correspondence with the Senate Ethics Committee.

As the arbiter of Senate rules on ethics, it is incumbent on Feinstein to provide the public with an explanation of why she did not recuse herself from acting on MILCON details that served her financial interests, and why she failed to resign from the subcommittee after she recognized the potential for conflicts of interest, which, unfortunately, materialized in an obvious way and over a long period of time.

*Research assistance for this story was provided by the Investigative Fund of the Nation Institute.*

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December 10, 2007

## "Wiped Off The Map" - The Rumor of the Century

by Arash Norouzi

Global Research, January 20, 2007

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Across the world, a dangerous rumor has spread that could have catastrophic implications. According to legend, Iran's President has threatened to destroy Israel, or, to quote the misquote, "Israel must be wiped off the map". Contrary to popular belief, this statement was never made, as the following article will prove.

### BACKGROUND:

On Tuesday, October 25th, 2005 at the Ministry of Interior conference hall in [Tehran](#), newly elected Iranian President Mahmoud Ahmadinejad delivered a speech at a program, reportedly attended by thousands, titled "The World Without Zionism". Large posters surrounding him displayed this title prominently in English, obviously for the benefit of the international press. Below the poster's title was a slick graphic depicting an hour glass containing planet Earth at its top. Two small round orbs representing the [United States](#) and Israel are shown falling through the hour glass' narrow neck and crashing to the bottom.

Before we get to the infamous remark, it's important to note that the "quote" in question was itself a quote— they are the words of the late Ayatollah Khomeini, the father of the Islamic Revolution. Although he quoted Khomeini to affirm his own position on Zionism, the actual words belong to *Khomeini* and not Ahmadinejad. Thus, Ahmadinejad has essentially been credited (or blamed) for a quote that is not only unoriginal, but represents a viewpoint already in place well before he ever took office.

### THE ACTUAL QUOTE:

So what did Ahmadinejad actually say? To quote his exact words in farsi:

**"Imam ghoft een rezhim-e ishghalgar-e qods bayad az safheh-ye ruzgar mahv shavad."**

That passage will mean nothing to most people, but one word might ring a bell: *rezhim-e*. It is the word "Regime", pronounced just like the English word with an extra "eh" sound at the end. Ahmadinejad did not refer to Israel the country or Israel the land mass, but the Israeli *regime*. This is a vastly significant distinction, as one cannot wipe a *regime* off the map. Ahmadinejad does not even refer to Israel by name, he instead uses the specific phrase "rezhim-e ishghalgar-e qods" (regime occupying Jerusalem).

So this raises the question.. what exactly did he want "wiped from the map"? The answer is: *nothing*. That's because the word "map" was never used. The Persian word for map, "nagsheh", is not contained anywhere in his original farsi quote, or, for that matter, anywhere in his entire speech. Nor was the western phrase "wipe out" ever said. Yet we are led to believe that Iran's President threatened to "wipe Israel off the map", despite

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Canada

Latin America & Caribbean

Europe

sub-Saharan Africa

Russia and FSU

Middle East

Oceania

South & East Asia

US War Agenda

Global Economy

Crimes against Humanity

Environment

Biotechnology and GMO

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never having uttered the words "map", "wipe out" or even "Israel".

### THE PROOF:

The full quote translated directly to English:

**"The Imam said this regime occupying Jerusalem must vanish from the page of time".**

Word by word translation:

Imam (Khomeini) ghoft (said) een (this) rezhim-e (regime) ishghalgar-e (occupying) gods (Jerusalem) bayad (must) az safheh-ye ruzgar (from page of time) mahv shavad (vanish from).

Here is the full transcript of the speech in farsi, archived on Ahmadinejad's web site

[www.president.ir/farsi/ahmadinejad/speeches/1384/aban-84/840804sahyonizm.htm](http://www.president.ir/farsi/ahmadinejad/speeches/1384/aban-84/840804sahyonizm.htm)

### THE SPEECH AND CONTEXT:

While the false "wiped off the map" extract has been repeated infinitely without verification, Ahmadinejad's actual speech itself has been almost entirely ignored. Given the importance placed on the "map" comment, it would be sensible to present his words in their full context to get a fuller understanding of his position. In fact, by looking at the entire speech, there is a clear, logical trajectory leading up to his call for a "world without Zionism". One may disagree with his reasoning, but critical appraisals are infeasible without first knowing what that reasoning is.

In his speech, Ahmadinejad declares that Zionism is the West's apparatus of political oppression against Muslims. He says the "Zionist regime" was imposed on the Islamic world as a strategic bridgehead to ensure domination of the region and its assets. Palestine, he insists, is the frontline of the Islamic world's struggle with American hegemony, and its fate will have repercussions for the entire Middle East.

Ahmadinejad acknowledges that the removal of America's powerful grip on the region via the Zionists may seem unimaginable to some, but reminds the audience that, as Khomeini predicted, other seemingly invincible empires have disappeared and now only exist in history books. He then proceeds to list three such regimes that have collapsed, crumbled or vanished, all within the last 30 years:

- (1) The Shah of Iran- the U.S. installed monarch
- (2) The Soviet Union
- (3) Iran's former arch-enemy, Iraqi dictator Saddam Hussein

In the first and third examples, Ahmadinejad prefaces their mention with Khomeini's own words foretelling that individual regime's demise. He concludes by referring to Khomeini's unfulfilled wish: **"The Imam said this regime occupying Jerusalem must vanish from the page of time. This statement is very wise"**. This is the passage that has been isolated, twisted and distorted so famously. By measure of comparison, Ahmadinejad would seem to be calling for *regime change*, not war.

### THE ORIGIN:

One may wonder: where did this false interpretation originate? Who is responsible for the translation that has sparked such worldwide controversy? The answer is surprising.

The inflammatory "wiped off the map" quote was first disseminated not by Iran's enemies, but by Iran itself. The Islamic Republic News Agency, Iran's official propaganda arm, used this phrasing in the English version of some of their news releases covering the World Without Zionism conference. International media including the BBC, Al Jazeera, Time magazine and countless others picked up the IRNA quote and made headlines out of it without verifying its accuracy, and rarely referring to the source. Iran's Foreign Minister soon attempted to clarify the statement, but the quote had a life of its own. Though the IRNA wording was inaccurate and misleading, the media assumed it was true, and besides, it made great copy.

Amid heated wrangling over Iran's nuclear program, and months of continuous, unfounded accusations against Iran in an attempt to rally support for preemptive strikes against the country, the imperialists had just been handed the perfect *raison d'être* to invade. To the war hawks, it was a gift from the skies.

It should be noted that in other references to the conference, the IRNA's translation changed. For instance, "map" was replaced with "earth". In some articles it was "The Qods occupier regime should be eliminated from the surface of earth", or the similar "The Qods occupying regime **must** be eliminated from the surface of earth". The inconsistency of the IRNA's translation should be evidence enough of the unreliability of the source, particularly when transcribing their news from Farsi into the English language.

### THE REACTION:

The mistranslated "wiped off the map" quote attributed to Iran's President has been spread worldwide, repeated thousands of times in international media, and prompted the denouncements of numerous world leaders. Virtually every major and minor media outlet has published or broadcast this false statement to the masses. Big news agencies such as The Associated Press and Reuters refer to the misquote, literally, on an almost daily basis.

Following news of Iran's remark, condemnation was swift. British Prime Minister Tony Blair expressed "revulsion" and implied that it might be necessary to attack Iran. U.N. chief Kofi Annan cancelled his scheduled trip to Iran due to the controversy. Ariel Sharon demanded that Iran be expelled from the United Nations for calling for Israel's destruction. Shimon Peres, more than once, threatened to wipe Iran off the map. More recently, Israel's Benjamin Netanyahu, who has warned that Iran is "preparing another holocaust for the Jewish state" is calling for Ahmadinejad to be tried for war crimes for inciting genocide.

The artificial quote has also been subject to additional alterations. U.S. officials and media often take the liberty of dropping the "map" reference altogether, replacing it with the more acutely threatening phrase "wipe Israel off the face of the earth". Newspaper and magazine articles dutifully report Ahmadinejad has "called for the destruction of Israel", as do senior officials in the United States government.

President George W. Bush said the comments represented a "specific threat" to destroy Israel. In a March 2006 speech in Cleveland, Bush vowed he would resort to war to protect Israel from Iran, because, ".the threat from Iran is, of course, their stated objective to destroy our strong ally Israel." Former Presidential advisor Richard Clarke told Australian TV that Iran "talks openly about destroying Israel", and insists, "The President of Iran has said repeatedly that he wants to wipe Israel off the face of the earth". In an October 2006 interview with Amy Goodman, former UN Weapons Inspector Scott Ritter referred to Ahmadinejad as "the idiot that comes out and says really stupid, vile things, such as, 'It is the goal of Iran to wipe Israel off the face of the earth' ". The consensus is clear.

Confusing matters further, Mahmoud Ahmadinejad pontificates rather than give a direct answer when questioned about the statement, such as in Lally Weymouth's Washington Post [interview](#) in September 2006:

**Are you really serious when you say that Israel should be wiped off the face of the Earth?**

We need to look at the scene in the [Middle East](#) — 60 years of war, 60 years of displacement, 60 years of conflict, not even a day of peace. Look at the war in [Lebanon](#), the war in [Gaza](#) — what are the reasons for these conditions? We need to address and resolve the root problem.

### **Your suggestion is to wipe Israel off the face of the Earth?**

Our suggestion is very clear:... Let the Palestinian people decide their fate in a free and fair referendum, and the result, whatever it is, should be accepted.... The people with no roots there are now ruling the land.

### **You've been quoted as saying that Israel should be wiped off the face of the Earth. Is that your belief?**

What I have said has made my position clear. If we look at a map of the [Middle East](#) from 70 years ago...

### **So, the answer is yes, you do believe that it should be wiped off the face of the Earth?**

Are you asking me yes or no? Is this a test? Do you respect the right to self-determination for the Palestinian nation? Yes or no? Is Palestine, as a nation, considered a nation with the right to live under humane conditions or not? Let's allow those rights to be enforced for these 5 million displaced people.

The exchange is typical of Ahmadinejad's interviews with the American media. Predictably, both Mike Wallace of 60 Minutes and CNN's Anderson Cooper asked if he wants to "wipe Israel off the map". As usual, the question is thrown back in the reporter's face with his standard "Don't the Palestinians have rights?, etc." retort (which is never directly answered either). Yet he *never* confirms the "map" comment to be true. This did not prevent Anderson Cooper from referring to earlier portions of his interview after a commercial break and lying, "as he said earlier, he wants Israel wiped off the map".

Even if every media outlet in the world were to retract the mistranslated quote tomorrow, the major damage has already been done, providing the groundwork for the next phase of disinformation: complete character demonization. Ahmadinejad, we are told, is the next Hitler, a grave threat to world peace who wants to bring about a new Holocaust. According to some detractors, he not only wants to destroy Israel, but after that, he will nuke America, and then [Europe](#)! An October 2006 memo titled [Words of Hate: Iran's Escalating Threats](#) released by the powerful Israeli lobby group AIPAC opens with the warning, "*Ahmadinejad and other top Iranian leaders are issuing increasingly belligerent statements threatening to destroy the [United States](#), [Europe](#) and [Israel](#)."* These claims not only fabricate an unsubstantiated threat, but assume far more power than he actually possesses. Alarmists would be better off monitoring the statements of the ultra-conservative Supreme Leader, Ayatollah Khamenei, who holds the most power in [Iran](#).

As [Iran's](#) U.N. Press Officer, M.A. Mohammadi, complained to The Washington Post in a June 2006 letter:

*It is not amazing at all, the pick-and-choose approach of highlighting the misinterpreted remarks of Iranian President Mahmoud Ahmadinejad in October and ignoring this month's remarks by [Iran's](#) supreme leader, Ayatollah Ali Khamenei, that "We have no problem with the world. We are not a threat whatsoever to the world, and the world knows it. We will never start a war. We have no intention of going to war with any state."*

The Israeli government has milked every drop of the spurious quote to its supposed advantage. In her September 2006 address to the United Nations General Assembly, Israeli Foreign Minister Tzipi Livni accused [Iran](#) of working to nuke Israel and bully the world. "They speak proudly and openly of their desire to 'wipe Israel off the map.' And now, by their actions, they pursue the weapons to achieve this objective to imperil the region and threaten the world." Addressing the threat in December, a fervent

Prime Minister Ehud Olmert inadvertently disclosed that his country already possesses nuclear weapons: "We have never threatened any nation with annihilation. Iran, *openly, explicitly and publicly* threatens to wipe Israel off the map. Can you say that this is the same level, when they are aspiring to have nuclear weapons, as America, France, Israel, Russia?"

### **MEDIA IRRESPONSIBILITY:**

On December 13, 2006, more than a year after The World Without Zionism conference, two leading Israeli newspapers, The Jerusalem Post and Haaretz, published reports of a renewed threat from Ahmadinejad. The Jerusalem Post's headline was [Ahmadinejad: Israel will be 'wiped out'](#), while Haaretz posted the title [Ahmadinejad at Holocaust conference: Israel will 'soon be wiped out'](#).

Where did they get their information? It turns out that both papers, like most American and western media, rely heavily on write ups by news wire services such as the Associated Press and Reuters as a source for their articles. Sure enough, their sources are in fact December 12th articles by Reuter's Paul Hughes [[Iran president says Israel's days are numbered](#)], and the AP's Ali Akbar Dareini [[Iran President: Israel Will be wiped out](#)].

The first five paragraphs of the Haaretz article, credited to "Haaretz Service and Agencies", are plagiarized almost 100% from the first five paragraphs of the Reuters piece. The only difference is that Haaretz changed "the Jewish state" to "Israel" in the second paragraph, otherwise they are identical.

The Jerusalem Post article by Herb Keinon pilfers from both the Reuters and AP stories. Like Haaretz, it uses the following Ahmadinejad quote without attribution: ["Just as the Soviet Union was wiped out and today does not exist, so will the Zionist regime soon be wiped out," he added]. Another passage apparently relies on an IRNA report:

**"The Zionist regime will be wiped out soon the same way the Soviet Union was, and humanity will achieve freedom," Ahmadinejad said at Tuesday's meeting with the conference participants in his offices, according to Iran's official news agency, IRNA.**

**He said elections should be held among "Jews, Christians and Muslims so the population of Palestine can select their government and destiny for themselves in a democratic manner."**

Once again, the first sentence above was wholly plagiarized from the AP article. The second sentence was also the same, except "He called for elections" became "He said elections should be held..".

It gets more interesting.

The quote used in the original AP article and copied in The Jerusalem Post article supposedly derives from the IRNA. If true, this can easily be checked. Care to find out? Go to:

[www.irna.ir/en/news/view/menu-234/0612134902101231.htm](http://www.irna.ir/en/news/view/menu-234/0612134902101231.htm)

There you will discover the actual IRNA quote was:

**"As the Soviet Union disappeared, the Zionist regime will also vanish and humanity will be liberated".**

Compare this to the alleged IRNA quote reported by the Associated Press:

**"The Zionist regime will be wiped out soon the same way the Soviet Union was, and humanity will achieve freedom".**

In the IRNA's actual report, the Zionist regime will **vanish** just as the Soviet Union **disappeared**. *Vanish. Disappear*. In the dishonest AP version, the Zionist regime will be



**"wiped out"**. And how will it be wiped out? **"The same way the Soviet Union was"**. Rather than imply a military threat or escalation in rhetoric, this reference to [Russia](#) actually validates the intended meaning of Ahmadinejad's previous misinterpreted anti-Zionist statements.

What has just been demonstrated is irrefutable proof of media manipulation and propaganda in action. The AP deliberately alters an IRNA quote to sound more threatening. The Israeli media not only repeats the fake quote but also steals the original authors' words. The unsuspecting public reads this, forms an opinion and supports unnecessary wars of aggression, presented as self defense, based on the misinformation.

This scenario mirrors the kind of false claims that led to the illegal U.S. invasion of [Iraq](#), a war now widely viewed as a catastrophic mistake. And yet the Bush administration and the compliant corporate media continue to marinate in propaganda and speculation about attacking [Iraq's](#) much larger and more formidable neighbor, [Iran](#). Most of this rests on the unproven assumption that [Iran](#) is building nuclear weapons, and the lie that Iran has vowed to physically destroy [Israel](#). Given its scope and potentially disastrous outcome, all this amounts to what is arguably the rumor of the century.

[Iran's](#) President has written two rather philosophical letters to America. In his first letter, he pointed out that "History shows us that oppressive and cruel governments do not survive". With this statement, Ahmadinejad has also projected the outcome of his own backwards regime, which will likewise "vanish from the page of time".

*Arash Norouzi is an artist and co-founder of [The Mossadegh Project](#).*

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# Native Energy Futures

*Renewable Energy,  
Actual Sovereignty,  
& the New Rush  
on Indian Lands*

by **Brian Awehali**  
06.05.2006

"Huge investments in electrical power grids, highways, and telecommunications would help Colombia open up its vast gas and oil resources and its largely undeveloped Amazonian territories; the projects, in turn, would generate the income necessary to pay off the loans, plus interest. That was the theory. However, the reality, consistent with our true intent around the world, was to subjugate Bogota, to further the global empire. My job...was to present the case for exceedingly large loans."

~ John Perkins,  
*Confessions of an Economic Hit Man*

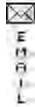
"The ability for tribes to obtain bonds in the hundred-million-dollar range to finance energy projects is now a reality. And the \$20 million a year for an Indian energy office at the Department of Energy is something that we started working on years ago under Energy Secretary Bill Richardson."

~ Chris Stearns,  
former Indian Affairs Director at the US DOE

It all started with a single 750kW wind turbine built by the Rosebud Sioux in South Dakota in 2003. At the time, the *Business Journal* called the turbine "a four-way transcontinental deal in which everyone makes money while fighting global warming, generating clean electricity and helping Native Americans." In other words, the *Journal* gushed, the wind project was "a 'green capitalist's' dream."

The editors at the *Business Journal* might have been a tad hyperbolic in their assessment, but energy on Indian land is certainly big business. In 2004, some \$400 million was split between 41 tribes for the sale of oil, gas, and coal on their lands. According to the Indigenous Environmental Network, 35% of the fossil fuel resources in the US are within Indian country; The Department of the Interior estimates that Indian lands hold undiscovered reserves of almost 54 billion tons of coal, 38 trillion cubic feet of natural gas, and 5.4 billion barrels of oil. Indian lands also contain enormous amounts of native energy: "Wind blowing through Indian reservations in just four northern Great Plains states could support almost 200,000 megawatts of wind power," Winona LaDuke told *Indian Country Today* in March 2005. "[And] tribal landholdings in the southwestern US...could generate enough power to eradicate all fossil fuel burning power plants in the US."

Now imagine, if you can, that you run a US-based energy company at a time when increasing resistance to US imperialism, coupled with rising business costs related to political instability, has made getting the oil, coal, and gas from foreign sources more difficult. Imagine that you're savvy enough to know that your fossil fuel-based business model is about to get dramatically less lucrative. If you didn't already have them, you'd probably want to start setting up operations in the more business-friendly, less regulated Wild West of Indian Country. If you were really devious—or maybe just smart—you



*LiP* Founder and Editor-in-Chief **Brian Awehali's** writing and interviews have appeared in or on Alternet, The Black World Today, *Z Magazine*, The Progressive radio show, Britannica.com, *ColorsNW*, *High Times*, *The Santa Fe New Mexican*, *Tikkun*, *Online Journalism Review*, *Native Nations Network*, and the Finland-based publications *Viikkolehti* and *Maailman Sivu*. His work has received a 2006 Project Censored Award, and a 2003 Washington State Excellence in Journalism award from the Society of Professional Journalists.

Much like the bumblebee, his main project, **LiP Magazine**, perplexes scientists with its ability to fly onward, in defiance of every known law. Awehali is a tribal member of the Cherokee Nation of Oklahoma.

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How did corporations like Halliburton get millions in government contracts designated for small minority

might want to have your cake and eat it too, by getting tax subsidies and favorable terms for developing your next business model while greenwashing your ongoing fossil fuel operations. Wouldn't you?

"Consistent with the President's National Energy Policy to secure America's energy future," testified Theresa Rosier, Counselor to the Assistant Secretary for Indian Affairs, "increased energy development in Indian and Alaska Native communities could help the Nation have more reliable home-grown energy supplies. [The Native American Energy Development and Self-Determination Act of 2003] promotes increased and efficient energy development and production in an environmentally sound manner."

The bill did not ultimately pass, but the idea that "America's energy future" should be linked to having "more reliable home-grown energy supplies" can be found in other native energy-specific legislation that has passed into law. What this line of thinking fails to take into consideration is that Native America is not actually USAmerica, and that the "supplies" in question belong to sovereign nations, not to the United States or its energy sector.

Rosier's statement conveys quite a lot about how the government and the energy sector intend to market the growing shift away from dependence on foreign energy, and how they plan to deregulate (by using "efficiency" as a selling point) and step up their exploitation ("development") of "domestic" native energy resources: by spinning it as a way to produce clean energy while helping Native Americans gain greater economic and tribal sovereignty.

Of course, if large companies can establish lucrative partnerships with tribes, largely free of regulation and federal oversight, then so much the better. In this regard, a look at the Alaska Native "communities" Rosier mentioned is instructive.

In 1971, Alaskan tribal companies were set up by Congress with roughly \$1 billion and 44 million acres of land to divide. Although the real reason for establishing these companies had to do with breaking down largely unified tribal opposition to the construction of an oil pipeline, they were pitched at the time as a way to help stimulate tribal economies and mitigate the scale of poverty on tribal lands. "Tribal companies [can] be considered small businesses even after winning billions of dollars in contracts, and there is no limit to the size of the no-bid awards they can win," reported Michael Scherer in an excellent 2005 *Mother Jones* article entitled "US: Little Big Companies."

The Alaska tribal companies have, according to Scherer, "become a way for large corporations with no Native American ownership to receive no-bid contracts, an avenue for federal officials to steer work to favored companies, and a device for speeding privatization." Evidence for this assertion abounds. From 2002 through the end of 2004, the Olgoonik Corporation, owned by the Inupiat Eskimo tribe, garnered revenues in excess of \$225 million for construction work on US military bases around the world. Because of its tribal status, Olgoonik procured this work without having to bid against others for it. It then subcontracted most of the work to the infamous multinational corporation Halliburton.

A November 2004 article in *The News & Observer* (UK) further reported that "Procurement rules allow native American-owned company, Alutiq, to provide favored entrée to government contracts and then outsource them to British-owned multinational, Wackenhut." The article also went on to note that the Chugach Alaska Corp., owned by 1,900 Alaska natives, "was ranked ahead of IBM, Motorola, Goodrich, Goodyear and AT&T in total value of defense contracts in 2003."

Apologists and professional flak catchers, of course,

businesses?

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#### Fighting Long Odds: Government Criminality Continues in Indian Trust Case

A film by Laura Poitras  
and Linda Goode  
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#### Islands in the Continent

An Indigenous View of  
North America  
by Winona LaDuke

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*Media Dissidence &  
Uncivil Discourse  
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claim that this state of affairs is nothing more than an unfortunate, and unforeseen accident. But Michael Brown, a major player in the formation of Alaskan tribal companies and the so-called “godfather of tribal contracting,” told *Mother Jones* that this explosion in federal work was “exactly what he hoped for” when he went to work as the chief executive for a subsidiary of the Arctic Slope Regional Corporation in 1982 and pioneered such practices. Arctic Slope is the state’s largest tribal corporation, and the single largest company in Alaska.

Now jump forward with me, to April 2003, and the completion of the first large-scale native-owned wind turbine in history—the aforementioned Rosebud Sioux project, built in partnership with NativeEnergy, LLC. During the preceding 21 years, reports ranging from the cautionary to the apocalyptic about carbon emissions and global warming have piled up, and all but the most pig-headed of carbon-emitting industrialists now concede that a fossil fuel-based business model is soon going to be a lot less lucrative.

NativeEnergy, which wants to help consumers “enjoy a climate neutral lifestyle,” was founded in 2000 with a mission “to get more wind turbines and other renewable energy systems built.” There were no Native Americans present in the management of NativeEnergy at the time of its founding. The multiphase wind development initiative, which began in earnest with the completion of the first wind turbine in 2003, was billed as a way to bring renewable energy-related jobs and training opportunities to the citizens of this sovereign nation, who are among the poorest in all of North America. NativeEnergy’s President and CEO Tom Boucher is an energy industry vet who formerly worked at Green Mountain Energy, a subsidiary of a company now controlled by oil industry giant BP and Nuon, a Netherlands-based energy company. Boucher was convinced there was profit to be made in alternative energy, and the Rosebud project was his test case. Boucher financed the project by selling, of all things, air. More specifically, he took advantage of the new “flexible emissions standards” created by the Kyoto Protocol. Essentially, the standards created tax-deductible pollution credits (or “green tags”) for ecologically responsible companies, which can then be sold to polluters wishing to “offset” their carbon dioxide generation without actually reducing their emissions.

As you might expect from a company staffed largely by energy industry vets, NativeEnergy was fiscally crafty. In a novel accounting move, they bought from the Rosebud Sioux, at deep discount, all the green tag pollution credits that they speculated would be accrued over the lifespan of the Rosebud wind project—a total of 50,000 tons of carbon dioxide—then made a lump-sum, one-time funding commitment to the construction of the project. In an April 2003 interview with the *Business Journal*, Boucher would not divulge how deep the discount he got was, nor would he divulge the terms of subsequent sales of green tags.

Since their first test case proved successful, NativeEnergy has moved forward with plans to develop a larger “distributed wind project,” located on eight different reservations. NativeEnergy also became a majority Indian-owned company in August 2005, when the pro-development Intertribal Council on Utility Policy (yes, Intertribal COUP), purchased a majority stake in the company on behalf of its member tribes.

Pat Spears, the President of COUP and a member of the lower Brule Sioux tribe, described the purchase as “a great day for Native American people everywhere, because we are demonstrating that living in harmony with our Mother Earth is not only good for the environment, it is also good business. We look forward,” he added, “to bringing in more tribes as equity participants and taking NativeEnergy to the next level.”

It's probably no coincidence that this purchase coincided with that month's passage of the 2005 Energy Policy Act, which contains native energy-specific provisions in its Title V. Supporters like Tex Hall, president of the National Congress of American Indians, touted the act as "one of the most important tribal pieces of legislation to hit Indian country in the past 20 years. [It] provides real incentives for energy companies to partner with Indian tribes in developing tribal resources." Keeping in mind that tribal-owned companies are exempt from a great deal of the regulation, oversight, and competitive bidding stipulations that apply to other businesses, and that the legislation increases subsidies for wind energy in particular, the act leaves NativeEnergy ideally situated to exploit its tribal status.

But there are a host of alarming provisions in the act. For starters, Section 1813 of Title V gives the US the obviously dangerous power to grant rights of way through Indian lands without permission from Indian tribes, if deemed to be in the strategic interests of an energy-related project. Other critics have derided the act as a fire sale on Indian energy, characterizing various incentives as a broad collection of subsidies for US energy companies, particularly those in Texas. And, according to a 2005 Democracy Now! interview with Clayton Thomas-Muller, Native Energy Organizer for the Indigenous Environmental Network, the act "rolls back the protections of the National Environmental Policy Act and the protections of the National Historic Preservation Act, both of which are critical pieces of legislation that grassroots indigenous peoples utilize to protect our sacred sites."

Most importantly, under the guise of promoting tribal sovereignty (leaving out those aspects of sovereignty that have little or nothing to do with economics), the act also releases the federal government from its traditional trust responsibility to tribes where resource development is concerned.

The trust relationship between the US and native tribes has been a crucial way for Native Americans to hold the government legally accountable, as evidenced by the many recent court losses suffered by the Department of the Interior and Treasury during the years-long Indian Trust Case filed by Eloise Cobell on behalf of more than 500,000 Native American landholders. [See "[Fighting Long Odds](#)," November 2003.] The trust relationship was originally imposed on Native Americans in 1887, after the passage of the Dawes Allotment Act. This act was a fairly straightforward (and successful) attempt to break down tribal unity by dispersing parcels of land to individual Indian "heads of household" who signed on to the government's "tribal rolls." The land was not to be managed by Native Americans, however: It was held "in trust," and the government was supposed to disburse to Native landholders the royalties generated by the leasing of their lands to timber, mining, livestock, and energy interests. But for the most part, the government didn't disburse the money, and now admits that at least \$137 billion of it is simply missing. Without the trust relationship, which among other things makes the government legally responsible for the money it manages, Cobell and her coplaintiffs could not have sued.

The Energy Policy Act also shifts responsibility for environmental review and regulation from the federal to tribal governments. This, too, was promoted under the auspices of increasing tribal sovereignty, but it doesn't take a genius to know that Native Americans won't be any more successful in regulating the energy industry than the US government, a host of well-funded environmental groups, and the UN have been. In fact, it probably only takes a village-variety idiot to comprehend the predictably disastrous outcome of this shift for Native Americans.

It's hard to believe, in light of the relevant history, that an ever-avaricious energy industry—which has been all too willing to play a game of planetary ecological brinksmanship in the name of profit—places any value on tribal sovereignty unless there's a way to exploit it. It's hard to believe, after hundreds of years of plunder and unaccountability, that further deregulation, coupled with economic incentives, and even with the participation of some well-meaning “green” players on the field, is going to deliver anything but the predictable domination of Native Americans by white European economic powers.

In fact, I'll go out on a limb and say that the emerging Native American energy infrastructure looks more like the beginnings of a new rush on Indian lands than it does the advent of any kind of brave new sovereign era.

But don't take my word for it. Take it from Billy Connelly, the senior advisor on marketing and communications for NativeEnergy, the company, you'll recall, that helped usher in the dawn of this renewable energy rush. When asked during a March 2006 phone interview why the demonstration of a potentially viable renewable energy economy on Native American lands wasn't simply an example of small businesses laying the groundwork for the eventual control and megaprofits of major corporations, Connelly sighed and said simply, “I'd be pleasantly surprised if this didn't follow that age-old pattern.”

Perhaps, at a minimum, tribes can attain a modicum of energy independence from the development of wind, solar, and other renewable energy infrastructure on their lands. And there may well be a way to ride Native American renewable energy resources to a future of true tribal sovereignty. But it won't come from getting into bed with, and becoming indebted to, the very industry currently driving the planet to its doom.

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