

'THE GRAPES OF WRATH' WAS A BAD VINTAGE
CHARLOTTE ALLEN

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THE NEXT ENERGY REVOLUTION?

SAMUEL THERNSTROM
on the astonishing promise of 'enhanced oil recovery'



Allen

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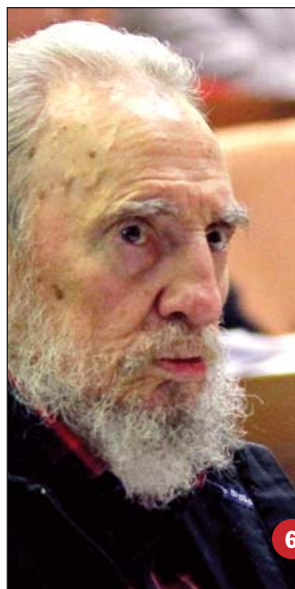
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There's a Reason He's Hard to Forgive

Does the *New York Times* have a *Rolling Stone* problem? The author of a celebrated op-ed, who confessed to having “tortured” while serving at Abu Ghraib, had previously said he played no role in prisoner abuse at the infamous Iraqi prison.

For most of the week after the *New York Times* published Eric Fair’s confession on December 10, 2014, to coincide with the release of the Feinstein report on interrogation, the op-ed was among the newspaper’s “most emailed” and “most viewed” articles. The first-person story was widely distributed on Twitter with praise for the author often accompanying a link to the story. Other prominent publications ran news stories about the *Times* op-ed.

The dramatic *Times* headline: “I Can’t Be Forgiven for Abu Ghraib.”

By the third paragraph, readers understand why he feels that way. “I was an interrogator at Abu Ghraib. I tortured,” Fair wrote. He repeated those two sentences verbatim later in the piece so there was no mistaking who he was and what he’d done.

It was an awkward construction, but it was clearly meant to give the impression that Fair had “tortured” while he “was an interrogator at Abu Ghraib.” The *Times*’s headline assumes culpability—why would he need to be forgiven if he hadn’t done anything wrong? And later in the piece, Fair expresses relief that younger Americans will no longer have a visceral reaction to the mention of the prison. “Abu Ghraib will fade. My transgressions will be forgotten.”

So did Eric Fair torture at Abu Ghraib? Judging from his previous statements, the answer appears to be an unqualified “no.”

First, the note on his *New York Times* op-ed tells us that Eric Fair was “a contract interrogator in Iraq in

2004.” The abuses at Abu Ghraib took place in 2003. The revolting photos of military police officers mistreating Iraqi detainees were taken between October and December 2003. According to the Taguba report, those photos were discovered on January 13, 2004, and CENTCOM released a statement about the investigation into detainee mistreatment on January 16, 2004. At that point, Abu Ghraib became perhaps the most heavily scrutinized U.S. military facility in Iraq.



I Can't Be Forgiven for Abu Ghraib

By Eric Fair

When I asked the students to share their memories of the release in 2001 of the Abu Ghraib photographs showing the abuse of detainees, I received the sort of looks students give when they are embarrassed to admit they don't. Most avoided eye contact, some gave a sort of monumental nod, while others went for pure honesty and just covered.

But the main reasons to question the *Times* piece come from Fair himself. During a panel discussion in Brookline, Mass., on May 28, 2008, Fair described the use of sleep deprivation on prisoners and declared: “Although I had witnessed others employ this technique at places like Abu Ghraib, I had never done it myself.”

In an interview with Philadelphia NPR affiliate WHYY on February 20, 2008, Fair categorically denied “torturing” at Abu Ghraib. In an exchange about prisoner abuse, Fair told host Marty Moss Coane: “I’d been in Abu Ghraib. I’d seen some of these things going on. I’d not participated,” he said, accentuating “not” for emphasis. And a September 2007 profile in *Philadelphia* magazine reported of Fair’s time at Abu Ghraib: “No one ever instructed Fair to do anything torturous or sadistic, he says.”

There are other discrepancies. Fair wrote in the *Times* that he had “confessed everything to a lawyer from the Department of Justice and two agents from the Army’s Criminal Investigation

Command.” But in an article he wrote for *Washington Monthly* in 2012, Fair wrote that he “appeared before Army and congressional investigators.” In his WHYY interview, he claims he “played a huge role in some of the things that went wrong,” but the only description he provides of his alleged “torture” was taking a robe from an Iraqi detainee in Fallujah and keeping him awake overnight.

Despite these inconsistent claims, Eileen Murphy, a spokesman for the *New York Times*, says the paper is confident in what it published. In a statement to THE WEEKLY STANDARD, she writes: “We stand by the piece. Mr. Fair was hired in December 2003, went to Fort Bliss for pre-deployment processing and then left for Iraq the first week of January 2004. He did not participate in or witness the torture depicted in the Abu Ghraib photos,

“Abu Ghraib dominates every minute of every day for me,” Fair wrote in his op-ed. If that’s true today, it wasn’t true seven years ago, when Fair wrote the first of several first-person confessionals on prisoner abuse. In that piece, an argument that the United States hadn’t truly reckoned with the abuses at Abu Ghraib and published by the *Washington Post* on February 9, 2007, Fair did not even mention that he had worked at Abu Ghraib. Instead, he argued that his experience with detainees in Fallujah demonstrated that the prisoner abuse problem in Iraq was not limited to Abu Ghraib. It’d be an odd oversight: If you abused prisoners at the Iraqi facility best known for U.S. abuse of detainees, would you neglect to mention that fact in an article about Abu Ghraib and prisoner abuse?

but he used other techniques of the CIA's enhanced interrogation program on detainees during interrogations at Abu Ghraib. The essay was checked according to our usual standards."

That strikes *THE SCRAPBOOK* as odd. The central claim of the piece is that the author tortured prisoners at Abu Ghraib—a claim that same author has repeatedly denied.

Did Eric Fair engage in "torture" at Abu Ghraib? Perhaps the best way to judge is to use the same criteria Fair used in judging whether the Iraqis he interviewed were telling the truth.

"There were a number of different techniques that you could apply. The best one for me was to use my [Arabic] language," Fair said in his *WHYY* interview, noting that he worked with a translator to help him communicate. "You simply started with background—who they'd been, where they'd been, their family, their military service—and get a general sense of their life and then simply start from the beginning again. And go right back through the same story. And if it started to fall apart or if they'd said some things they hadn't said before, you could get a sense of where they were trying to be deceptive or had lied to you." ♦

False Positive

The *Washington Post* carried a horrific front-page story last week. Horrific, that is, for anyone who has ever been denied admission to the college of his or her choice—which, *THE SCRAPBOOK* guesses, might include a handful of readers.

A few days after sending out Yes, No, and Maybe notices to its 1,865 applicants for early admission, Johns Hopkins University followed up with an email to the 294 rejected/deferred students (subject line: "Embrace the YES!"), welcoming them to the Class of 2019. "We can't wait for you to get to campus," it exclaimed. "Until then, as one of the newest members of the family, we hope you'll show your Blue Jay pride" by using the freshman class Twitter hashtag (#JHU2019), joining the (private) class group on



Facebook—and, of course, buying stuff at the Hopkins online bookstore.

To be fair to the famous institution in Baltimore—a mere hour's drive from *THE WEEKLY STANDARD* offices in Washington—Johns Hopkins is not the only college to send acceptance notices, mistakenly, to applicants who have in fact been turned down. According to the *Post* story, Vassar and Fordham recently suffered similar mishaps, and in one spectacular example from 2009, the University of California at San Diego sent acceptance letters to all 46,000 of its applicants.

Of course, from *THE SCRAPBOOK*'s perspective, this is not so much a

calamity for the schools involved as for those disappointed, high-octane high-school seniors. It is painful enough to be rejected once, especially by your number-one choice; but to have your hopes raised, and then cruelly dashed, a second time strikes us as a variant of waterboarding, academic-style. Nor did Hopkins make things better with its terse follow-up email to the effect that "the decision posted on the decision site reflects the accurate result of your Early Decision application." Ouch!

Most disappointed applicants have taken this philosophically, but not all. The mother of one, quoted in the *Post*, believes that the Hopkins vice

provost for admissions should make a personal phone call to each student, at the least, to apologize. But the vice provost disagrees: An awkward phone conversation, he believes, would merely exacerbate the pain of rejection. He may well be right about that—and, of course, any student who has applied for early decision to Johns Hopkins is likely to do just fine in the long run.

Still, there must be some way for these bruised scholars to express their frustrated feelings, and THE SCRAPBOOK has the perfect idea. We would suggest that, for the rest of their lives, all 294 should refer to the place in writing and orally, as John Hopkins. ♦

Sentences We Didn't Finish

This is my last column for this newspaper. I am joining Jason Whitlock's new Web site at ESPN intersecting sports, culture and race, to be launched sometime next year. I plan to continue the work my edi-

tors at The Post have generously supported, especially now that many of society's most substantive conversations about race, class, money, power, cultural identity—a social-conscience renaissance—are suddenly mushrooming out of America's locker rooms. For the first time in my career . . ." (Mike Wise, *Washington Post*, Dec. 14). ♦

Sentences We Enjoyed So Much We Read Them Twice

Ted Cruz, by the way, is not a Harvard man. He's Princeton," [Prof. Harvey] Mansfield said. "Just going to Harvard Law School does not make you a Harvard Man. [Tom] Cotton is a Harvard man. [Ben] Sasse is, too. Elise Stefanik is a Harvard woman. The others are mere alumni." ("Harvard's Conservative Cabal Takes Congress," *Daily Beast*, Dec. 17). ♦

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A Philadelphia Story

I'll admit, I have few childhood memories of the nativity scene my grandparents kept on their mantel every Christmas. I recall more clearly the haunting portrait of Santa Claus hanging in the foyer and the towering Christmas tree, with its pink ribbons and bows. And, of course, the bounty of presents.

The nativity scene, delicate and out of reach, didn't hold this little boy's attention. Only now that it's in my own house have I taken an interest. The stable's wooden frame is cherry, and the slanted roof is made of small pads of straw. The whole gang is there in white ceramic: Jesus, Mary, Joseph, the shepherd, his sheep, the three wise men, their two camels, a cow, and an angel. Standard Bethlehem stuff—except that this crèche was handmade especially for my grandmother. In our order-it-on-Amazon, get-it-the-next-day, made-in-China world, my wife and I and our baby have something unique among our Christmas decorations. Our tree may be fake, but our nativity scene is *real*.

When she gave it to us last year, my grandmother told me how this “manger,” as she called it, came to be. Her father, my great-grandfather, was the son of Italian immigrants, born and raised in South Philadelphia. While his brothers and sisters kept their names—Attilio, Mario, Alba, Flora, Gilda, Cornelia—he, a young businessman, changed his from Tiberio Caporiccio to Thomas Cappie, a poor South Philly kid trying to sound Main Line. He married Pauline, of Austrian stock, and they soon had my grandmother, Carol, the first of their three children.

Tom Cappie must have had success with his Americanized name. When Carol was in second grade, he moved the family to a rowhouse on Linden Avenue in a working-class neighborhood in Upper Darby, just

past the Philadelphia city limits. It was a big change for Carol. In the first grade, she had gone to a South Philadelphia Catholic school, St. Aloysius, run by German nuns. She remembers not liking it. But in Upper Darby, she attended St. Laurence, which she much preferred. The Cappies still traveled into the city on Sundays to go to church, sometimes at the Italian parish of Tom's family



and sometimes at the German one of Pauline's. Carol learned to make pasta from her Italian grandmother on those weekend visits. When a friend's dog gave birth to puppies, the Linden Avenue Cappies took one of them and named her Cookie.

Carol was 17 when she and her family moved again, to a larger house on Mason Avenue, in the middle-class suburb of Drexel Hill. By then, my grandmother was attending the Academy of Notre Dame de Namur, a girls' school in nearby Villanova. Cary Grant and Katharine Hepburn filmed scenes for *The Philadelphia Story* at the school. In the backyard on Mason Avenue was

a cherry tree, and when Cookie the dog died, they buried her under it.

It was some years later that Tom used branches from the cherry tree to fashion miniature beams for the stables in two manger scenes he made, one for him and Pauline and one for Carol, who by this time was 25 and had her own family. Carol and her husband and their three kids (including my mom) had just moved to Atlanta, part of the first wave of mid-century northeastern transplants to the emerging Sun Belt. The crèche was a piece of Philadelphia for Carol to take with her. It was also a piece of her father, whom she adored more than just about anyone. She herself took a ceramics class and made the figurines, completing her scene.

Grandmom's crèche appeared at every Christmas for nearly 50 years, long after her own kids had left home. When Tom died young, at 56, in his sleep, I think her heart broke. After that, putting the nativity scene out each December was like having her father back.

Nobody told me any of this when I was growing up. But when my wife and I were given the crèche, I suddenly was interested. The years had begun to tell. The bark on the cherry beams had chipped away in places. The angel is missing a wing and Joseph a staff. But my grandmother enlisted her son-in-law, my dad, to renovate the stable before they surprised us with it. He reinforced the straw roof with plywood and added a new base and back panel. That makes three generations of our family who have helped build this heirloom. You can't order that online.

Now it's our son's first Christmas, and for the first time the crèche is ours. I thought for a while about where to place it. We don't have a fireplace and mantel, but there was an empty space on top of our tall bookcase in the living room. The scene fits there perfectly, and I like the way it catches the light.

MICHAEL WARREN

Obama's Grand Reset

Last week's announcement that the White House intends to restore normal diplomatic relations between the United States and Cuba is part of Barack Obama's larger project to overturn what he perceives to be wrongheaded, or at least outdated, foreign policies. From Obama's perspective, the Cold War ended nearly a quarter of a century ago, so let's catch up to the new reality.

For President Obama, ameliorating this country's relations with Russia, Iran, and now Cuba amounts to a Grand Reset, a reevaluation of America's position in a post-Cold War world. However, it's not clear that either the president or his administration really understands what the Cold War was all about.

According to the White House press release last week: "Decades of U.S. isolation of Cuba have failed to accomplish our objective of empowering Cubans to build an open and democratic country." That is true, but of course the main obstacle to that empowerment lies not in Washington but in Havana. As many critics of the White House's about-face on Cuba have noted, the infusion of cash from remittances and tourism alone is tantamount to a bailout of the Castro regime. In other words, normalized relations with a repressive ruling clique are no more likely to empower the Cuban people than the embargo.

However, it is important to remember that the original purpose of the embargo was not simply to empower the Cuban people. Rather, the larger purpose was to protect Americans.

In the wake of World War II, the United States became a global power largely in response to the Soviet Union's designs in Europe and around the world. The continental United States spread from the Atlantic to the Pacific Ocean, and thanks to the defeat of the Axis and a blue-water Navy, Washington enjoyed hegemony in both, with key trading partners in Western Europe and Asia. The U.S. role was to protect those allies and thereby ensure growth, prosperity, and peace at home.

What threatened those pillars of postwar peace and stability was the Soviet Union, an expansionist power driven by a totalitarian ideology that reduced mankind to its lowest common denominator—want. However, what transformed the Soviet Union into a global threat wasn't communism, or even the Red Army. Rather, it was Moscow's nuclear arsenal that compelled the United States to fight or wage proxy battles on four continents for nearly five decades. Cuba was a problem not simply because of the Castro regime and its efforts to spread revolution throughout

Latin America, but because it was the satellite of a nuclear-armed superpower, one that decided to base missiles there in 1962. Cuba was the means by which the Soviets brought the threat of a nuclear attack to our doorstep, a mere 90 miles from Florida.

This is the Cold War lesson apparently lost on Obama. If you believe the embargo was a failure, then it means you do not understand its original purpose—to push back against an expansionist totalitarian regime that threatened America at home. The

administration's Middle East policy is further evidence that Obama does not understand how nuclear weapons can turn even the sickliest regime into a destabilizing threat.

The White House believes that bringing Iran in from the cold, and even partnering with Tehran in Iraq and Syria to fight the Islamic State, will help normalize the regime. Then Washington will be able to cold-bloodedly balance Iran against traditional U.S. allies like Israel and Saudi Arabia. Moreover, a "normalized" Iran will allow the White House to continue to draw down in the Middle East, a region that seems to have little love for Americans no matter how much blood we shed or money we spend—and one that from Obama's perspective has never done him anything but political harm.

The way he sees it, now's the time to get out of the Middle East. Above all, we no longer have the same Cold War vital interest in Persian Gulf energy that kept us policing the Strait of Hormuz for decades. We might not be energy



Fidel and Raul Castro

independent, but America's energy revolution means that we're moving toward being much less dependent on foreigners' energy. Once he restores ties to Tehran, as he's just done with Havana, Obama no doubt believes he'll have a free hand to "focus on nation-building here at home," as he likes to say.

There are many problems with that scenario, but here's a big one—the unsolved problem of Iran's nuclear weapons program. It's not something Obama can eliminate with his famous pen. And as the Cold War shows, a nuclear weapons program in the hands of an expansionist and ideological regime creates challenges far beyond its borders. The United States remains the indispensable power when it comes to dealing with such adversaries. A nuclear Iran will mean America cannot rest at home safely, because our adversaries will bring war even to our threshold. This is the lesson that Cuba teaches—a lesson lost on the man in the White House.

Just last week, the cyber-attack on Sony attributed to North Korea illustrated how difficult it is to deter a terrorist state—one that may or may not have a nuclear weapon. A nuclear capability will similarly make Iran a global threat, one that may come close to our shores as the Soviets did in Cuba—or, following the North Korean example, into our corporate boardrooms. Obama's right that the Cold War is over. But if he doesn't see that its lessons are still relevant, his real legacy may be a 21st-century Cold War.

—Lee Smith

Nonstop Appeasement

We don't expect much. It's been nearly six years. We're long past the point of hoping that Barack Obama will adopt policies that deserve our grudging approval, if not enthusiastic endorsement, particularly on foreign policy and national security.

But we do expect something.

We believe that the president, whatever his ideological disposition, ought to be an unapologetic defender of America when she is smeared or slandered. At a bare minimum, a president ought not lend credence to those who disparage the United States for imagined offenses.

This is apparently too high a standard for Barack Obama.

As Thomas Joscelyn reports elsewhere in these pages, two days before the United States transferred six Guantánamo detainees to Uruguay, President José Mujica

released a statement denouncing the United States. "We have offered our hospitality for humans suffering a heinous kidnapping in Guantánamo," it read. Because of their suffering, the detainees—all with direct ties to al Qaeda leadership—were accepted by Uruguay for "humanitarian" reasons and given refugee status.

A subsequent Defense Department statement about the transfer said nothing about these outrageous claims and simply thanked Uruguay for taking in the detainees. Did we miss the administration's reaction to Mujica's comments? Did the administration miss the comments? We asked the White House if the U.S. government had responded to Mujica's statement or pushed back against it in any way. And if not, does the administration believe that Mujica's comments are a fair characterization of how the al Qaeda members came to be detained at Guantánamo?

Patrick Ventrell, spokesman for the National Security Council, gave us this response:

We are grateful to President Mujica and Uruguay for providing to these individuals an opportunity to start anew their lives in Uruguay and to become contributing members of the Uruguayan society. However, we must refer you to the government of Uruguay for more information related to President Mujica's comments.

There was nothing at all from the White House disputing Mujica's calumny about a "heinous kidnapping," no protest of the suggestion that al Qaeda operatives need "humanitarian" relief from the United States, and not a word in defense of the U.S. military and intelligence officials who risked their lives to help bring these dangerous terrorists into U.S. custody.

It's not just what the White House refused to say, but what it said. The administration went out of its way to articulate a belief that the freed al Qaeda terrorists—five of whom were classified as "high risk" detainees by Joint Task Force-Guantánamo—may well become productive members of society.

Critics have long complained that the Obama administration mistreats our allies and coddles our enemies. There are exceptions, of course, but does anyone seriously dispute that general tendency? In just the past few months:

■ The Obama administration released five senior Taliban operatives in exchange for an American soldier who walked away from his unit. The five Taliban commanders were transferred to Qatar despite warnings from top U.S. intelligence officials, including the director of national intelligence, James Clapper, that they are nearly certain to attack U.S. interests in the future. Among the stated objectives for the prisoner swap: restarting peace talks with the Taliban.

■ Top Obama officials promised to impose additional sanctions on Iran if the regime breached the terms of the interim deal on its nuclear program. Iran was caught

violating that agreement, and the administration, rather than impose new sanctions, launched a full-scale effort to block them. As Iran's leaders publicly mocked U.S. weakness, Obama officials insisted that negotiations must continue.

■ Israeli newspapers reported that the Obama administration was considering sanctions on Israel for its settlement activity. When reporters asked White House spokesman Josh Earnest about the reports, he repeatedly refused to deny them. He couldn't. They were true.

■ And, of course, last week the president announced his intention to normalize relations with the despotic regime in Cuba. In exchange for two hostages whose release was sought by Washington, the Obama administration agreed to free three members of the "Cuban Five," spies for the Castro regime who helped a Cuban Air Force MiG shoot down two small U.S. planes dropping anti-Castro leaflets, killing all four aboard. Raul Castro, who spoke to Obama at length the day before the announcement, objected to the imprisonment of the Cuban assets, admitting that they had been acting on his behalf. "I gave the order," he told Rep. Jim McGovern, a Democrat from Massachusetts who helped broker the deal, according to an account in *Politico*. "I'm the one responsible."

This systematic pusillanimity is not a new phenomenon. Other examples: the refusal by the Obama administration to criticize the Iranian regime when it put down the "Green Revolution" in 2009; the administration's eagerness to "reset" relations with an increasingly hostile Russia; its secret negotiations with the Taliban even as the group continued its attacks on U.S. soldiers in Afghanistan; the refusal to meet with any Egyptian opposition groups other than the Muslim Brotherhood.

Obama is hardly the first president to seek rapprochement with our adversaries and reconciliation with our enemies, of course. But his determination to make nice—even in the face of clear and repeated rejection from the other side—is unparalleled. For Obama and his team, diplomacy with rogue regimes is an end in itself, and any deal, however one-sided, is a win, especially one that the White House communications mavens think that friendly media will call a "breakthrough" or "historic."

In that sense, Obama is America's first postmodern president. If his predecessors tended to see the world in terms of good and evil, Obama sees the world in terms of victims and victimizers—with the United States often in the role of victimizer. In that view, long favored by the academic left that shaped a young Barack Obama, American foreign policy is one long train of abuses, marked by casual aggression and eager imperiousness.

So when a leftist leader like Mujica condemns the United States for the "heinous kidnapping" of al Qaeda operatives, Obama says nothing in protest. His silence is assent. And it's a disgrace.

—Stephen F. Hayes

A Model Senator

'In any election," Tom Coburn often says, "you should vote for the candidate who will give up the most if they win." All things being equal, we should prefer politicians who have accomplished something in their lives beyond government work—and who are willing to sacrifice it, at least temporarily, to serve the country at a cost to their convenience and comfort. During his 6 years in the House of Representatives and 10 more in the Senate, Coburn has embodied his own principle. He went to medical school after a successful career in business and became an obstetrician when he was 35. He built a lucrative practice in his hometown of Muskogee, Oklahoma. He waited until he was 46 to seek public office, after he'd delivered 4,000 babies. First things first.

Coburn retires from the Senate at the end of this Congress, and we'll miss him. His résumé makes him an increasingly rare bird in the Washington aviary. Among "antigovernment" Republicans no less than Leviathan-loving liberals, our political ranks brim over with men and women whose careers began in second grade with their first campaign for hall monitor and went on from there, with perhaps a brief detour to law school offering them their closest view of the push and pull of normal commercial life. Coburn calls himself a "citizen legislator," and the archaic title fits. Single-handed, he restored the phrase "public service" to good repute in Washington, at least for his admirers.

He's done so by being a pest. This is the kindest word we can come up with, though enemies both in and of out of his party prefer surlier tags like crank and headcase. Coburn commandeered every parliamentary maneuver available to a lone senator and used his mastery to slow the Senate down and draw attention to the untoward details of business-as-usual: absurd expenditures, cheap favors for the well-to-do, presidential appointments for dolts and clowns, and every imaginable accounting trick in service of parochial rather than national interests, all of it undertaken on borrowed money. His endless amendments and points of order became a kind of shaming, directed at people who long ago abandoned shame. Coburn trained an outsider's eye on the work of insiders and delivered the news, usually bad. "If we applied the same standards to Congress that we apply to Enron," he once said of congressional book-juggling, "everybody here would go to jail."

But he's also a gentleman. Much of Coburn's appeal

lies in an apparently bottomless insouciance. (He once mentioned that he was well into college before he even heard of marijuana, which proves that Merle Haggard was right: They really didn't smoke it in Muskogee.) In his most passionate moments he seemed baffled that the workings of politics and government don't operate disinterestedly and out in the open, for all to see, as the Founders intended. He spent a fair amount of time in his farewell speech offering apologies. "To those of you through the years whom I have offended, I truly apologize," he said, though even the sincerest apology couldn't make him cross his view of the Constitution. "I believe the enumerated powers meant something," he went on. "When I have offended, I believe it has been on the basis of my belief in Article I, Section 8." That's the section listing the things Congress is permitted by the Constitution to do. Senators might want to get staff to look it up.

A pest and a gentleman and a man of firm principle—but not an ideologue, the off-the-shelf epithet tossed at him by a ditzy press and exasperated colleagues. His pragmatism is another reason he was always worth pay-



Tom Coburn

ing attention to. The lack of ideological rigidity most often served to expose the rigidity of others. When he sponsored a bill to cut agriculture subsidies to people who make more than \$1 million a year, he was blocked by the same Democrats who complain that millionaires are undertaxed. When he grudgingly supported the timid tax increases in the Simpson-Bowles deficit-reduction proposal, he was disparaged by Republicans who say our debt is a form of national suicide—but nothing to raise taxes over. Most of the time he was asking his colleagues to put their money where their mouths were. And no one ever caught him in double-dealing or hypocrisy. That cut in agriculture subsidies, for example: It applied to millionaires in Oklahoma too. They

voted for him anyway.

After his farewell speech, his fellow senators gave Coburn a standing ovation. We join his countless admirers in the general applause, but we can't help but wonder: Were the senators cheering his speech or his decision to retire and—finally—leave them alone?

—Andrew Ferguson

U.S. Energy Delivers for Consumers

By Thomas J. Donohue
President and CEO
U.S. Chamber of Commerce

Energy has been a rare bright spot in our economy. And Americans are tangibly experiencing the benefits of greater domestic production where it counts the most during a long and sluggish economic recovery—in their pocket books.

The rising production of energy resources—much of it stemming from rich U.S. shale plays—and a slowing global demand are driving oil costs down. The price of a barrel of oil has hovered around \$55 in recent weeks, pushing the national average gallon of gasoline to a five-year low of \$2.50. Falling energy prices are a natural economic stimulus. It raises Americans' purchasing power in other areas and allows them to pour more discretionary income back into the economy.

While economists will argue over how long consumers will enjoy this relief, and with so many factors at play in the global

markets, prices will continue to rise and fall as supply and demand dictate. But, for now, it's a welcome boost for individuals and families—and one of the few areas in which Americans truly feel like the economy is on its way back.

Many Americans also have high-paying jobs or promising opportunities thanks to the expansion in U.S. energy production. During the Great Recession, employment in the oil and gas industry grew by 38.6%, while employment in all other nonfarm industries declined by 2.6%. The private sector-driven shale revolution now supports 2.1 million good American jobs, and that number is projected to grow to 3.9 million by 2025.

U.S. energy is also delivering something less tangible but equally important—greater security. The more we can rely on our own resources, the less we will have to import from foreign sources. That helps protect consumers from market disruptions in the global oil supply. With ongoing unrest in the Middle East and in other oil-producing countries, surging U.S. production has

prevented oil prices and the price of gasoline from sharply rising. The U.S. Chamber's Energy Institute recently released its 2014 *U.S. Energy Security Risk Index*, reporting that America's vulnerability to risk has decreased for the second straight year.

American consumers are experiencing many of the benefits of a burgeoning U.S. energy revolution now. But poorly designed policies out of Washington can stifle our potential and halt the progress under way. U.S. lawmakers should advance policies that will allow us to develop energy of all kinds in an environmentally responsible way, approve the Keystone XL pipeline, streamline the permitting process, and forestall punitive taxes and regulations that target the energy industry.

If we do those things, we can fully unleash the positive impact of energy across our economy and in our daily lives.



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The Uruguay Six

They weren't kidnapped. They're not refugees.

BY THOMAS JOSCELYN

On Sunday, December 7, a U.S. military medical aircraft landed in South America, to deliver six jihadists from the detention facility at Guantánamo Bay to Uruguay. For more than a dozen years, these six men had been held as dangerous enemies of the United States. Suddenly, Uruguay treated them as refugees, even victims, and the Obama administration didn't object.

In a statement on December 5, two days before their arrival, the president of Uruguay, José Mujica, condemned the United States. "We have offered our hospitality for humans suffering a heinous kidnapping in Guantánamo," Mujica wrote. "The unavoidable reason is humanitarian." The Obama administration didn't dispute his characterization and instead offered thanks on behalf of all of us. "The United States is grateful to the government of Uruguay for its willingness to support ongoing U.S. efforts to close the Guantánamo Bay facility."

In Uruguay, the controversy over the Gitmo six continued to swirl more than a week after their arrival. So Mujica held a press conference. "I never doubted, just by using my common sense, that they were paying for something they never did," Mujica said of the former detainees, according to the Associated Press. "We considered this to be a just cause and we had to help them."

Mujica made public a document that he said was authored by the State Department. Dated December 2, it is signed by Clifford M. Sloan,

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President Obama's special envoy for closing Guantánamo. After listing the six detainees who would be transferred to Uruguay, the document reads: "There is no information that the above mentioned individuals were involved in conducting or facilitating terrorist activities against the United States or its partners or allies."

Mujica portrayed the document as



Two former detainees—left and center—with a police officer, right, in Montevideo, December 12

vindication for his "blame America" rhetoric in taking in the six men. But the document published online (just one page from a longer file) is carefully worded. It is also misleading.

If by "terrorist activities" the State Department means spectacular attacks like those that occurred on September 11, 2001, it is technically correct. But there are plenty of worrisome "terrorist activities" that fall short of that standard. The State Department document doesn't exonerate the six detainees or portray them as innocents who were wrongly detained, as Mujica did. It does not say the men were unconnected to al Qaeda at the time of their capture. That's because the State

Department cannot honestly make such representations.

Publicly available documents, including secret Joint Task Force-Guantánamo (JTF-GTMO) threat assessments that were leaked online, paint Uruguay's newest residents in a far more troubling light. JTF-GTMO, which oversees the detention facility, deemed five of the six to be "high" risks, who are "likely to pose a threat to the US, its interests, and allies." It recommended that all five high-risk detainees remain in the Defense Department's custody. Only one man was determined to be a "medium" risk, who "may pose a threat to the US, its interests, and allies," and JTF-GTMO recommended that he be transferred out of DOD custody.

The intelligence in JTF-GTMO's files connects all six to senior al Qaeda operatives, including Abu Zubaydah, who remains in custody at Guantánamo. A common myth holds that Abu Zubaydah was not really a full-blown al Qaeda member at the time of his capture in late March 2002. But there is abundant evidence, including in the leaked JTF-GTMO files, that this is an absurd reading of history. Numerous reports situate Zubaydah at the epicenter of al Qaeda's operations when he was finally tracked down

in Faisalabad, Pakistan.

Four of the six men—Ahmed Adnan Ahjam, Ali Husein Shaaban, Abd al Hadi Omar Mahmoud Faraj, and Jihad Ahmed Mujstafa Diyah—were members of what JTF-GTMO dubbed the "Syrian Group." They allegedly belonged to a terrorist cell run by Abu Musab al Suri, a senior al Qaeda ideologue who is thought to be in the custody of Bashar al-Assad's regime. They fled Syria for Afghanistan, where they were enrolled in various terrorist training camps affiliated with, or run by, al Qaeda.

According to the JTF-GTMO files, at least three of the four—Ahjam, Shaaban, and Faraj—stayed in a

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guesthouse that Zubaydah funded. There, JTF-GTMO's military intelligence analysts assessed, they received "suicide operations training provided by" an al Qaeda leader known as Sheikh Issa al Masri. Sheikh Issa was responsible for indoctrinating numerous jihadists prior to and after 9/11. Issa's specialty was convincing young men that suicide attacks are divinely mandated.

After the U.S.-led bombing campaign began in late 2001, the three Syrians retreated to Tora Bora, where, JTF-GTMO concluded, they "participated in hostilities against US and Coalition forces" in Osama bin Laden's mountain complex under the command of a top al Qaeda leader. The Battle of Tora Bora was a seminal event in al Qaeda's history, as much of the group's top leadership slipped away. The jihadists who fought there did so to defend bin Laden in what was believed, at the time, to be al Qaeda's last stand.

The three Syrians—Ahjam, Shaaban, and Faraj—were subsequently captured after they fled Tora Bora for Pakistan. They were not "kidnapped," as President Mujica claimed. They were detained as enemy combatants in al Qaeda's war against the United States. And while the State Department may claim that they did not participate in "terrorist activities," the JTF-GTMO assessments conclude they fought on behalf of senior al Qaeda figures who did.

The fourth member of the Syrian group transferred to Uruguay, Jihad Ahmed Mujstafa Diyab, is described in the JTF-GTMO files as a "document forger who provided services to the network operated by" Zubaydah, "supporting European, North African, and Levant extremists" by "facilitating their international travels." Diyab is an "associate of several other significant al Qaeda members," including Mohammed Zammam, the al Qaeda recruiter responsible for wooing the men who would become kamikaze pilots on 9/11. Diyab is also affiliated with "other facilitators and identified document forgers," which may come in handy if he wants to travel the world once again.

Abdul Bin Mohammed Bin Abess Ourgy, a Tunisian, is the fifth of the high-risk detainees transferred to Uruguay. JTF-GTMO concluded that Ourgy was both a "member of al Qaeda and a finance operative for the Tunisian Combatant Group (TCG)," which acted as an arm of al Qaeda in Europe prior to 9/11. The TCG was connected to multiple thwarted plots, including a planned attack on the U.S. embassy in Rome in early 2001. JTF-GTMO concluded that Ourgy attended the meeting at which the TCG was established and that he worked for a jihadist known as Abu Iyad al Tunisi, who led the TCG. After he was freed from a prison in Tunisia in 2011, Tunisi founded Ansar al Sharia Tunisia, which was responsible for assaulting the U.S. embassy in Tunis on September 14, 2012.

JTF-GTMO found that Ourgy may have had foreknowledge of the September 9, 2001, assassination of Ahmad Shah Massoud, the Northern Alliance leader. Massoud's assassination was a key part of al Qaeda's 9/11 plot, as it removed one of the Taliban's most effective opponents from the battlefield in anticipation of America's expected retaliation. Abu Zubaydah identified Ourgy as a trainee at his terrorist camp. And a document found on 9/11 mastermind Khalid Sheikh Mohammed's hard drive identified Ourgy, using his alias, as a "captured al Qaeda member-fighter."

The sixth and final ex-detainee is Mohammed Abdullah Tahamuttan, who is originally from the West Bank. Tahamuttan was deemed a "medium" risk by JTF-GTMO. He was captured during the same raids that netted Abu Zubaydah in late March 2002. The safe houses where Tahamuttan, Zubaydah, and others were captured were operated by Lashkar-e-Taiba, an al Qaeda-linked jihadist group in Pakistan. JTF-GTMO concluded that Tahamuttan was a member of Zubaydah's Martyrs Brigade, which was created for the "purpose of returning to Afghanistan to conduct improvised explosive devices (IED) attacks against US and Coalition forces."

It is often reported in the press

that Guantánamo detainees, such as the six transferred to Uruguay, have been "cleared for release." The implication is that the detainees have been "cleared" of wrongdoing and can be "released" without any reason for concern. In reality, neither the six detainees transferred to Uruguay nor any other remaining Guantánamo detainees have been "cleared for release."

Dozens have been "approved for transfer" by President Obama's Guantánamo Review Task Force, and ongoing reviews have led to additional transfer recommendations. But when a detainee is transferred out of Guantánamo, the U.S. government typically requires the new host country to enact certain security measures. In practice, it is nearly impossible to ensure that those measures are enforced. An increasing number of recidivist cases around the world demonstrate that ex-detainees can and have quickly made their way back to the fight.

In its recommendations, filed in January 2010, President Obama's Guantánamo task force determined that the six detainees now in Uruguay should be transferred "to a country outside the United States that will implement appropriate security measures." The task force stressed in its final report that "all transfer decisions were made subject to the implementation of appropriate security measures in the receiving country, and extensive discussions are conducted with the receiving country about such security measures before any transfer is implemented."

Obama's task force could not have known that Uruguay would be the "receiving country" for the six detainees, but it did envision that whatever country agreed to take them would put in place "appropriate security measures."

The comments made by President José Mujica suggest the government of Uruguay did not get this message. According to Mujica, the United States is the bad guy in this tale, and the detainees are "kidnapped" innocents. Don't expect any contradiction from the Obama administration, which is just happy that they are no longer in America's custody. ♦

Republicans and Wall Street

Just saying no to Elizabeth Warren isn't enough.

BY JAY COST

Last week, Massachusetts senator Elizabeth Warren threatened to derail the omnibus continuing resolution (“cromnibus”) that funds most of the government through the end of the fiscal year. She objected to the elimination of an obscure rule in

the Dodd-Frank financial reform law known as “push-out.” Under Dodd-Frank, federally backed financial institutions must spin their “swap trades” off to uninsured subsidies; after cromnibus, they will no longer have to do this.



doom and gloom for the country, as they warned, congressional Republicans went about repealing it the wrong way.

To be clear, the 2010 Dodd-Frank financial reform law is a bad piece of legislation, built on two flawed premises. First, by enshrining in law the principle of too big to fail, it doubles down on the mistaken policies of the 1990s and 2000s that paved the way for the financial crisis. Businesses, whatever their size, should bear the consequences of the risks they take. They should not be able to count on Uncle Sam to bail them out. That generates moral hazard. It also creates unfair competitive advantages, as the largest and most politically connected firms enjoy lower borrowing costs.

Second, Dodd-Frank wrongly assumes that an additional regulatory regime is what is needed to keep Wall Street in line. The old regime actually provided all the tools necessary to regulate the big financial firms; the regulators simply chose not to use them. One reason was “regulatory capture,” a phenomenon as old as the Interstate Commerce Commission (ICC), the first U.S. government regulatory body, created in 1887. In fact, the experience of the ICC, especially its manipulation by the railroad barons, proves that more regulation can be worse than useless. If the regulated industry captures its regulator, then it actually enjoys the best of both worlds: the appearance of oversight and the reality of unfettered discretion.

The financial mess of the last decade had a lot to do with regulatory capture. For instance, the Office of Thrift Supervision, which oversaw outlets like Washington Mutual, and the Office of Federal Housing Enterprise Oversight, which regulated Fannie Mae and Freddie Mac, were clearly captured by their industries. In both instances, the mechanisms for capture were actually written into the originating laws, which predated the crisis by decades. So the problem was not so much laissez-faire economics run amok as bad regulations that facilitated interest group power run amok.

Conservatives were caught off guard by this last-minute opposition from Warren. Unfortunately, though, she and the left wing of the Democratic party had a point. While the push-out provision hardly spelled

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GARY LOCKE

As for the push-out provision itself, it was not widely adored when the law was passed. As Tim Carney of the *Washington Examiner* notes, former Arkansas senator Blanche Lincoln insisted on its inclusion in Dodd-Frank as a way to beef up her anti-Wall Street bona fides in advance of her reelection bid, which eventually failed. Financial institutions have been agitating for repeal of the provision ever since, and not just the biggest banks. As Carney reports, a coalition that included even the Bank of Oklahoma wanted the provision undone. They had a point, too. Leading up to the financial collapse in 2008, the vast array of elaborate credit default swaps ultimately made matters worse because they did not mitigate risk as the firms thought they would. But that does not mean that swaps have no value. Employed properly, they can indeed provide a useful hedge.

Elizabeth Warren, moreover, has been an inconstant opponent of corporate giveaways. When conservative House Republicans tried to eliminate the Export-Import Bank this summer, she refused to join the cause. That says a lot about her intentions. Ex-Im actually does what she claims push-out does: use taxpayer money to underwrite private bets, mostly by Boeing.

So Warren is only a sometime opponent of corporate cronyism. She is defending a fundamentally flawed regime, and in championing push-outs has taken up a cause of questionable importance. Regardless, House Republicans were wrong on this issue.

Even if these swaps, in and of themselves, are not problematic investment instruments, they are a problem in the context of Dodd-Frank. Specifically, they create additional complexity in the financial markets, which historically has facilitated capture. In highly technical situations, the transaction costs of acquiring information are often so great for regulators that they must rely on the regulated industry to supply it. The same goes for Congress. Members are tasked with legislating in a seemingly infinite number of policy

domains. The information required to make sound decisions can be prohibitively difficult to acquire—unless interest groups supply it. By injecting more complexity into the financial markets, Congress has given an informational edge to the private interests that specialize in such trades.

The problem is not the swaps themselves, but the regime of Dodd-Frank. It harks back to the naïveté of Teddy Roosevelt and the Progressive campaign of 1912: the view that some private firms are systemically important and that the government must partner with them. All of this is anathema to conservatives, and history has shown time and again that such assumptions lead straight to regulatory capture. Conservatives are right to oppose this alliance of big government and big business, but until an alternative regime is put in place, they should not make regulatory capture easier.

Moreover, the process by which Congress undid push-out was objectionable. The repeal was an ad hoc provision actually written by Citigroup, then placed in an interminably long, inscrutably complicated appropriations bill that did not allow for reasoned, informed debate. This was done only after the Senate refused to take up a bill dealing exclusively with this matter. In other words, the House's advocates of this provision decided to force the issue—compelling the Senate either to accept the push-out repeal or reject the entire omnibus and shut the government down. An overwhelming majority of the country disapproves of how Congress handles its responsibilities, and this sort of factional gamesmanship is a big reason why.

If the House Republicans are really interested in financial reform, they should not do it piecemeal, mysteriously, and at the urging of pressure groups. Instead, the process should be comprehensive, open, and rigorously public-spirited. And they should not give away such an important bargaining chip for nothing in return. The main goal for conservatives is the end of too big to fail, which will strip

a valuable subsidy from megafirms like Citigroup. By making the current regime more tolerable for the big banks, House Republicans are only inducing them to fight harder to keep their federal guarantees.

For better or worse, the Republican party is now the dominant force in the House of Representatives, having won 8 of the last 10 elections. But this is actually a two-way street: The party's reputation, and for that matter the conservative movement's reputation, is now inextricably linked to the performance of the House of Representatives. How can the Republican party and the conservative movement credibly claim to be responsible stewards of the public trust when their most powerful agents legislate in such a shabby fashion?

And the politics of this are terrible. For 30 years, Democrats have had their cake and eaten it, too. Since the labor unions began to fall apart in the 1970s, Democrats have had to curry favor with business interests to fill their campaign coffers; yet for most of this period they have been able to maintain the absurd pretense that they stand for the people against the powerful. By allowing this provision to go through, congressional Republicans have given Democratic corporate stand-ins an easy opportunity to pose, once again, as the defenders of Main Street against Wall Street. In this case, they've allowed Warren—a potential presidential candidate who approves of Boeing's massive federal subsidy—to fulminate against federal subsidies to big banks.

Unfortunately, the opportunity to rectify this error has passed. Let us hope that, moving forward, the Republicans in Congress will do a better job of resisting interest group pressure, particularly when it originates from the corner of Wall and Broad. Until a Republican president is elected, it falls to them to demonstrate that conservatives can govern in the public interest. In this recent instance, congressional Republicans failed their own side. ♦

Lima Greens

Another climate conclave comes and goes.

BY IRWIN M. STELZER

Nicholas Stern is one of the world's über-environmentalists, the author of the famous Stern Review, a 700-page study released by the British government in 2006, which concluded, "Climate change is a serious global threat, and it demands an urgent response." Eight years on, Stern professes himself satisfied that the 13-day, 20th session of the Conference of the Parties to the United Nations Framework Convention on Climate, concluded last week in Lima, Peru, is an important step towards a new agreement at the climate change summit to be held in Paris in December 2015. Of course, Stern and others in the climate change crowd agree there is much work to be done by then, and even after a deal is reached.

That may well be, but neither the Lima agreement nor what is yet to come has much to do with whether the goal of this exercise, set in Copenhagen in 2009 by world leaders, will be obtained—to prevent global temperatures from rising by 2 degrees Celsius above preindustrial levels, thereby averting floods and droughts, storms and insects, and perhaps even the plagues visited upon the Egyptians by a wrathful God. The U.N. Environmental Program reported last month that to avoid this 2-degree increase and the catastrophic damage it is forecast to bring, global emissions must peak by around 2025 and fall to half their current level by 2050.

That's a tall order for three reasons. First, Latin American and other poor countries (and some not-so-poor ones) are desperate for growth and see green policies as impediments to growth. Second, many participating countries

do not even have the ability to measure their emissions, which should be a prerequisite for proving that commitments have been met. Finally, President Obama is insisting that the goals nations set for themselves be nonbinding. He points out that despite America's failure to sign the 1997 Kyoto Protocol, we have met its target, no matter that it took a huge increase in supplies of natural gas and a long recession to get us there.

Obama has no choice but to rely on some form of voluntary compliance. Recall that the Senate in 1997 voted 95-0 to set conditions for ratifying Kyoto that the Clinton-Gore administration knew it could not meet. So President Clinton, taking the Senate's advice that it would not consent, did not send the proposed treaty for ratification, although Al Gore nevertheless went ahead and signed it, to no effect other than to secure his standing as America's greenest politician. Kyoto expires in 2020, and the purpose of next year's meeting in Paris is to replace it with . . . well, certainly not with another treaty that will not be ratified by the Senate. Instead, each country is to come to the table in March to lay out its "intended nationally determined contribution" [INDC] to reducing its emissions starting in 2020.

Those INDCs, which some countries say they cannot contrive until June, will cover 50 shades of green, a spectrum ranging from Obama's dark green, to Canada's, Australia's, and Russia's shades of pale green, and on through India's forget green, we prefer coal-gray. The developing countries are interested in a different kind of green—greenbacks. They were exempted from the Kyoto Protocol and surrendered that exemption in Lima in return for promises of cold cash and treatment that differentiates them from devel-

oped countries, e.g., no outside monitoring. They say: We are where we are because the rich countries have been sending emissions skyward since the industrial revolution, and therefore the wealthy countries should shoulder most of the burden of reducing emissions, and transfer large sums to developing countries to compensate us for joining the battle to reduce emissions. The relation of these demands to problems created by their cooperation in reducing emissions is somewhat unclear: Similar demands had been put to the developed world well before climate change became an issue and a new bottle into which to pour this old wine. The Lima award for chutzpah was won by Saudi Arabia, which is demanding compensation from wealthier countries, if any there be, for oil revenues the kingdom might lose as a result of any emission-reduction policies that result from these meetings.

President Obama pledged \$3 billion of taxpayers' money (specific source of funds as yet unidentified) to the Green Climate Fund, a U.N. agency in South Korea (headquarters for these sorts of organizations get spread around the world), matching the total pledged by Germany, France, and South Korea. Japan says it will toss \$1.5 billion into the pot, and other countries have contributed enough to meet the fund's initial capitalization goal of \$10 billion. That still leaves it more than a bit short of the \$100 billion annually developed countries pledged to mobilize back in 2009.

America entered the negotiations in a better bargaining position than it might have hoped only a few months ago. By getting Xi Jinping to agree to stop the increase in China's emissions sometime around 2030, Obama feels he has made life difficult for domestic opponents who fear his plans will weaken our international competitiveness. Never mind that China's emissions will continue rising for another 16 years, while ours will fall—immediately. Or that many experts say China cannot keep its promise if it is to maintain anything like its current growth rate and the pace of construction of coal-fired generating

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stations, especially since its plan to triple nuclear capacity by 2020 is likely to be derailed by the regime's decision not to use Western designs but to opt for "indigenization" in order to build a nuclear-plant export industry.

The deal with China has also put India's Narendra Modi on the defensive, forcing him to replace his "don't bother me until we are as rich as you are" policy with a seemingly more cooperative one, while at the same time distinguishing coal-guzzling India's situation from that of China. India, being poorer and far less developed, is entitled to a bit of breathing room, pun intended. It should not be asked, he argues, to cap its emissions until well beyond the 2030 date agreed by Xi.

Meanwhile, although the European Union cannot plead poverty, at least not yet, it is less certain about its announced plans to have reduced emissions by 40 percent from 1990 levels, come 2030. France and Germany are wavering, asking Brussels to ease planned restrictions on vehicle emissions, which account for about 11 percent of greenhouse gas emissions in Europe. France's economy is moribund, and President François Hollande, his popularity rating abysmal and sinking, fears new measures that threaten auto output. So do German auto companies. Also, and more important to an edgy business community, Germany's love affair with renewables is cooling in the face of rising energy costs. What Chancellor Angela Merkel's energy/environmental policy will be when Germany takes its seat in Paris will very much depend on whether the current slowdown is a blip, or the beginning of stagnation. Even the most sincere believers in the existential threat of global warming will reexamine their fealty to the cause if their economies are not growing at a relatively rapid rate.

The thousands of academic, business, government, and other representatives jetting to these meetings must have left a significant carbon footprint in pursuit of a deal that doesn't really matter. Not because we can be certain that those who predict

dire consequences from climate change are wrong. They might be, and I rather suspect they are. But I might be wrong. After all, some environmental activists have a long record of contributions to policies that have improved air and water quality without slowing economic growth. Others, of course, are motivated by their desire to get their hands on the energy sector of the economy so that they can control it, oblivious to the fact that the Chinese Communist regime runs the world's most closely controlled energy sector—and is the world's largest emitter of greenhouse gases. Even if it is imperative to lower emissions, all of this international to-ing and fro-ing is leading us nowhere, for several reasons.

If the participants emerge from the Paris conference with a piece of paper assuring us of cooling in our time, the agreement won't take effect until 2020, by which time it might be too late to achieve the goal called for in Copenhagen five years ago. Moreover, if an agreement is signed in December 2015, Obama will have only a year left in office, the deal will be a campaign issue, and a new president might follow the path George W. Bush took with Kyoto and withdraw from participation. Or a new administration might refuse only to go further down this road, something environmentalists such as Stern are already saying will be needed: "Countries . . . must build into the Paris agreement arrangements for moving purposefully thereafter to increase the scale of action." The *Economist* concurs: "Few expect the INDCs, when totted up, to be ambitious enough." It is highly unlikely that a Republican-controlled Congress will be enthusiastic about that, or willing to "accept the responsibilities that are associated with [our] greater wealth," i.e., to send more taxpayer money to developing countries.

There is, besides, no enforcement mechanism, tempting more than a few signatories, especially disgruntled poorer countries dissatisfied with the magnitude of transfer payments, to free-ride on more fastidious ones. And if America is to meet the commitments Obama has made, his successor will

have to push through additional legislation, an unlikely course, since preserving the Obama legacy will not be a priority of the new president, whatever his or her party.

There is, as it happens, a better way to reduce emissions: pricing carbon, or more directly stated, taxing it and using the proceeds to lower growth-stifling taxes on work and risk-taking. According to CDP (formerly the Carbon Disclosure Project), some 29 companies based or operating in the United States already "use an internal price of carbon in their business planning." Companies such as ExxonMobil are assuming that the current market price on emissions—zero—will be replaced in developed countries with prices as high as \$60 per ton by 2030, and are already building those costs into capital-allocation decisions that determine whether new refineries and other facilities get built.

Revenue-neutral emission taxes would achieve several conservative goals. They would face consumers with prices that incorporate all of the costs of using fossil fuels, and leave them free to decide how much of which fuels to use. They would provide revenues with which to lower regressive employment taxes, increasing the incentive of many to rejoin the labor force and reducing inequality of take-home pay. And they would be a substitute for further entanglement with the U.N. redistribution bureaucracy, and with the home-grown regulation-writing bureaucracy. Note that these advantages are available under the label "pro-growth tax reform" rather than "man-made climate change" for those who doubt that the latter phenomenon exists.

Liberals, too, should be pleased, for many of the same reasons, and for the additional reason that a carbon tax is a way of achieving their goal of arresting global warming, something no multinational, unenforceable agreement can do. Of course, those who prefer regulatory solutions to market-based ones will not be pleased, but there isn't much that can be done about that.

The only question is how to impose a carbon tax that does not harm U.S.

competitiveness. The Obama-Xi agreement is one-sided, and will surely give Chinese exporters an advantage over our firms both here in America and in overseas markets. But neither China nor any other U.S. trading partner would have an unfair advantage if the president decides the critics are right and the road to Paris is best not taken. He could, for instance, broker a carbon-tax agreement between environmentalists in Congress who share his fear of climate change and those who doubt such change is under way but are interested in tax reform. To prevent competitive damage to U.S. industries, he could impose what is called a border adjustment, a tax on the carbon content of imports from countries that do not join us in adopting a carbon tax, plus forgiveness of any carbon tax that might be incurred by U.S. manufacturers of goods exported to countries that do not tax carbon emissions.

Should the president decide instead to use his well-worn executive pen in Paris, Republicans in Congress would have an opportunity to show that they can govern. First, they could prohibit the use of any funds to meet Obama's \$3 billion pledge, just as they already prevent the use of any funds to move Guantánamo detainees to mainland facilities. That alone might be another Kyoto moment—scuppering an international agreement unfavorable to U.S. interests. Second, they could add provisions to any trade bill Obama submits to Congress for approval, requiring our trading partners to impose taxes equivalent to any we impose on emissions, much as we now require them to adopt health and safety regulations equivalent to our own. Third, Republican leaders could use negotiations over tax reform to insist on raising taxes on bad stuff, emissions, while lowering them on good stuff, labor and risk-taking.

The failure of Lima to clear the way for a meaningful deal in Paris creates an opportunity to put sensible policies in place that should satisfy just about everyone involved in environmental policy and in tax reform. The president could seize the moment, but if he does not, Republicans and conservative Democrats can do the seizing. ♦

He Never Learns

Obama's no-deal presidency.

BY FRED BARNES

On domestic issues, President Obama rarely leads and doesn't like to negotiate. In his first two years in office, he didn't have to do either. He was spoiled by having overwhelming Democratic majorities in the Senate and House. And he hasn't gotten over it yet.

The Republican landslide in the midterm elections doesn't appear to have caused him to grow up, politically speaking. Mitch McConnell, the soon-to-be Senate majority leader, has presented Obama with an open invitation to work out bipartisan compromises with Republicans. Obama's response has been minimal. He invited McConnell to a private meeting at the White House, then last week alerted the senator he was about to "normalize" relations with Cuba.

Faced with a budget compromise reached by House speaker John Boehner and outgoing Senate majority leader Harry Reid, Obama was obligated to go along. But he didn't like it. "This is what's produced when we have the divided government that the American people voted for," he said despairingly. "There are a bunch of provisions . . . that I really do not like."

In theory at least, the president accepts the new circumstances in Washington. "What the American people very much are looking for is some practical governance and the willingness to compromise," he said. But he noted ruefully that if the budget bill had "passed without any Republican votes I suspect it would be slightly different." It's that difference, Mr.

President, that folks voted against.

Obama uses the term "divided government" as if it's the bane of his presidency, which it is. McConnell has a far more enlightened and practical view. Divided government is one of his hobby horses. He talks about it frequently. "It doesn't mean you can't accomplish anything," he said the day after the midterms.

"I always like to remind people that divided government is not unusual in this country," he said. "We've had it frequently. I think maybe even more often than not since World War II. When the American people choose divided government . . . I think it means they want us to



I can't be bothered.

look for areas of agreement."

McConnell offered a bit of history. "Reagan never had the House in eight years," he said. "Clinton didn't have the House or the Senate for six of his eight years. I can think of at least four fairly significant things [that got] done." He listed the rescue of Social Security and tax reform under Reagan and welfare reform and three balanced budgets under Clinton.

Obama is no Clinton. He has casually endorsed bipartisan compromises, then found a way to wiggle out. He says he favors reform of entitlements but can't follow through because Democrats in Congress oppose it. In January, he was for "fast track" authority to facilitate passage of trade treaties. But Reid refused to pass it. (Does anyone doubt this was prearranged?) In 2011, he was on the verge of locking up a compromise on deficit reduction with \$4 trillion in tax hikes and spending cuts. At the last minute, he sought \$400 billion more in taxes. This "moved the

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goalposts,” Boehner said. He backed out of the negotiations.

The collapse of the deficit talks reflects Obama’s view of negotiations, says Republican congressman Peter Roskam of Illinois, who served with Obama in the Illinois legislature. If Republicans agree to a deal, Obama figures he hasn’t pushed hard enough and asks for further concessions.

Republicans will make it hard for Obama to sidestep all negotiation and compromise in 2015. The public wants the kind of bipartisanship Obama promised in his 2008 campaign. “They don’t want Obama playing politics [and] trying to push Republicans into fights,” says GOP pollster Ed Goas. He and Democratic pollster Celinda Lake released their George Washington University Battleground Poll last week.

It’s not just McConnell and Boehner who want to deal with the White House and congressional Democrats. The 41 House freshmen in the Republican class of 2014 are considerably less ideological than the 2010 class. Many ran on seeking to cosponsor bills with Democrats. As a group, they are more moderate.

McConnell is ready for talks on four issues Obama has said he’d like to take up: trade agreements and fast track, infrastructure, tax reform, and entitlements. Reaching a compromise on any of these would be difficult. The increasingly energetic left wing of the Democratic party and organized labor oppose free trade pacts, period. Obama wants to take \$1 trillion from tax reform and spend it on infrastructure—a non-starter. And rather than reform entitlements, Senator Elizabeth Warren of Massachusetts and her left-wing allies want to increase benefits.

Another problem is Obama’s failure to understand the value of the stamp of bipartisanship on major initiatives or policies. Had Republicans been offered inducements to vote for Obamacare and Dodd-Frank’s expanded regulation of Wall Street, those measures would be far less controversial and threatened with repeal or sharp revision than they are today. They might even look permanent.

Obama “has not absorbed any of

that lesson,” says Roskam. Instead, he invited Republicans to dinners, White House meetings, and rounds of golf in 2013. In the case of Senator Bob Corker of Tennessee, he alienated a senior Republican eager to compromise on entitlement reform and the budget. Lauren Fox of *U.S. News & World Report* quoted Corker as telling a group of reporters that Obama’s overtures were not “ever in earnest, it was optics.”

Since the November 4 elections, Obama hasn’t recovered politically. His efforts, pollster Goas says,

“to downplay these electoral results through legislative maneuvering, executive orders, and trying to blame Republicans have all failed. He is in as poor a place politically today as he was on the day after the midterm elections.”

The first test of Obama’s willingness to seek bipartisan solutions came after Republicans won the 2010 midterms. He was unwilling. Now, with Republicans about to take full control of Congress, he has another opportunity to bargain seriously and honestly with Republicans. Chances are, he won’t. ♦

Waiting for the ‘Termination Point’

Is the end in sight for race-conscious college admissions? **BY TERRY EASTLAND**

In *Grutter v. Bollinger*, decided in 2003, Justice Sandra Day O’Connor upheld race preferences in higher education but also declared they must have “a termination point.” So when a lawsuit against preferences in admissions is brought, there is a presumption that they could be terminated, perhaps even in a ruling applicable to schools across the country.

Last month, two cases challenging preferences were filed in federal courts, one against Harvard College, the other against the undergraduate school of the University of North Carolina at Chapel Hill. The plaintiff in both is Students for Fair Admissions (SFFA), a new nonprofit whose members include, according to the group’s press release, “highly qualified students recently denied admission to both schools, highly qualified students who plan to apply to both schools, and their parents.” The organization and its members support race-neutral admissions and seek nothing less than the end of

race preferences in higher education and the discrimination they entail.

Like many other elite undergraduate schools across the country, Harvard and UNC-Chapel Hill use race preferences to admit their classes. Under current law, preferences challenged in court must undergo “strict scrutiny” and are permitted only when they serve a compelling governmental interest that cannot be achieved through race-neutral means. In the context of higher education, “diversity,” to use the shorthand expression, is the only compelling interest the Supreme Court has recognized.

SFFA is prepared to argue that race-neutral alternatives capable of achieving diversity are available to both schools, and that the failure to adopt such alternatives violates federal law and the Constitution. SFFA points to preferences based not on race but socioeconomic criteria. “This approach is particularly effective,” the organization argues, “when combined with increased use of financial aid, scholarships, and recruitment to attract and enroll minority applicants”

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and with “the elimination of admissions policies and practices, such as legacy preferences and early admission, which operate to the disadvantage of minority applicants.”

SFFA contends that UNC-Chapel Hill’s failure to avail itself of race-neutral alternatives “is especially troubling” because it knows better. In 2012, the school conducted a study to determine whether automatically admitting in-state applicants finishing in the top 10 percent of their high school class would work about as well as racial preferences in achieving diversity. The study showed that, indeed, the percentage plan would work better than race preferences, admitting slightly more minorities. But UNC-Chapel Hill refused to adopt the plan. Its central objection: The plan would admit students with an average SAT score 56 points lower than that of the students admitted under the current, racially inflected process.

SFFA says this is a “trivial decrease” in average SAT scores, and it would seem so. A question for the courts in both cases, but especially the one brought against UNC-Chapel Hill, is whether a race-preferential admissions process can be maintained when a plausible race-neutral alternative is available. Last year in *Fisher v. University of Texas at Austin*, the Supreme Court’s most recent case on race preferences in admissions, Justice Anthony Kennedy called for *stricter* judicial scrutiny. That more skeptical approach could wind up constraining the use of preferences at more schools than just UNC-Chapel Hill and Harvard.

The SFFA lawsuits also challenge preferences at their very root by taking on the diversity rationale. Obtaining the educational benefits of a diverse student body is the rationale, simply stated. A diverse student body will include skilled musicians and artists and others with special talents. And it will include “underrepresented” minorities—African Americans, Hispanics, and Native Americans. And not just a few underrepresented minorities but “a critical mass,” as

Justice O’Connor wrote in *Grutter*.

“Critical mass” surely involves a numerical definition. But higher educators are loath to address the “mystical critical mass,” as Justice Antonin Scalia has called it, and officials at neither Harvard nor Chapel Hill are likely to be eager to say much about it should the lawsuits proceed. Indeed, during oral arguments in *Fisher*, Chief Justice John Roberts asked the defendant’s lawyer what critical mass the University of Texas at Austin is “working toward,” only to be told, “We don’t have one.” Likewise holding things tight, Harvard no longer allows the public to examine admission rates by race.



Asian-American applicants: the new Jews

SFFA is ready to press the argument that it was a mistake for the Court to have endorsed critical mass and that “it should be outlawed once and for all.” SFFA would appear to have an important ally should either case go to the Supreme Court. That would be Justice Kennedy, who wrote the following in his dissent in *Grutter*: “The concept of critical mass is a delusion used to mask [an] attempt to make race an automatic factor in most instances and to achieve numerical goals indistinguishable from quotas.” And about quotas, the Court has been clear: They are illegal.

SFFA is also prepared to argue that Harvard and UNC-Chapel Hill fail to use race on the terms approved in *Grutter*—as merely a “plus factor.” Instead, race has become a very large factor in admissions decisions; otherwise a critical mass could not be enrolled. Indeed, SFFA contends, “Only using race or ethnicity as a dominant factor in admissions decisions could . . . account for the disparate treatment of high-achieving Asian-American and white applicants

and underrepresented minority applicants with inferior academic credentials.” Neither school’s admissions decisions, says SFFA, are “explainable on grounds other than race.”

The challenge to Harvard’s race preferences is significant for its focus on the fate of Asian Americans in elite-school admissions. In its filing, the SFFA shows how the “Harvard Plan” that Justice Lewis Powell held up in *Regents of the University of California v. Bakke* (1978) as a model for diversity-based admissions had its origins early in the 20th century and was used to discriminate against Jewish applicants until the 1960s. Today, the latest edition of the Harvard Plan is used, alleges SFFA, “to hide intentional discrimination” against “another high-achieving racial and ethnic minority group,” one “underrepresented relative to its application numbers,” and to an extent no other racial or ethnic group is. In other words, Asian Americans are victims of quotas now, just as Jews once were.

Not incidentally, one member of SFFA who applied for and was denied admission to Harvard’s 2014 entering class is an Asian American whose parents are first-generation immigrants to the United States from China; who graduated from high school ranked 1st out of 460 students by weighted and unweighted grade point average; whose high school ranked in the top 5 percent of all American high schools; who achieved a perfect score of 36 on the ACT, 800 on the SAT II History, and 800 on the SAT III Math; who was captain of the varsity tennis team, a volunteer in numerous philanthropic efforts, and so forth.

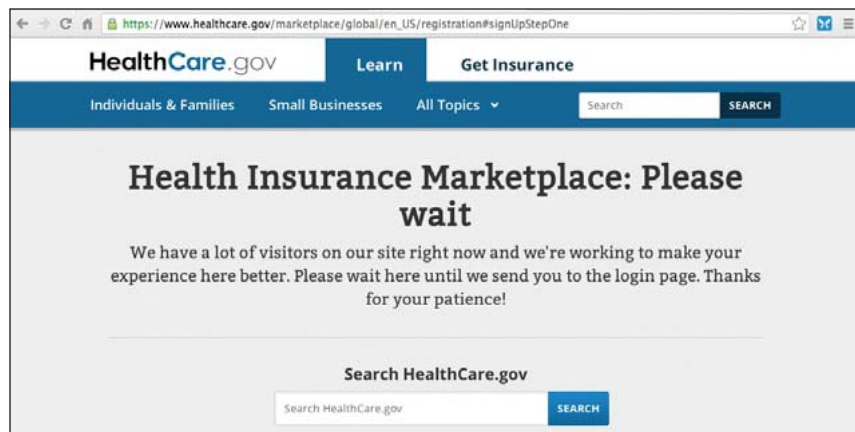
Both Harvard and UNC-Chapel Hill say their admissions policies comply with the law. Both will vigorously defend them; Harvard already has engaged Seth Waxman, who served as solicitor general during the second Clinton term. But however the two cases fare, SFFA has already indicated it will file more. Its leaders are in this battle for the long run, even as they hope it will end soon, with that point of termination finally reached. ♦

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A Year Later, the Exchanges Still Stink

Health insurance ‘job lock’ isn’t going away.

BY IKE BRANNON



After all, what's the hurry?

One day soon I will presumably receive a notice from the D.C. health exchange informing me how much my family's health insurance will cost for 2015. That I've not yet been made privy to this salient bit of information mere weeks before I have to decide whether to change providers is a function both of the low level of competency that can be expected of any government dabbling in commerce as well as the politicization of the exchanges.

In its first year of existence, the D.C. government's health exchange has worked much as I anticipated—not very well. It took months to navigate the website to actually purchase insurance, and the communiqués from the exchange have ranged from irrelevant to unhelpful to factually incorrect.

However, its existence—more precisely, my ability to buy insurance at a price unaffected by my family's health status—saved me thousands of dollars and was what allowed me to quit my

job and start my own business. But the ability to obtain health insurance at a reasonable price is more than just a boon for me: More broadly, insurance that no longer unduly locks people into jobs could ultimately be beneficial for the economy. Whether the current exchanges manage to achieve this has yet to be determined.

The horror show of Obamacare has caused some to forget “job lock” and other dark aspects of generous, employer-provided health insurance. A personal illustration: Twenty years ago I was completing graduate school and applying for academic jobs. I limited my search to states contiguous to my home state of Illinois, which in retrospect was a lousy idea. The only school that showed any interest was the University of Wisconsin, Oshkosh, a public university with 12,000 undergraduates.

But I clearly did not impress them: After my first interview there was no contact, and I continued applying for other jobs, to no avail. Two months later—and still no job in sight—I received a call out of the blue inviting me for a second interview.

Upon my arrival, an indiscreet faculty member let me know I was the third choice of the department, but the first two candidates had bowed out. The sticking point for each, it turned out, was a law requiring new state employees to pay for their health insurance during their first six months on the job.

The rub was that, being a state government entity, the university provided health insurance that was very, very good, and the price reflected it: \$15,000 per year (\$24,000 in today's dollars). My starting salary, on the other hand, was just \$40,000. That meant, after taxes and pension contributions, more than half of my take-home pay would go to the insurance company. For a new professor of English or music at the school, where starting salaries then were closer to \$30,000, paying for insurance meant six months of penury, but it was what every new faculty member chose to do.

Except for me. I told the dean I would accept the job and forgo health insurance for the first six months.

The dean (a Marxist in good standing) did a double-take and carefully explained the disaster that could befall me, a 27-year-old male in perfect health with \$500 in the bank and no dependents (besides a bartender), should illness strike. I said I was willing to take that chance. Visibly bothered, he repeated his spiel, only more slowly. Not wanting to scotch my first job, I feigned listening carefully and responded that, upon his measured advice, I would purchase health insurance before starting.

I called an insurance agent friend for advice who told me to not piss away money I didn't have on a health care plan I didn't need. I survived the interregnum without incident and for good measure went another four years without seeing a doctor, during which time my employer paid handsomely so that I had first-dollar coverage for any malady that might arise.

Understandably, the Obama administration, during the battle to pass the Affordable Care Act, talked about the outsized role health

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insurance has played in people's labor market decisions, with many staying in jobs they would prefer to leave or taking jobs that weren't their first choice because of insurance. They were right about that. However, that aspect of our labor market may not change much in the next few years: While the must-carry provisions of the new exchanges mean that people with preexisting conditions are now guaranteed they will be able to purchase health insurance and not have to pay more for coverage than the healthy, the price—at least for those whose incomes don't merit a subsidy—isn't all that cheap, and most of the exchanges remain somewhat dysfunctional. The hassle factor this imposes deters people from obeying the law and obtaining insurance, fines be damned. If too many people go this route, premiums go up, which will deter still more people from purchasing insurance.

And even if the exchanges magically begin functioning as promised, there's little indication that the Affordable Care Act will lower the growth of health care costs. This remains the bigger threat—not just to our health care sector but to our country's fiscal health. While the administration insinuates that insuring more low-income workers will result in these people getting their illnesses treated by primary care physicians rather than going to the emergency room when sick, thereby saving oodles of dollars, the data don't bear this out: Studies that looked at the dramatic expansion of Oregon's Medicaid rolls found, unsurprisingly, that the easier we make it for people to get health care, the more of it they consume, and not necessarily in a way that reduces future costs.

What's more, many labor market decisions are still deeply entangled with health insurance choices. In the two decades after my Oshkosh years, I acquired a wife and kids, mortgage, pension, and a few of the accoutrements of middle-class life. In 2013, I was contemplating launching my own business. I had savings to soften a bumpy first year, but the cost of health

insurance for my family was daunting—over \$30,000 a year for a plan that wasn't quite as good as what I was getting from my employer, a cost greatly increased by myriad preexisting conditions in the family.

With the state-run exchanges coming down the pike I realized that, at least in the first year, I would be able to purchase health insurance at a reasonable price. So I left my employer in July 2013 and launched my consulting firm. In November 2013, I duly filled out my application to purchase insurance on the D.C. health exchange. After that, nothing happened: The only further communication I received from the exchange was a flurry of letters and emails informing me I had the right to have my communications from the D.C. exchange sent to me in any of 20 different languages, including Irish and Navajo.

After a number of ignored emails and phone calls, I contacted a health insurance "facilitator" to see if she could help me. No dice. She did manage to make the D.C. government verify that the information I had sent them—copies of passports, utility bills, and tax statements—showed that my family did exist and resided in the District, but we still weren't able to buy insurance going into 2014.

The D.C. exchange assured me that they would straighten things out by mid-January and allow me to buy insurance retroactive to January 1. But it wasn't until mid-March that we managed to buy insurance. And actually paying for insurance did not end our travails: The exchange mistakenly applied my payments for March and April to January and February instead, which led to our insurance being canceled on April 1, necessitating another flurry of calls and letters. A few months later we received a letter again threatening us with immediate cancellation unless I delivered copies of our passports. Resolving this one was trickier because, upon calling the exchange, the people there denied such a notice was sent until I forwarded a copy to them.

One statistic from my enrollment efforts: In four consecutive months, I spent over 500 minutes on the

phone with either the D.C. health exchange or the health insurance company we selected.

Recently, with premium increases for 2015 presumably about to be announced, I thought it might make sense to go on the exchange's website and see if they had updated prices for competing plans. After 20 minutes of trying to log in without success, I gave up, vowing never to get on the site again.

Helping people who don't have employer-provided health insurance obtain coverage is a worthy goal, and one Republicans could have devoted more attention to when they were in power. The Democrats, as is their wont, addressed the problem by inserting government into the middle of it, with predictable results.

Republicans could choose to play the adults in the game and try to do something to reduce health care costs: impose a cap on the deductibility of employer-provided insurance that affects more than a token number of workers, for example, although the 2008 election showed what a political loser tackling that issue can be.

But unless Republicans manage to claim the White House in 2016 and add a half-dozen senators, proposals to repeal Obamacare feel pointless, since Democrats won't dare loosen its strictures without a gun to their head. Failing that, the only hope is that the various exchanges start functioning much more smoothly than they have been, and that enough people remain in the market so as to avoid the dreaded death spiral, where higher prices chase away buyers, which further increases prices and further deters buyers until no one but the heavily subsidized and those with literally no other options remains.

I may be one of those who seeks other options: After my consulting firm completed a successful project for a big client, the president of the firm invited me to lunch and inquired whether I might be open to his firm acquiring my firm and making me a partner. My first, reflexive, question was to ask about their health insurance. ♦

The Next Shale Revolution?

The astonishing promise of enhanced oil recovery

BY SAMUEL THERNSTROM

Just five years ago, almost no one outside the natural gas industry had heard of fracking, even though the basic technologies were not new; today, the shale gas revolution has transformed America's energy markets, with profound effects for economic growth, competitiveness, security, and environmental quality. In a nation still deeply concerned about its energy future, this extraordinary success story should prompt the question: Can we do it again?

The answer is yes—if we correctly understand both the model for innovation that shale gas exemplifies and an opportunity that now exists to emulate the shale model. That opportunity involves exploiting a technique called “enhanced oil recovery” (EOR).

Like fracking on the eve of its success, this concept is virtually unknown to most Americans, yet it rests not on pie-in-the-sky technological dreams but on the application and refinement of proven technologies that companies have been developing for decades. Like fracking, enhanced oil recovery has the potential to recover staggering quantities of hydrocarbons that were previously known but considered inaccessible. As with fracking, the primary players will be the private sector—but public policy has a crucial role to play in establishing the necessary conditions and providing the impetus for this market to take off. Most tantalizingly, enhanced oil recovery should be less controversial than fracking, because it also offers the opportunity to radically reduce greenhouse gas emissions from electric power generation (and other industries).

The shale gas revolution may have seemed to emerge out of nowhere, but it in fact represented the maturation of an industry that had been developing for decades, driven

by advances in multiple technologies—hydraulic fracturing, directional drilling, and the combined-cycle natural gas power plant. In the nuance-allergic world of politics, this story is often spun either as a triumph of the free market or as proof of the power of government-funded R&D. In fact, both the government and the private sector deserve credit, and success depended in no small part on getting the relationship between the two sectors right.

Reviewing this history in a recent *National Affairs* essay, Jim Manzi identified three factors that drove the shale gas revolution: (1) America's system of property rights and pricing, which allowed innovators to reap the rewards of their work; (2) our highly skilled and competitive workforce and market for oil exploration, extraction, and associated services; and (3) government support for research, development, demonstration, and commercialization of these technologies.

As Manzi observes, we cannot know how much weight to give to the third factor—there's no way of knowing what would have happened without it—but the very companies that led the fracking revolution have been the first to acknowledge the significance of government support. It takes nothing away from the entrepreneurial geniuses who saw and pursued the potential of shale gas to acknowledge the public policy contributions to their success.

Federal support for shale gas development wasn't limited to basic research and development. It ran the gamut: early R&D support through the Eastern Shales Gas Project in 1976, a hand-off of technology to the private sector via the Gas Research Institute (a public-private institution funded by a charge on interstate gas sales), support for refinement of the technologies through further federal R&D in the 1980s, and a boost to its commercialization through tax incentives for the use of “unconventional gas” (as it was then called). Long after the core technologies were first developed, federal support for their refinement and commercialization continued.

Manzi's essay looks at the most important part of the equation—the revolutionary advances in technology for extracting gas from shale—but there was another element of

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the story that wasn't inconsequential: the combined-cycle gas turbines that turn the gas into electricity. Why do we have such efficient natural gas power plants? Because the Department of Defense invested well over a billion dollars over three decades to improve the performance of jet turbines for military aircraft—and then the Department of Energy spent millions more to apply that knowledge to power generation.

An unfortunate legacy of the Obama administration's tainted record on green energy investments has been a loss of conservative support for this model of innovation. Overreach-and-backlash may be an unavoidable dynamic in politics, but it would be a mistake to assume that this administration's missteps on energy innovation reflect inherent obstacles to success in the field.

In fact, the opportunity that enhanced oil recovery offers today is much clearer than that of shale gas in 1976, when President Ford first focused federal attention on its potential. EOR's core technologies work well, and the market is much more advanced than shale gas was in the 1970s. But a focused public push to expand the market for EOR and bring next-generation technologies forward could still have profound effects on America's energy future.

Using known and next-generation technologies and processes, enhanced oil recovery could increase domestic oil production—mostly from existing wells, not new fields—by tens of billions of barrels. Public policies to jump-start this nascent market could significantly enhance our energy security, improve our balance of trade, and generate tens of billions of dollars in revenue for the federal government and trillions in economic activity over the next half-century.

Equally important is the answer offered by EOR to two of the most pressing questions in energy policy: *What is the future of coal in this country, and what can the federal government do to reduce the risks of climate change?* The answer EOR offers is uniquely compelling: *Coal stays in our energy mix while almost all of its carbon gets trapped underground.*

The key to this opportunity lies in the fact that carbon dioxide is the essential ingredient in enhanced oil recovery operations. And in contrast to EPA's divisive, expensive, and likely ineffective approach to regulating carbon emissions, EOR would give American companies an opportunity to make money putting carbon dioxide underground while producing oil, making this a wealthier, more productive country with a stronger, more secure energy economy and a cleaner environment.

Drillers have long understood that they leave most of their product in the ground. As oil is pumped, the pressure underground drops and it becomes harder to extract what remains. Typically, only about one-third of the oil in a given location can be economically removed. As a result, many supposedly "depleted" wells actually still contain most of their oil—just waiting for a technology that will make it economical to extract it.

In the early 1970s, drillers in west Texas figured out how to do just that, and the remarkable secret to their success was carbon dioxide. Pumping carbon dioxide into depleted wells not only increases the pressure, it also acts as a solvent, helping to separate oil from the cavities in the rock where it is trapped and the water it is often mixed with. This process enables oil companies to extract as much as another third of

a site's oil—essentially doubling a well's productivity.

One might think that such a remarkable technology would be an overnight sensation. But in fact, we are nowhere near capitalizing upon EOR's full potential. Since the 1970s, oil companies have injected about a billion tons of carbon dioxide into "depleted" wells, producing roughly 2.5 billion barrels of oil. About 6 percent of the oil produced in America is now extracted using this technique. We know it works—but it's still a niche market.

What's holding us back? A shortage of carbon dioxide. The

carbon dioxide used in EOR operations is predominantly geologic—companies tap into underground deposits and extract CO₂ for enhanced oil recovery and other commercial applications. That's how it's been done since the 1970s, but two important things have changed in recent years. Climate change has become the preeminent environmental concern, and new studies have shown that there is *much* more oil reachable through EOR than had been previously understood—so much so that geologic carbon dioxide supplies aren't nearly sufficient. If we want to get that oil, we'll have to capture carbon dioxide from industrial sources, such as coal-fired power plants.

Which brings us to the interesting place we find ourselves today: Our nation's top environmental goal is reducing carbon dioxide emissions. And one of our top energy priorities is maximizing production from domestic oil reserves. Capturing carbon dioxide from power plants and using it for EOR could produce billions of barrels of oil while simultaneously putting billions of tons of carbon



A Mississippi EOR facility using geologic CO₂

dioxide underground forever. Yet policymakers are doing next to nothing to take advantage of this unique opportunity. Instead, Washington is preparing to fight a pitched legal and political battle over proposed EPA power plant regulations that will, even if implemented, make barely a dent in America's carbon emissions.

Why is so much carbon dioxide being released into the atmosphere if it's valuable? Because the costs and benefits don't quite align—yet. But Congress could easily change that. There isn't much of a market for carbon dioxide from power plants because the costs of capture typically exceed the market price of carbon dioxide. Oil companies might pay \$30 or \$40 a ton for carbon dioxide, but capturing it from a power plant can cost \$80 a ton or more.

So imagine what would happen if the federal government provided a tax credit that bridged the difference—a credit, say, of \$40 a ton. All of a sudden, we would have a market: Oil companies could continue to pay market prices for carbon dioxide, while utilities and other industrial sources could make money selling it to them. Instead of leaving all that oil underground while carbon continues to accumulate in the atmosphere, we could be in the business of sequestering billions of tons of carbon dioxide while producing billions more barrels of oil.

Fine, say the skeptics—but who wants to pay the cost of all those tax credits? New subsidies for energy aren't exactly popular on Capitol Hill these days. The difference, though, is that an EOR tax credit would more than pay for itself. Over time, its net effect on the Treasury would be positive to the tune of tens of billions of dollars.

Pumping a ton of carbon dioxide into a well produces roughly two-and-a-half to three barrels of oil; on average, each barrel generates \$23 or so in federal and state taxes and royalties (depending on the location and price of the oil, of course). So each ton of carbon dioxide used for enhanced oil recovery would create about \$58 in revenues. Even after covering the cost of a \$40 per ton tax credit, the Treasury would come out ahead. And when the additional oil production is measured in the billions of barrels, the revenues—not even counting the effect of the added oil production on economic growth—would be substantial.

It's worth noting that not all sources of carbon dioxide would require that level of subsidy, but power plants are the largest potential supplier of carbon dioxide. And over time, as technology and efficiency improve, costs should come down and the need for tax incentives should as well.

Other public policies could also make EOR more attractive, reducing the need for tax credits. Tax-free bonds, for example, would improve the economics of many EOR projects; we issue such bonds for many other privately owned pollution-control systems but not for carbon capture. Congress could grant that authority, and

advocates of this concept believe it would make many EOR projects economically feasible.

The EOR industry is going to grow on its own in the coming years, but public policy could greatly increase the pace and scale of its expansion. And while the market-focused mechanisms just described would have the most immediate effect, the shale gas model suggests that continued federal support for advanced R&D might be helpful as well.

To maximize the EOR opportunity, public policies should seek to ensure that the technologies can be applied widely and that the industry and its markets mature as quickly as possible, phasing out the need for financial incentives. Achieving both of those goals depends upon the same thing: development and demonstration of next-generation EOR technologies that will increase their efficiency and expand their applicability in geologically suboptimal conditions. Federal support could speed up that process.

Right now, EOR operations are centered in west Texas in the Permian Basin, in fields with very favorable geology. Under such optimal conditions, particularly in higher quality fields, the process is efficient: For every metric ton of carbon dioxide injected, 2.5 barrels of oil are produced. To maximize the market, though, we would want companies to be able to operate in more geologically challenging settings such as the Rocky Mountains, the Mid-Continent, and second-tier Permian Basin fields. In those places, EOR is pricier and less efficient; productivity tends to fall to 2 barrels of oil per ton of carbon dioxide injected.

How to overcome that? Even modest federal (and/or state) support for research and development and, importantly, incentives for demonstration of more efficient EOR technologies for these geologically challenging contexts could be very helpful. Will the industry get there on its own? Probably, someday—but federal funding would almost certainly accelerate that process.

The issue is not merely maximizing the geographic scope and scale of EOR operations; this is also the path to making the markets self-sufficient, which would certainly be in the public interest. More efficient next-generation EOR technologies would make carbon dioxide more productive and consequently more valuable, reducing the need for tax incentives.

For example: If oil producers in the more challenging Rockies or Gulf Coast oil fields are able to recover only two barrels of oil per metric ton of carbon dioxide, and a ton of carbon dioxide costs \$40, the CO₂ cost per barrel of oil produced is \$20. But next-generation technology might make it possible to recover three barrels of oil for every ton of carbon dioxide used. That would mean the industry could afford to pay \$60 per ton of carbon dioxide while keeping its

costs constant at \$20 per barrel. And as carbon dioxide becomes more valuable, tax credits could be phased out.

If public policies can accelerate the rate at which the industry moves along that cost curve—more efficient technologies, bigger markets—the payoff will be enormous. Domestic EOR operations now produce about 300,000 barrels of oil a day, but if the market took off, they could produce 10 times that amount.

People will understandably be skeptical of these claims. They've heard too many overblown promises from energy and environmental advocates. One important attraction of this concept, however, is that it puts the private sector in the role of evaluating commercial risks and financing projects; it only costs the government money once the process is nearly complete. So if the tax credit fails, it'll fail cheaply. To earn the credit, the carbon dioxide would have to be captured and injected into an oil field; at that point, we can be pretty confident that oil is going to be produced as a result. If the assumptions about the market effect of the tax incentive turn out to be wrong and companies don't find it profitable to do EOR, there simply won't be take-up on the tax credit; net cost, nothing.

This sort of public policy decision seems categorically different from government bureaucrats placing blind (if not biased) bets on an individual company's ability to build a new plant to produce a new commercial product that has to compete in complex, ever-changing global markets, as was the case with Obama administration missteps such as Solyndra, the now-bankrupt maker of solar panels, and Fisker, the failed maker of electric cars.

Aspects of this concept are, of course, somewhat out of step with the desire for broad tax simplification and technology-neutral public policies—but given the lack of progress on those fronts, it seems unwise to hold this opportunity hostage to larger goals that may never be accomplished. And of course this is not a never-ending federal handout to a fundamentally unproductive technology, but a revenue-positive tax credit to jump-start a market that would generate trillions of dollars of new economic activity based around increased supplies of a commodity that is a linchpin of our economy.

Still, skeptics will rightly wonder why the government should be involved in something like this. The answer comes down to the fact that there is a compelling public interest at stake in two critical dimensions: Expanding EOR markets could arguably do more to improve American energy security—in both transportation and electricity-generation fuels—while simultaneously moving us closer to a zero-emissions energy system than any other single policy we could pursue. Even small-government conservatives should be willing to consider policies that leverage such

significant outcomes out of limited federal interventions, particularly when the alternative is an expensive and ineffective regulatory approach to these issues.

This last point bears emphasizing: Industrial sources of carbon dioxide such as power plants would no longer be just electric generators in this context; they would become an integral part of the oil production process. There are places in America where there's a lot of oil to be had—if we had carbon dioxide to extract it. An EOR initiative would mean that the impetus to install carbon capture on power plants would no longer be a politically contentious pollution control measure imposed by Washington; instead, it would be a profitable way to harness an essential chemical for oil production.

It's also worth noting that EOR isn't the only way carbon might be productively utilized, although it is by far the largest, most reliable near-term opportunity. But there are a number of other potential markets for carbon dioxide, ranging from water desalination (where its use could cut costs significantly) to the production of chemicals, algae biofuels, and other commercial products. (In fact, carbon dioxide might even be used in fracking itself.) A host of companies are exploring these prospects; in October, a \$125 million factory opened in Texas that uses a cement plant's carbon dioxide to make chemicals. If an EOR initiative created a multibillion-dollar market for carbon dioxide, supported by an extensive infrastructure for capturing and transporting the gas, these other potential uses of carbon dioxide would likely benefit as well.

It might seem fanciful to imagine that utilization could possibly compare to regulation as a tool for reducing carbon emissions, but the numbers suggest otherwise.

One thing that climate and energy issues have in common: *It's all about scale.* Whether the question is carbon reduction or energy production, it only really matters if you're talking about big numbers. So let's look at the potential size of enhanced oil recovery.

Recall that most “depleted” oil fields still contain a lot of oil. Last year, the leading consulting firm in this field, Advanced Resources International, took a fresh look at how much oil remains in major deposits in the Lower 48 where EOR might be used (and in 2014 extended their analysis, the findings of which are included here). The figures are eye-opening.

Of the 600 billion barrels originally in those reservoirs, 182 billion barrels have been produced, and another 22 billion barrels are proven reserves that can be extracted economically with existing technologies and practices. That accounts for 204 billion barrels, meaning that nearly 400 billion barrels—more than twice the total amount produced to date—are “stranded” in these oil fields.

Advanced Resources International estimates that

today's EOR technologies—including the next-generation technologies that an EOR initiative could bring to market—would make an additional 85.4 billion barrels economical to extract (this assumes oil prices at or above \$90 a barrel and carbon dioxide prices at or below \$40 a ton).

Those figures are conservative; for one thing, every time new oil fields are discovered, these numbers increase. Also, this estimate doesn't factor in the potential to reach into "residual oil zones," where oil is typically mixed with water and unavailable through conventional means. Residual oil zones contain another 140 billion barrels of oil, some significant fraction of which might be accessible using advanced EOR technologies. And, of course, if oil prices are higher than \$90 a barrel—which, despite their recent decline, remains likely in the long run—or if EOR technologies and practices improve, then even more oil will become economical to produce.

Given that America's oil consumption is just under 7 billion barrels a year and domestic production is projected to top 3.1 billion barrels in 2014, the opportunity for federal policy to unlock access to 85 billion barrels of economical oil—potentially producing as much as an additional 2 to 3 million barrels of oil per day for the next 50 years—seems worthy of serious consideration to say the least.

The EOR opportunity is much bigger than Keystone XL—and it's American oil, not Canadian tar sands. It's bigger than the Arctic National Wildlife Refuge—and it involves extracting additional oil from existing fields; even the Natural Resources Defense Council approves of enhanced oil recovery as a pragmatic alternative to drilling new fields. And it could arguably do more for decarbonization than EPA regulations, yet it remains at the margins of the national conversation about energy and climate.

So the numbers are extraordinary on the energy supply side, but what about on the carbon reduction side? Democrats aren't likely to support a policy that's just drill-baby-drill; what's in it for them? Here too the tonnage is significant—and the strategic implications for decarbonization are even greater than the numbers alone suggest.

To produce the 85 billion barrels of oil that Advanced Resources International estimates EOR could economically reach in the United States, nearly 24 billion tons of carbon dioxide would be needed. Geologic (and low-cost industrial) sources might provide as much as 3 billion tons but other industrial and agricultural sources of carbon dioxide would be needed for the remainder—21 billion tons. When carbon dioxide is used in EOR operations, an initial fraction of it (roughly a third) remains underground; the rest comes up with the oil, where it can be recaptured and reused until it is all sequestered. You could think of EOR as a sophisticated form of carbon recycling and disposal.

If the only thing an EOR initiative did was to sequester

21 billion tons of carbon dioxide, it would still merit serious consideration. But the real measure of success is in innovation: What can EOR do to drive development of carbon capture and sequestration technologies?

Because carbon dioxide emissions are cumulative (carbon dioxide accumulates in the atmosphere), climate policies can't aspire simply to bend the U.S. emissions curve a bit. Stabilizing atmospheric concentrations of carbon dioxide—at any level, on any timeframe—depends on our ability to virtually eliminate emissions from key sectors such as electric power generation, and to do it globally. Incremental reductions aren't enough; you've got to get to zero.

Naturally, incremental reductions that reflect real progress toward that goal are productive—but not all policies that reduce emissions incrementally lead to zero. Natural gas proponents like to call it a "bridge fuel," neatly sidestepping the question of what lies on the other side of the bridge or how the two ends connect. Using more gas and less coal will lower emissions, but, without carbon capture, the improvement is 50 percent at best (and probably less). So if the goal is near-zero emissions, whether the fuel is coal or gas, there's no way to get there without carbon capture and sequestration.

Given the extraordinary abundance and affordability of coal and natural gas and the enormous established infrastructure for those fuels, pragmatists recognize that there is no practical path to decarbonization that doesn't start with the assumption that the world is going to continue to burn them for the foreseeable future. Progress on decarbonization depends therefore not on dreams of a day when the world agrees to leave fossil fuels in the ground but rather on finding practical ways to put their carbon dioxide back underground through carbon capture and sequestration, not just in advanced economies but also in the developing world. The metric of success for a climate policy should not be just the tonnage of avoided annual emissions; the more important question is whether we are making decarbonization possible and practical on a global scale.

Here's the thing about carbon capture and sequestration: We know how to do it—but it's far from being a mature technology. Capturing carbon dioxide from power plants is a challenging business, and doing it on a global scale will require advanced technologies and practices, a skilled workforce, robust markets, and extensive infrastructure. It's a long road from here to there. We can see the technology's potential, but without a practical path to commercialization, its development will be slow.

Although basic carbon capture and sequestration technologies have been demonstrated in varying configurations for decades, companies are only just beginning to do carbon

capture and sequestration at full scale on power plants (including one that just opened in Canada, and another that will open in Mississippi in 2015). That means the technology is still at the most expensive stage of the learning curve, and there is almost no market demand for it today that would drive the necessary investments in innovation.

For carbon capture and sequestration to work well enough for both developed and developing nations to use it at scale, the core technologies and their associated markets and regulations will need to be much more developed, and costs will have to come down considerably. Assessments of the technology strongly suggest that can happen—but it will require finding a way to build a lot of these facilities and their supporting infrastructure, learn how to operate them efficiently, and learn how to build better ones. What is needed most is not just more research (although there's a role for that) but rather a way to pay the cost of building carbon capture and sequestration projects today at scale—to “learn by doing”—and to create market demand for next-generation technologies.

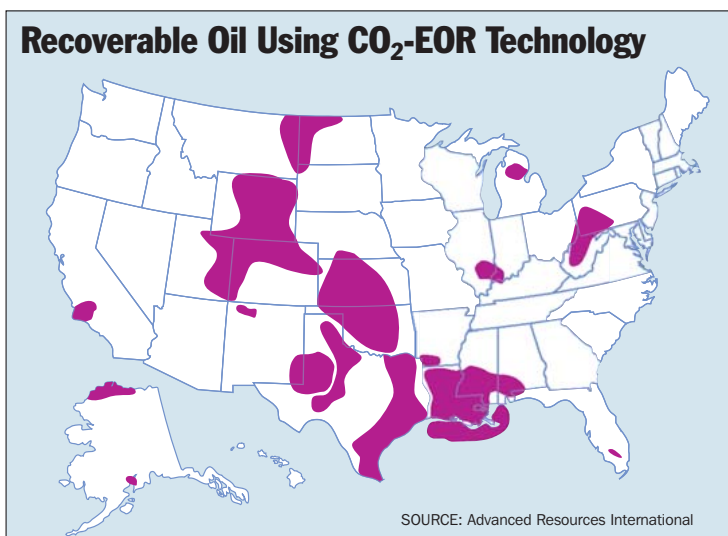
Regardless of one's stance on climate risks, finding cost-effective ways to develop carbon capture and sequestration technologies is important. The EPA's regulatory approach won't be the death of coal, but it will bring stagnation and long-term decline for the industry. Just the threat of EPA regulations—which will persist for years as the regulatory and legal processes play out—will deter the capital investments the industry needs to move forward. Over the long run, for coal to continue to serve as one of the bedrock fuels for electric generation in America, technologies to manage its carbon emissions will be indispensable. Unfortunately, EPA's regulatory proposals look like they may do little, if anything, to drive their development, so if we want to find ways to make carbon capture and sequestration work, we'll have to think about other approaches.

Policymakers looking to advance the development of carbon capture and sequestration techniques have three basic models at their disposal.

Option 1 is to have the federal government fund demonstration projects directly. We tried that during the George W. Bush administration, which selected a project known as FutureGen to be built in Illinois. After more than a decade of delays, that project has only just broken ground, so no one is looking to build on that model. The Bush administration also created, and Obama expanded, a Clean Coal Power Initiative that has helped fund the few carbon capture and sequestration projects that are getting underway—but since it requires a 50 percent cost-share from project

developers, it's still a far cry from what would be needed to make a significant number of carbon capture and sequestration projects economical. That approach costs taxpayers too much while providing project developers too little support.

Option 2 is the Obama administration's approach: EPA limits on power plant emissions. It's anyone's guess what will emerge from the legal, political, and bureaucratic battles over EPA's proposed regulations, but one thing is fairly clear. The primary effect of whatever regulations survive



scrutiny will be to encourage utilities to burn more natural gas and less coal, particularly over the next 15 years. This is one of the problems with setting modest targets for emissions reductions—industry's primary incentive is to seek low-cost compliance options such as fuel-switching rather than investing in development of deep decarbonization technologies such as carbon capture and sequestration.

That provides politicians the satisfying appearance of progress—*look, we're reducing emissions!*—while doing little to move us towards commercialization of near-zero emissions technologies such as carbon capture. Policies that promote fuel-switching take us on a slightly faster path to a somewhat lower but still-high emissions plateau. If we want to get to near-zero emissions from these power plants, we'll need policies that specifically target development of carbon capture and sequestration technologies and markets.

Which brings us to option 3, enhanced oil recovery. To provide the 21 billion tons of carbon dioxide needed for EOR to reach the 85 billion barrels of economical oil, utilities would need to install carbon capture equipment on about 122 gigawatts worth of coal-fired power plants (assuming for the sake of simplicity that all the carbon dioxide came from power plants—in fact, some would come from other sources). That would mean putting carbon capture and sequestration on roughly *half of the coal plants*

expected to be in operation over the next 30 years (taking anticipated plant retirements into account).

The significance of that figure can hardly be overstated. EPA regulations aren't going to put carbon capture and sequestration on half the coal fleet—not even close. Federal demonstration projects and grants certainly won't. EOR demand could generate over \$800 billion in revenue from carbon dioxide sales, much of which could be invested in developing and operating the infrastructure of carbon capture and transportation. Where else is that level of investment going to come from?

EOR's revenues offer what is almost certainly the only practical path to making the investments necessary to demonstrate carbon capture and sequestration technologies at scale, build out supporting infrastructure, and develop the legal, financial, commercial, and institutional structures and relationships that would make the industry a credible option for decarbonization. And a policy push for EOR would put American companies at the forefront of another energy revolution, just as they are with fracking, with the opportunity to sell technologies and services in potentially vast global markets.

The best evidence for EOR's potential to drive carbon capture and sequestration development is that it's doing so already, even without the benefit of strong federal support. Every new carbon capture and sequestration project underway or recently opened in North America—Southern Company's Kemper project in Mississippi, a new power plant with carbon capture and sequestration; SaskPower's Boundary Dam project retrofitting carbon capture and sequestration to an existing coal-fired power plant in Saskatchewan, Canada; and NRG Energy's newly announced W. Parish project near Houston—relies heavily on EOR revenues (as well as government grants). Because of the location of the plant, NRG is also able to take advantage of tax-free bonding of the kind that could help other EOR projects.

Having said that EOR's potential to drive carbon capture and sequestration could hardly be overstated, I should make sure that I haven't done just that. EOR is a way to instigate and pay for the development of advanced carbon capture and sequestration technologies and infrastructure, as well as the legal, governmental, and commercial structures necessary for the industry to thrive. The size of the EOR opportunity will probably increase over time. But recycling carbon into oil production and other products won't solve the carbon dioxide issue entirely. EOR markets might cover the costs of sequestering an awful lot of carbon dioxide for a long time—but not forever. Some day, policymakers would have to revisit the question of how much they might be willing to pay to continue sequestration.

But by that time, they wouldn't be fighting a pitched battle over whether a federal agency can and should impose

regulations requiring the use of an immature technology that is not yet proven on a commercial scale, where the price and performance of the technology remain uncertain and daunting. Instead, they would be making a well-informed decision about the continued use of a highly refined technology with well-understood costs and performance characteristics that is supported by an extensive, sophisticated physical and commercial infrastructure. By that point, costs of sequestration should be dramatically lower than they are today.

We can't know how much society might value decarbonization in the future, we can only work on finding practical ways to develop tools that could do the job, recognizing that the lack of such options is the primary source of political conflict over carbon today. Instead of placing blind bets on Rube Goldberg regulatory schemes resting on creative interpretations of outdated laws and a host of farfetched assumptions, climate advocates would be asking governments to make informed choices about using proven, affordable technologies. That would be a very different conversation.

One other issue requires consideration: the emissions from burning the oil that enhanced oil recovery would produce. To many environmentalists, using carbon to produce more fossil fuels could hardly be more perverse. How does this get us ahead? This is, unfortunately, a very complex question. Let me sketch the outlines of an answer.

Emissions from transportation and from generating electricity are in a sense almost entirely separate issues. In both sectors, decarbonization using today's technologies is impractical; success depends on developing innovative technologies with far better price and performance than we have today. If we want decarbonization options for electric power, we need policies that will develop those technologies; if we want better transportation options, we need policies that target those technologies.

Enhanced oil recovery, as I have argued, is the only realistic path to developing carbon capture and sequestration technologies, which will be needed for decarbonizing electric generation. Decarbonizing transportation systems is mostly a different question—although it's worth noting that carbon capture and sequestration is also essential for low-carbon transportation options such as electrification and some alternative fuels.

The important thing to appreciate is that the development of those transportation technologies is not going to be hindered by the production of another 60 or 80 or even 100 billion barrels of oil in the United States. Those technologies will rise or fall on their merits, and when they can compete with conventional cars and trucks and buses, they'll win; the marginal effect that EOR will have on

the price and production of oil won't hinder that process.

That's a conceptual answer to the question, but some people will want to understand the math as well: Will producing more oil in America using EOR increase or decrease carbon dioxide emissions?

The long-term answer to that depends not on simple carbon-in, carbon-out arithmetic but on one's assumptions about EOR's influence on the oil and electric power markets. If one thinks of EOR's oil as *additive*—additional oil that would otherwise not be consumed—and doesn't take into account the displacement of more carbon-intensive electric power by carbon capture and sequestration, then EOR could release more carbon dioxide than it eliminates. But if you believe that oil produced by EOR will mostly *displace* imported oil, and that low-carbon electricity from carbon capture and sequestration will displace higher-carbon power—which seems likely, at least to some extent—then EOR will sequester more carbon dioxide than it produces.

To give an example of the complexity of the calculations: Critics of EOR often cite a 2009 study by Carnegie Mellon's Paulina Jaramillo (with coauthors W. Michael Griffin and Sean T. McCoy), which concluded that each ton of carbon dioxide injected in EOR operations produces oil that releases 3.7 to 4.7 tons of carbon dioxide emissions.

Sounds pretty bad, right? But that figure assumes the oil and electricity from EOR are added to what's already available; naturally, that means net emissions increase. If you incorporate the more realistic assumption that the oil and electricity produced by EOR and carbon capture and sequestration would displace other energy from the market, Jaramillo concedes that EOR reduces net emissions by about 20 percent, a figure that rises to 30 percent when compared with Canadian tar sands oil and new coal plants. The National Environmental Technology Laboratory (NETL) also looked at this question last year and came to similar conclusions (although their figure for EOR's additive emissions is 1.7 tons of carbon dioxide, a much lower figure than Jaramillo's).

These studies are far from perfect—answers to these questions depend on long-term projections about the behavior of oil and electricity markets during periods of significant change—but the broad picture they paint is probably not far from the mark.

Here's a simpler way to think about this question in present-day terms: A barrel of oil contains 0.43 metric tons of carbon dioxide. As mentioned previously, current EOR operations in the Permian Basin use 0.4 metric tons of carbon dioxide per barrel of oil recovered; even without taking displacement into account, that process is essentially carbon neutral. Add in the displacement of conventional oil and we are well on our way to net sequestration.

One can think of the combination of enhanced oil

recovery with carbon capture and sequestration as providing low-carbon power or low-carbon-dioxide oil, or arguably both, but certainly not neither. EOR's direct effect on carbon dioxide emissions may be somewhat uncertain, but at worst it's a wash, and more likely it sequesters more carbon than it produces. What is indisputable is the progress it could provide toward the metric that matters most: EOR is the only plausible way to pay for the development of advanced carbon capture and sequestration technologies and the billions of dollars of infrastructure investments that will be necessary to make the technology a workable option for controlling carbon dioxide emissions from fossil fuels.

Whatever one concludes about the direct sequestration question, anyone who is serious about practical decarbonization pathways cannot afford to ignore EOR. It's difficult to compare EOR's direct annual emissions reductions to the possible effects of EPA's regulatory proposals, but if our ultimate goal is a practical pathway to commercialization of carbon capture and sequestration, the potential power of markets for carbon dioxide utilization cannot be denied.

Carbon utilization is not receiving nearly the attention it deserves. We should be having a national conversation about enhanced oil recovery; instead, we are obsessed with issues that are almost trivial in comparison. The basic facts of the matter seem clear: Carbon capture and sequestration is probably indispensable to any pragmatic approach to decarbonization, and EOR appears to be the only practical way to underwrite the extensive up-front costs of developing carbon capture and sequestration technologies, infrastructure, and markets.

Using carbon capture and sequestration to enable enhanced oil recovery is the path to keeping coal in our energy economy while simultaneously achieving our environmental goals; without it, we are likely to lose both battles. The choice is between a declining-but-not-disappearing coal industry that can't invest in innovation and a thriving, productive industry that could develop effective carbon management technologies. EOR could produce tens of billions of barrels of oil in America while sequestering billions of tons of carbon dioxide and driving over \$800 billion in investments in decarbonization and energy production technologies. And it would establish a different model for meeting the climate challenge: *Make decarbonization technologies affordable and productive rather than trying to make carbon-intensive energy more expensive.*

A national enhanced oil recovery initiative wouldn't entirely protect America from the vagaries of global oil markets or fully eliminate carbon dioxide emissions from our electric power plants—but it would make genuine, important progress on both fronts, and that would be no small feat. ♦



Marines of the 3rd Battalion, 5th Regiment cross a river in the Sangin District, Helmand Province, Afghanistan, January 2011.

Some Faces of War

Brave men, flawed strategies in Afghanistan. BY MACKUBIN THOMAS OWENS

With his latest book, Bing West has reaffirmed his standing as one of the most intrepid and insightful observers of America's wars over the past decade-and-a-half. Some have called him a latter-day Ernie Pyle. Embedded for the sixth time with soldiers and Marines in Iraq and Afghanistan, West demonstrates, as he has done before, Pyle's empathy for the "grunts" who have borne the major burden of these

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One Million Steps
A Marine Platoon at War
 by Bing West
 Random House, 320 pp., \$27

conflicts. The empathy comes naturally, since West himself was a Marine infantryman in Vietnam.

But the author brings something to his accounts that Pyle did not: an understanding of high-level policymaking arising from his service as an assistant secretary of defense during the Reagan administration. These two perspectives—a grunt's eye view of close

combat and the policymaker's broader outlook—have made West's previous books particularly illuminating. This is no less true of *One Million Steps*.

The title comes from West's calculation that each member of the Marine infantry platoon in which he was embedded—3rd Platoon, Kilo Company, 3rd Battalion, 5th Marine Regiment (Kilo 3/5)—took a million steps during the endless and extraordinarily dangerous patrolling that the unit did in the Sangin District of Afghanistan's Helmand Province. West masterfully recounts the saga—for that is what it was—of 50 men who accepted the following proposition: Would you take

CPL. DAVID HERNANDEZ

\$15,000 to walk two-and-a-half miles each day for six months?

There are a few provisos. First, you must live in a cave. Second, your exercise consists of walking across minefields. Third, each day men will try to kill you. The odds are 50-50 that you will die or lose a leg before you complete the one million steps. Still interested?

West's thesis is straightforward: Brave young men were attempting to execute a flawed strategy. He focuses most of his attention on the brave young men. His account of their actions is riveting, reading more like a novel than simple combat narrative. The men of 3rd Platoon were locked in a life-or-death struggle with a determined enemy. The Marines knew that to prevail in this part of the world, they would have to demonstrate that they were "the strongest tribe" by breaking the enemy's will. That lesson, one the Marines had previously learned in Iraq, in places like Fallujah and al Anbar Province, and that the Army had learned in Ramadi and Tal Afar, was chronicled by West in one of his earlier books. But the cost was high: As a whole, Kilo 3/5 suffered many casualties during its campaign to show that the Marines were the strongest tribe in the Sangin District. The platoon contributed its share in blood.

West demonstrates a novelist's knack for character development, enabling the reader to get to know the Marines in the platoon. But an unexpected consequence of his approach is that the reader will often be shocked when one of the Marines he or she has come to know becomes a casualty. In this way, West invites the reader to share the emotion of the Marines themselves as they load a dead or wounded comrade onto a medevac helicopter.

West notes a major difference between his experience as a Marine in Vietnam and that of soldiers and Marines in Iraq and Afghanistan. Because of the individual replacement policy of the Army and Marine Corps in Vietnam, a fighting man might die in combat without anyone really knowing him. Not so for today's soldier or Marine. In an 800-man

battalion, one individual is likely to know 200 others by their first names, which means that when 3rd Platoon lost a man, it had an effect not only on his platoon-mates but throughout the battalion: "When a grunt was killed [in Sangin], everyone in the company knew him personally. In 3/5, it was especially tough because the deaths were coming only a few days apart. On average, a battalion in Afghanistan lost one man a month; 3/5 had lost twenty in two months." While supplanting the Vietnam-era individual replacement system with unit rotation has enhanced unit cohesion, it has also created a certain kind of stress.



Bing West

One Million Steps reveals the essence of small-unit combat, the very soul of war. This kind of war is not for everyone. The Marines of 3rd Platoon, Kilo Company proved to be a cohesive bunch: They lived together, fought together, sometimes died together, and grieved together for those who were lost. But their grieving was not maudlin; it was, instead, the sort of manly grief that would have been familiar to Spartans, Roman legionnaires, or Napoleon's Old Guard as they paused to remember fallen comrades, after which they returned to the business of war. In their approach to war, the Marines described here exhibit *thumos*, a righteous anger that allows them to even the score. They take pride, and even joy, in killing the enemy: "Through the daily

kills, they shared the satisfaction of revenge. There's no genteel way of putting it. [3rd Platoon] patrolled to kill, and they saw the results."

While he clearly admires the Marines of 3rd Platoon, West is unmistakably disdainful of the counterinsurgency "strategy" they were asked to implement. West knows something about counterinsurgency, having been part of what is considered one of its most successful efforts in Vietnam, the integration of Marine infantry squads and local Vietnamese Popular Forces into Combined Action Platoons (CAP). West's *The Village* (2003), based on his experience with the CAP program, is a classic.

Although the Marines hoped to set up something like a CAP program in Afghanistan, the conditions were too different to successfully implement such a plan. More critically, he avers, the counterinsurgency approach pushed down by higher command was contradictory, creating confusion at all levels. The official approach might be called "counterinsurgency by persuasion." Just weeks before the Marines deployed to Sangin, the chairman of the Joint Chiefs of Staff, Admiral Mike Mullen, announced that the strategy for Afghanistan was to be based on "nation-building." In other words, writes West, the senior military leadership of the United States sought to replace war with "social evangelism."

The model for Admiral Mullen's strategy was *Three Cups of Tea* (2006) by Greg Mortenson and David Oliver Relin, which prioritized village-level projects over defeating the Taliban. "The Muslim tribes," writes West derisively, "would be converted by the secular gods of liberalism—schools, electricity, and other benefits bestowed from America via Kabul. 'We can't,' Admiral Mullen asserted, 'kill our way to victory.' Empathy was to be the path forward." But this approach got things backwards. Nation-building depends on security, and security is achieved when the enemy is defeated. Thus, the Marines focused on killing Taliban fighters in order to break their stranglehold on the district. This was not "killing their way to victory," but, as all past counterinsurgency campaigns

illustrate, while there are better and worse ways to “do” counterinsurgency, there is much truth to the insight that I learned from my Texas forebears: Some people just need killin’ before the positive aspects of nation-building can kick in.

The Marines have always taken “small wars” seriously. Indeed, they published a manual on the topic in 1940, based on experiences in Latin America. But in the Middle East, the Marines believed that General Stanley McChrystal, the senior commander, was making policy that was disconnected from circumstances on the ground: After gaining control of the southern portion of Helmand Province, the Marines lobbied to take charge of the entire province, including the recalcitrant Sangin District. In his recent memoir, Robert Gates criticized the Marines for parochialism in seeking to establish what Ambassador Karl Eikenberry called “Marine-istan,” yet another tribe operating by its own rules rather than according to “jointness.” But despite high casualties, the Marines began to prevail. The shifting fortunes illustrate the adaptability of both the Marines and the Taliban. As Clausewitz once observed, war is not waged against an inanimate object but against an entity with a will, able to react in unexpected ways. The Marines adapted to the Taliban, but the Taliban adapted as well.

West ends with a candid critique of American political and military leadership on the one hand, and a tribute to the Marines who fought in Sangin on the other. He criticizes George W. Bush for expanding the mission in Afghanistan beyond our capability to execute it. He calls Barack Obama an irresolute commander in chief. He censures McChrystal for adopting an operational approach that focused on winning over the population rather than defeating the Taliban. McChrystal’s restrictive rules of engagement took authority away from those on the ground and made it much more difficult to engage the enemy. But the Pashtun tribes never split with the Taliban: “Rather than positively altering Afghan attitudes,” he writes, “McChrystal negatively affected the attitudes of his own troops.” ♦

Historically, we’ve had witchcraft, priestcraft, warcraft, and occasionally a spot of statecraft. Today, we have craft beers in corner bars and craft talks at conclaves of writers around the country. Craft is mellowing with age.

Most of John Casey’s yeasty essays on fiction-writing began as craft talks at the Sewanee Writers’ Conference in Tennessee. Of the many able writers who have enlightened that yearly gathering, Casey is the first to collect his talks in a book. His five published novels—including the near-canonical *Spartina* (1989)—point to a mastery and magic only partly communicable in terms of craft. “I can’t teach someone to write,” he stipulates upfront, with a gruffness audible on the page, “but I can sometimes teach someone to rewrite.”

To the maker of literary fiction, so often uncertain of plan and plumb, what exactly is craft? Casey’s title implies it’s pretty much everything except inspiration. The Muse’s role, greater or lesser in a given piece of work, comes mostly in the early going.

For those able to plot their fictions at the start, craft is a kind of carpentry skill at erecting a literary structure. For those who feel out the story as they go, it’s more a handyman’s way with words. In either case: What about craft in its other, shadier sense—as cunning, misdirection, deceit? “There is another world,” Casey says, “but it is in this one.” The writer, effectively, is back to witchcraft or worse: “You do finally have to conjure, whether by implication or direct statement, invisible forces as specifically as you have conjured a bullfight, a bank robbery, a kiss.”

To make a story out of more or less

Parker Bauer is a writer in Florida.

BCA

Master Class

The craft of fiction and the art of rewriting.

BY PARKER BAUER

Beyond the First Draft

The Art of Fiction

by John Casey

Norton, 256 pp., \$25.95



John Casey at Sewanee, 2014

nothing, you dodge, seduce, delay. You dole out the “facts” when and where they suit your ends. It’s like padding the answers on an exam you weren’t ready for—but then the padding, with a few rewrites, makes a sort of weird sense after all. (Or so you hope. The best writers get mixed results.)

By no means do Casey’s impressionistic essays, taken together, make up a how-to manual. They’re for the writer with a lump of a story or novel who doesn’t know what to do next to get it into shape. Casey evokes Dante: “These essays are suggestions about things to do, things to think about, when your writing has got you lost in the woods.” But you’ve still got to find your own way out.

Beware of dogma, he warns. The first essay ventures a sage review of old writing-school edicts: *Write what you*

MIRIAM BERKLEY

know. Tell your story in the fewest words possible. Tell the truth. Conventional narrative is boring—you must experiment. Casey comes not to abolish the law but to tweak it, spirit over letter. Write what you know is good advice for a neophyte who falls on his face spinning a yarn about Mayan warriors—yet Tolstoy, while still on his feet, could imagine vividly the death vision of Ivan Ilych. On sparing words, Casey recalls that his agent and his editor both judged a 604-page novel he'd sent them as much too long, so for several months he reworked it, cutting 100 pages but adding a few in the process. When he sent it back, now 640 pages, the agent and editor wrote him, separately, "Good. It's much shorter."

Whether *Culture is local* has risen from aphorism to dogma is debatable, but Casey says it has. Its propounder, in any case, was William Carlos Williams, the physician-poet who seldom set foot outside northern New Jersey. Against Williams, Casey sets Ezra Pound, who decamped to Europe, picked up Italian and Provençal, and set himself to studying Chinese poetry. Is it better for the writer to stay at home, thereby knowing better what he knows, or, in search of the novel (in both senses), to hit the road? Casey stakes out the agnostic middle ground, finding himself one day at the National Theatre in Washington, where a tile beneath his feet is inscribed "Washington—neither Rome nor home." It happens that Casey has Washington roots: "I don't think there's a really good novel set in Washington," he says, and he seems content to leave it at that.

The 14 essays range widely, from observations on writing sex scenes (less is more, since the act plays out in Paris "just the same as in Cincinnati") to a consideration, in connection with Aristotle's *Poetics*, of paintings done by chimpanzees. He takes up the art—or is it craft?—of translation, which he recommends not for learning a foreign language but for admiring it, and for improving your English. He reprises the glories of childhood reading, and tackles the trickster's feat of narrating in linear language two different actions at once, but falls short in shedding new

light on comic writing, where so many have fallen short before.

The most remarkable piece is a reverie on the role of justice in the writing of fiction. This flows in part from Casey's memory of a law school seminar called "Theories of Justice." Creating a story, he says, "requires an adversarial imagination. To be a good adversary, you have to figure out what you want and what the other person wants."

Fiction can be written in a lyric mode, as in *Remembrance of Things Past*, where everything pivots on the feelings of a single character "swaddled in a cocoon." But if you're not quite Proust, this sort of thing can tend toward the mandarin. Nearly all fiction dramatizes the wants and needs of more than one character—with the dependable consequence of conflict. When hearts collide, each deserves a fair narrative hearing: "The precondition of a notion of justice is that at least two beings in the world recognize each other as having similar capacities for feeling,

desire, communication, and reason."

Problems crop up if the writer over-identifies with a particular character. Men write she-done-him-wrong tales; women write the opposite. Rewrite, urges Casey, from the other character's point of view: Not only is the result more just, it's usually shorter to boot. He allows himself to wonder, concerning justice, if there might be something perverse in enjoying the travail of fictional characters in conflict: "I find myself shocked by this reasoned praise of agony. . . . Is it okay if I'm just taking a connoisseur's approach to a made-up story?" Is he—are we—guilty of *schadenfreude*? He never quite answers the question, but this much seems certain: If we skulk off to our rooms to scribble fiction, we're stuck with stirring up conflict. The only alternative Casey offers is drawn from Balzac, whose *A Harlot High and Low* deploys this handy, crafty workaround: "The history of happiness is boring, so we shall skip the next five years." ♦

BCA

Red Whitewash

*Revising—or disguising—a chapter
in civil rights history.* BY HARVEY KLEHR

When Martin Luther King visited the White House on June 22, 1963, President John Kennedy took him on a private walk in the Rose Garden and urged him to cut his personal and organizational ties to both Stanley Levison, a white businessman and lawyer who was a close confidant, and Jack O'Dell, a Southern Christian Leadership Conference (SCLC) staffer who had been hired on Levison's recommendation, on the grounds that they were Communists.

Harvey Klehr, the Andrew W. Mellon professor of politics and history at Emory, is the coauthor, most recently, of Spies: The Rise and Fall of the KGB in America.

Dangerous Friendship

*Stanley Levison, Martin Luther King Jr.,
and the Kennedy Brothers*
by Ben Kamim
Michigan State, 268 pp., \$22.95

The O'Dell File

by Victor S. Navasky
Kindle, 58 pp., \$2.99

It was the culmination of months of warnings from a variety of government officials, including Attorney General Robert Kennedy. King had demanded proof, particularly in the case of Levison, and had been rebuffed, because

the FBI's information was highly classified. Administration officials were nervous that public knowledge about Levison and O'Dell could destroy prospects for passage of the pending civil rights bill. Although Levison himself thought he and King needed to break ties, King set up a system for indirectly remaining in consultation. King also dissembled about O'Dell's continued ties to the SCLC. Presented with this evidence, Robert Kennedy authorized wiretaps on King and the SCLC. Over the next few years, those

year—was channeled to the American Communist party. The FBI discontinued its investigation around 1956, after the Childs's connection with Levison ended amid some signs that he might have become disillusioned with the Communist party.

In 1962, however, the FBI learned that Levison was a close adviser and collaborator with King and had first become close to him in 1956. Now, its suspicions were aroused: Had Levison broken his ties to the party on a pretext? Was it possible that some of the

a practice more appropriate for *People* than a university press.

The book is replete with factual errors. Some, such as the absurd claim that the Nazi-Soviet Pact was signed in 1941, may be the result of inadequate or nonexistent editing. Others, like the argument that only the Communist party offered legal representation to the Scottsboro defendants, reflect ignorance about American communism. Some, such as the bizarre statement that, in 1950, Julius Rosenberg “connected himself to a Soviet mole” and “sold” military and atomic secrets to the Russians, bespeaks an author who cannot be bothered to read even a Wikipedia entry—a suspicion confirmed by Ben Kamin's insistence at various points that the Rosenbergs were convicted variously of treason or sedition. It also unjustly and inaccurately characterizes the political beliefs of other people, frequently labeling Bayard Rustin and A. Philip Randolph as Communist sympathizers in the 1950s.

Nor is *Dangerous Friendship* redeemed by good writing. Its breezy prose is often punctuated by howlers like this description of Levison following World War II: “Stanley was like a man in secret mourning for an unrevealed grief; his plaintive countenance, shrouded by cigarette smoke and framed in thick glasses, seemed drawn into the crypt of black suffering in American and artistic strangulation in Russia.”

As for Kamin's claim that there is not “a shred of conclusive evidence that Levison had been involved with, or given a single dollar to, the Communist Party after 1956,” David Garrow years ago unearthed evidence that, as late as March 1963, Jack Childs told the FBI that Levison had met that year with a Communist functionary to make his last contribution to the party, on the grounds that it was now “irrelevant.” In 1958, another high-ranking Communist said he had met with someone who was close to King and was “guiding” him. Perhaps Stanley Levison *did* break with the Communist party; but his own refusal to talk about it stoked suspicion, even if it was unwarranted, about Martin Luther King.



Highway billboard, Selma, Alabama (1965)

taps produced extensive and embarrassing evidence of King's extramarital affairs that J. Edgar Hoover used to try to discredit the civil rights leader.

Jack O'Dell had a public record as a Communist party functionary. In 1981, David Garrow, the King biographer, revealed that Stanley Levison had first come to the FBI's attention in the mid-1950s, after its two top informants in the Communist Party USA, Morris and Jack Childs, told the bureau that Levison had been a central figure in party financial activities. Not only was he the source of a big chunk of money bundled from Communist-leaning businessmen, he was also actively involved in laundering party funds. That was disturbing enough. But the Childs brothers were also the key figures through whom Soviet money—hundreds of thousands of dollars a

Soviet money being funneled into the United States was financing the civil rights movement? However scanty the evidence produced by the wiretaps, these two questions were monumentally important and politically fraught.

Dangerous Friendship, purporting to tell the story of King's relationship with Levison, is a vivid demonstration of the sinking standards for university press books. To begin with the most pedantic example, it is notably unhelpful to have many of the rather small number of footnotes read in their entirety: “Letter archived in the King Papers.” Why bother with a footnote that provides no assistance to anyone curious about the source of a statement or claim? Then, there are the frequent re-creations of conversations between two people based on the recollections of other people who were not present,

Apart from its historical, literary, and scholarly inadequacies, Kamin's book does provide some interesting but hardly groundbreaking or original material about Levison and King's friendship. That is a very large price to pay for a very bad book. And hardly enough justification for a ringing endorsement of it (and Stanley Levison) from Abraham Foxman of the Anti-Defamation League, an organization usually more critical of American Communists as enemies of freedom.

Coincidentally, Victor S. Navasky, former editor of the *Nation*, has written a brief hagiography of Jack O'Dell, released as a Kindle Single. Navasky is far more sophisticated than Kamin, but has far fewer excuses for his white-washing of American Communists. Part of his essay defends Levison, who lied to him in 1969, in an interview about the Kennedys' warnings. Navasky has a penchant for accepting whatever Communists tell him: Years ago he took at face value Gus Hall's assertion that the Soviets did not provide money for the Communist Party USA, and the *Nation* accepted lies by Communist spies such as J. Peters, Harry Magdoff, and Victor Perlo that they were victims of McCarthyism.

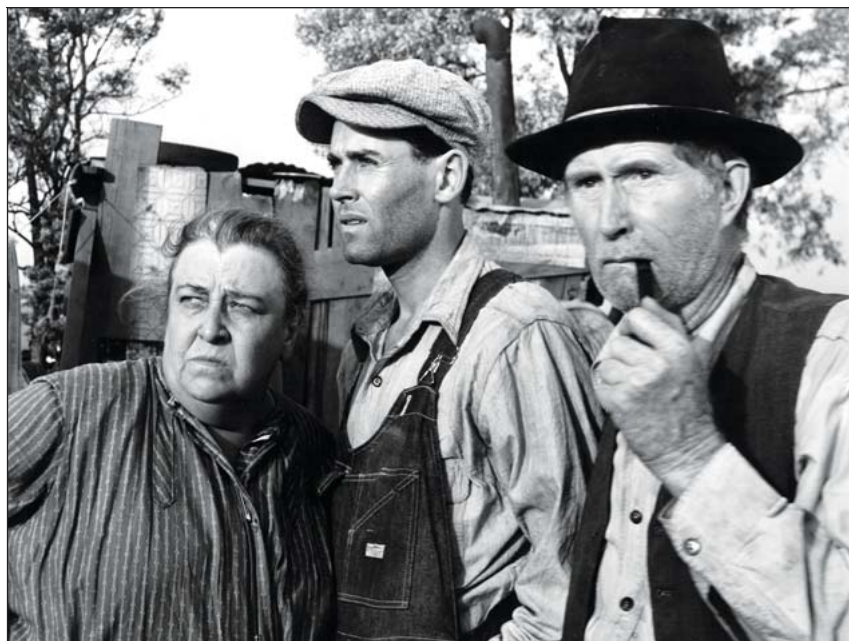
But Navasky's major goal in his brief essay is to lionize Jack O'Dell. He describes him as "an unsung hero" whose marginalization because of his Communist past "inflicted an unnecessary and grievous wound upon ourselves, our country, and our culture." O'Dell moved seamlessly from the 1948 Henry Wallace presidential campaign into the Communist Party USA in 1950, and, after his detour into the SCLC, emerged as a key operative in Jesse Jackson's Operation Push and, later, the Rainbow Coalition.

Victor Navasky may rue the fact that voters rejected Wallace's policy of Soviet appeasement in 1948, but few Americans would share his belief. To pretend that someone who joined the Communist Party USA in 1950 was somehow untainted by Stalinism, or cared not a whit for the Soviet Union, requires a moral blindness to the evils of communism and a willful credulity about the Communist party. ♦

BCA

Dust to Dust

At 75, 'The Grapes of Wrath' is less persuasive than ever. BY CHARLOTTE ALLEN



Ma Joad (Jane Darwell), Tom Joad (Henry Fonda), Pa Joad (Russell Simpson), 'The Grapes of Wrath' (1940)

I read *The Grapes of Wrath*—this year celebrating the 75th anniversary of its publication in 1939—the summer after I graduated from a Southern California girls' high school less than a quarter-century after its author, John Steinbeck (1902-1968), had banged out his socialist-realist *magnum opus* about downtrodden Dust Bowl farmworkers. This was long before *Grapes* became the favorite assigned class reading of high school English teachers across America, taught both as an exposure to highbrow literature and as the purported nonfiction history of what life was like in California during the Great Depression.

I was thus able, at age 18, to form an independent assessment of Steinbeck's

novel. It was: There's not a thing in here that rings true.

I'd been to the book's geographical setting, California's densely agricultural San Joaquin Valley, because my parents a few years before had selected Highway 99—the same road that Steinbeck's fictional Joad family follows as they lurch from one tragic mishap to another in their rickety *Beverly Hillbilies* mobile—as the quickest route for a family trip to San Francisco. I had seen no sign, in the late 1950s, that any people like the Joads had ever existed: no ragged tent-camps with starving, cruelly exploited inhabitants subsisting on vegetable gleanings; no abandoned boxcars that entire multigenerational families called home. By then, the farmworkers were all of Mexican descent, Cesar Chavez's people.

The Okies, as they were called by us Los Angelenos because they hailed

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from such contiguous Southwestern states as Oklahoma, Texas, and Arkansas, filled an entirely different demographic niche in Southern California two decades after the publication of *Grapes*. They were the twangy hayseeds who worked defense-industry jobs around Los Angeles and oil-field jobs in Bakersfield, lived in VA-financed postwar tract developments, and adhered to flamboyant strains of Pentecostal Christianity that were the diametric opposite of the cynical religious skepticism that marks *Grapes*'s jailbird-on-the-lam protagonist, Tom Joad, and his mentor, the defrocked preacher and Steinbeckian Christ-figure Jim Casy (JC—get it?).

The Okies I knew of when I was growing up were also diehard political conservatives of the quasi-John Birch variety who wouldn't have gone for the cornpone Marxism that Steinbeck put into the mouths of Tom Joad and his rebarbative mother, Ma Joad, the family matriarch. (She's symbolic, so Steinbeck didn't give her a first name.) Ma Joad regularly spouts pithy hick-dialectic in *Grapes*, such as, "If we was all mad [at the evil capitalist growers] the same way . . . they wouldn't hunt nobody down." The Okies believed in revolution, all right: the Reagan Revolution. They were the backbone of support for Reagan as both California governor and president of the United States. To this day, the Okie-culture-saturated San Joaquin Valley is California's main "red-state" region.

As time rolled on, it became clear to everyone except English teachers that Steinbeck had gotten everything wrong in *The Grapes of Wrath*, perhaps deliberately. He was even off on Dust Bowl geography, having the Joads begin their California-bound trek in Sallisaw, in eastern Oklahoma, near the Arkansas border, where they have lost the family farm thanks to evil banks and evil machines such as tractors. In reality, the Dust Bowl of the early 1930s in Oklahoma was confined to the state's western panhandle.

Like the Depression photographer Dorothea Lange, who was so infatuated with the picturesque primitivism of her iconic "migrant mother" in the

pea-picker camp that she neglected to obtain the woman's name or permission to take her picture, and like Woody "This Land Is Your Land" Guthrie, whose homespun collectivism was mainly popular with East Coast intellectuals, Steinbeck viewed the Okies through a lens clouded with sentimentality, fashionable leftist ideology, and an insistence on seeing only what he wanted to see. This was, perhaps, to be expected: Steinbeck himself came from an upper-middle-class family in Salinas, California, and his only hands-on contact with Okies consisted of having interviewed a few of them for some newspaper articles.

In 1989, James N. Gregory, now a history professor at the University of Washington, published *American Exodus*, an exhaustive and sympathetic study of Okie culture in California. Gregory points out that many Okies were far from the barely literate rural victims that Steinbeck made them out to be. They were actually part of a huge demographic migration of people from the Southwest to California during the first half of the 20th century in search of better jobs and a better life. Only about half of the Depression-era Okies hailed from rural areas, Gregory points out, with the rest coming from towns and cities. Many were white-collar or industrial workers.

In *The Grapes of Wrath*, Steinbeck paints the Joads' journey west as an Exodus-like saga of lugubrious misery that seemed to take weeks, if not months—with elderly grandparents and even the family dog dying along the way. In reality, Gregory notes, the road (Route 66) was a state-of-the-art highway for its time and the journey could be easily accomplished in three to six days. Most of the migrants were young families who spent their nights in tourist courts, not camped by the side of the road like the Joads. About half of the Okies and other Southwesterners settled in cities such as Los Angeles, San Francisco, and San Diego and never picked a single crop. Only about 70,000 of the 315,000 people who migrated from the Southwest to California during the 1930s ended up

in the San Joaquin Valley, where there was, in fact, a labor shortage, not the oversupply that Steinbeck accused the growers of manufacturing in order to drive down wages.

And although there was genuine misery in some of the migrant camps, conditions "were not uniformly horrible," writes Gregory. Most Okies enjoyed a better standard of living than what they had previously endured. Many of them also quickly moved out of farm work into better-paying jobs in the oil industry and, when World War II broke out, in the burgeoning Southern California defense plants. In fact, by the time *The Grapes of Wrath* was published in 1939, followed by John Ford's acclaimed film version in 1940, the worst was pretty much over for the Okies.

How many of Steinbeck's misrepresentations were intentional is hard to say. His last major book before his death was his 1962 bestseller, *Travels with Charley*, in which he narrates a purported nonfiction account of the three months he had spent criss-crossing America two years earlier in his makeshift camper, sleeping under the stars with his beloved poodle as his only companion. In fact, when veteran journalist Bill Steigerwald attempted to retrace Steinbeck's odyssey in 2010, he discovered that Steinbeck had made a good deal of it up. As Steigerwald wrote in *Dogging Steinbeck* (2012), Steinbeck had actually stayed with well-off friends or in upscale resorts and hotels, including a four-day rendezvous with his wife at San Francisco's posh St. Francis Hotel, omitted from *Travels with Charley*. Elsewhere, Steigerwald points out that Steinbeck, who took no notes and kept no journal during his three-month ramble, simply invented places where he said he had stayed and colorful characters he claimed to have met along the road.

Steinbeck's problem wasn't so much that he was a liar—although that was a problem—but that he was a romantic, willing, as a writer, to bend a recalcitrant reality to conform to what he thought it should be. He was smitten by romance yarns about the travails of knights errant, naming his *Travels with Charley* camper "Rocinante" after

Don Quixote's horse, and his writing study "Joyous Gard," after Sir Lancelot's castle in Thomas Malory's *Le Morte d'Arthur*. He patterned several of his novels, not just *Grapes of Wrath*, on those books' picaresque trajectories.

With the Okies, he saw a chance to tell a romantic on-the-road tale that he could also invest with high tragedy and left-wing social significance. He could

write vividly about Oklahoma dust storms that turned "the sun . . . as red as ripe new blood." The trouble was that Steinbeck had likely never seen a dust storm, and the people he wrote about couldn't have seen one. Steinbeck had no clue as to what those people could have been thinking about in real life. But he wasn't one to let the truth interfere with what he wanted to write. ♦

When a service member is wounded, communications are shut down to make sure the family is notified first, and doesn't find out about their children's injuries on social media sites or by any other external means.

This book is about what happens to families after "the call." Staff Sergeant Stefanie Mason suffered a traumatic brain injury during a Humvee crash in Kabul. At home in Delaware, her mother, Paulette, got the call. The next morning, desperate to know more about her daughter's condition, Paulette called a friend in the Pentagon. He called a former colleague stationed in Bagram. And within a few hours, that woman called Paulette. "I'm sitting here at Stefanie's bedside," she said. "I'm holding her hand. She doesn't know what's going on, and she's in and out of consciousness. But she wants to talk to you." The next thing Paulette heard was Stefanie, who managed just four words: "Mom, I need you," she said.

Like many critically wounded soldiers, Stefanie Mason was soon sent to a hospital in Germany, where she was further stabilized. And then, finally, she made it to Walter Reed, now in Maryland, where she and other "lucky" soldiers begin to heal. If things go well, they're eventually moved to a residential rehabilitation center on the Walter Reed campus called Building 62. But Stefanie did not make this journey alone: Like many wounded warriors, she was accompanied, at every step, by her mother.

This is the unbreakable bond Guerin and Ferris refer to as they profile 10 critically wounded soldiers and their mothers—the Mighty Moms, as these remarkable women are referred to around Walter Reed.

The stories in *Unbreakable Bonds* are often difficult to read. Nearly 2,000 soldiers have been catastrophically injured in Iraq and Afghanistan, losing limbs and suffering from traumatic brain injuries. Lance Corporal Josh Brubaker is one of them. He stepped on an IED while on patrol in Helmand Province in Afghanistan in June 2012. Guerin and Ferris recount the damage: "His left leg was blown off below his

PAUL MORSE / UPI / NEWS.COM



The Art of Healing

Mothers, sons, daughters, and soldiers.

BY JONATHAN V. LAST



Pvt. Jason Kukkola, George W. Bush, Anita Kukkola at Walter Reed (2005)

When young men and women join the armed forces, their families understand the seriousness of "the knock." When a soldier is killed, the Department of Defense dispatches officers to find the next of kin, knock on their door, and inform them of the loss, face to face. "I used

Jonathan V. Last, a senior writer at THE WEEKLY STANDARD, is the editor of *The Seven Deadly Virtues: 18 Conservative Writers on Why the Virtuous Life is Funny as Hell*.

Unbreakable Bonds
The Mighty Moms and Wounded Warriors of Walter Reed
 by Dava Guerin and Kevin Ferris
 Skyhorse, 224 pp., \$19.95

to have a terrible fear of leaving my house," one military mother explains in *Unbreakable Bonds*, "that I would not be home when they knocked on my door." Dava Guerin and Kevin Ferris deal not with "the knock," but with "the call."

knee. His right knee was shattered; he had major trauma to his pelvis, and soft tissue damage to his left hand.” He survived for one amazing reason: His Marine buddies and the helicopter pilot moved at light speed, getting him into surgery just 12 minutes after the blast. *Twelve minutes.*

Josh went through two operations in Afghanistan and was then placed in a medically induced coma and flown to Landstuhl, Germany, where he underwent more surgeries to stabilize him for transit to Walter Reed. The Marines made sure that his parents were in Maryland, at the airport, when his plane touched down. But from there, Josh spent three weeks in intensive care, before the really bad stuff happened. His IED had been “dirty,” and a blood infection set in. His right leg had to be amputated. And then one of his arteries ruptured. His mother Mary was by his side throughout.

You have in your head that the doctors would just stitch them up and things would be fine. Just like a car accident, they would close up the wound and send them home. But I knew this wasn't going to be the case. It's hard to look at your kid when he's blown up. . . . Sometimes I would remember when he was a little baby and I would tickle his toes. Now, I just miss those legs.

The Mighty Moms aren't just moral support. For soldiers like Josh who manage to make it to rehabilitation, their mothers often become essential, full-time caregivers. The military designates them as nonmedical attendants and pays them a token sum of \$72 a day. The work of rehabilitation often spans months and, sometimes, years. The strain is enormous.

Pam Carrigan Britt describes what happened to her after her son, Tyler, stepped on an IED: “As soon as I got the call about Tyler I contacted my boss and told her what happened and that I didn't know when I would be back. My life was in complete disarray, and I kept thinking I would lose my house, my husband, my job, my life—everything.” Pam's coworkers responded in magnificent fashion: They donated sick and vacation leave

so that she could take time off with pay. Her boss told her that her job would be waiting for her, whenever.

But not all of the stories are so encouraging. A distressing number of the women profiled are fired from their jobs while caring for their Wounded Warriors. And again and again, the authors remind us that life is not like the movies: Marriages fail, lives crumble. The Wounded Warriors and Mighty Moms are heroes, but they are not superheroes. They're ordinary people with ordinary frailties who have been placed in extraordinary circumstances. It is impossible to read *Unbreakable Bonds* without feeling the tremendous weight of obligation we owe to them for their service and sacrifice. (The authors helpfully include a catalogue of organizations which have sprung up to serve these families, making it

easy for readers to start giving back.)

Unbreakable Bonds is many things. Its discussion of the nature of family, duty, and service is a *tour de force*. It's a stark reminder that the sacrifices of our troops sometimes go deeper than we dare to imagine. And it is a call to action for the rest of us, that we might do our duty, too, and stand by these exceptional families. It is a book not of happy endings, but of small and improbable triumphs. Staff Sergeant Tom McRae lost both legs and his left arm to an IED in Afghanistan. His right eye was destroyed and his left eye was severely damaged. His mother, Carolee, spent nearly two years nursing him back to health.

Ten months after being blown up, Tom was able to leave Walter Reed for the day to help walk his little sister down the aisle at her wedding. ♦

BCA

Exodus, Stage Left

The biblical saga gets an up-to-the-minute adaptation.

BY JOHN PODHORETZ

Raise your hand if you want to see Moses portrayed as an insurgent lunatic terrorist with a bad conscience, the pharaoh who sought the murder of all first-born Hebrew slaves as a nice and reasonable fellow, and God as a foul-tempered 11-year-old boy with an English accent.

All right, I see a few hands raised, though maybe they belong to people who are still demonstrating about Ferguson. So let me ask you this: How many of you want to see how Hollywood has taken the story of the Hebrew departure from ancient Egypt—by far the most dramatic tale in the world's most enduring book—and turned it into a joyless, dull, turgid bore?

I don't know when I've seen a movie

John Podhoretz, editor of Commentary, is THE WEEKLY STANDARD's movie critic.

Exodus: Gods and Kings

Directed by Ridley Scott



as self-destructively misconceived as *Exodus: Gods and Kings*, the director Ridley Scott's \$200-million retelling of the Moses story that has as much chance of making \$200 million at the American box office as Ted Cruz has of winning the District of Columbia in the November 2016 election.

For one thing, *Exodus: Gods and Kings* is jaw-droppingly offensive in the way it bastardizes its source material. The God of *Sh'mot*, the second book of the Torah, manifests Himself in many ways—as the burning bush, as a cloud that follows the Hebrews on their journey, as rain and fire, even as a trumpet blast. But he most cer-



Joel Edgerton, Sigourney Weaver, John Turturro, Christian Bale

tainly does not manifest as a *human being*, since the incorporeality of the divine is a central feature of Jewish theology, the third of Maimonides' 13 principles of faith. I know Jews make up only 2 percent of the U.S. population and are therefore not collectively a box-office consideration—but if you're going to make a movie out of their holy book, shouldn't you, I don't know, *be careful not to throw the holy book into the garbage can?*

Oh, and, by the way, it's possible that the unpleasant kid-God of *Exodus: Gods and Kings* doesn't even exist. Moses encounters the boy only after he's been buried in mud up to his neck, has had his leg broken, and is delirious. Repeatedly, in the course of the film, Moses' brother Aaron watches in horror as he goes to talk to this boy but appears, at a distance, to be talking to himself—which is another complete betrayal of the Torah's account, since, like Moses, Aaron actually talks directly to God. Thus, we are given reason to question whether the God of *Exodus: Gods and Kings* is only a psychotic delusion.

All in all, the movie just cannot make up its mind about the whole

God thing. (Later in the film, Moses slightly refers to the boy as a "messenger," a sure sign that Scott realizes he's gotten himself on shaky ground with this surly preteen business and wants to dial back his would-be divinity into a mere angel.) A title at the beginning says, "God has not forgotten" his people. And, because you sure do need some cool special effects, the plagues come sweeping through Egypt in a manner that certainly seems supernatural.

But Scott and his team of four screenwriters make absolutely certain that we see no direct connection between God and Moses and the working of the plagues, perhaps in order to establish a plausible deniability with the New Atheist types. Indeed, they do away entirely with Moses' staff, the means by which God causes all of the plagues but the slaying of the first-born. (They replace it, inexplicably, with a sword presented to Moses by his pal, the old pharaoh—you know, the one who had ordered him and all Hebrew male babies killed.)

Most striking, Moses all but disappears during the plagues, rather than

continually demanding that Pharaoh let his people go. Instead, we spend a lot of time among the Egyptians as they debate the causes of the plagues in rationalist terms, as though these magicians (whom the Bible portrays as having supernatural powers themselves) are all Neil deGrasse Tyson.

Even worse, perhaps, is the movie's complete lack of interest in Moses *as a Jew*. In the Bible, he makes common cause with his people when he kills an Egyptian who is beating a Hebrew slave—and then flees Egypt because he fears the wrath of Pharaoh for having done so. Aaron has maybe six lines of dialogue; Joshua has three. And there is no sense of triumph at the slave victory over Egypt. In the book of Exodus, when God parts the Sea of Reeds and then drowns the Egyptian army, Moses and his sister Miriam sing a joyous song. In *Exodus: Gods and Kings*, the dour-faced Moses turns into a lobbyist for J Street. He sits on the sand and worries about what will happen to his people when they reach Israel "and stop running."

One thing they, and most everybody else, won't do is see this worthless piece of dreck. ♦

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A Note to Our Readers

■ BY ROLLING STONE | DECEMBER 23, 2014

Last month, *Rolling Stone* published a story entitled “Dick Cheney’s McLean Torture Chamber,” which described the former vice president’s mansion as a real-life *Grand Guignol*. It explained how Mr. Cheney would lure innocent victims—door-to-door salesmen and Jehovah’s Witnesses among them—into his home, offer them coffee, and drug them. As the author, Sabrina Reuben Kincaid, detailed in her heavily reported, exhaustively fact-checked, 15,000-word feature, the victims would awaken in the basement, tied to a chair, only to be tortured by the highest bidder, almost always one of the Koch brothers.

According to Kincaid, while most of the victims ended up being served as meatloaf at a nearby family restaurant, a few managed to escape. They, in turn, contacted Kincaid, revealed their terrifying stories, and urged Kincaid not to speak with Mr. Cheney or the Koch brothers, among others, lest they dispatch black helicopters to retrieve the victims and take them to a FEMA prison camp. This request sounded more than reasonable to us, considering we’ve all had our suspicions about the former vice president. But last week, a few discrepancies were brought to our attention.

For one, Kincaid’s story seems to share elements with the plot of a horror movie called *Hostel*, as well as the musical *Sweeney Todd*. Also, the man identified as a black market courier bringing blood diamonds and freshly harvested organs to the Cheney residence was in all likelihood a Domino’s Pizza deliverer (earlier drafts mentioned a Domino’s Pizza car and visual confirmation of a Meatzza Feast specialty pie). In addition, the individual in the goat mask who performed a Satanic sacrifice may not, in fact, have been former Bush adviser Karl