Ex-CIA Analyst to Discuss Role of Intelligence in War on Iraq at October 16 Event in Omaha

A veteran CIA analyst who has lectured throughout the U.S. and abroad about the use of intelligence to support foreign policy decision making will be the featured speaker at this fall’s Annual Peace Conference in Omaha. Ray McGovern, co-founder of the watchdog group “Veteran Intelligence Professionals for Sanity” (VIPS), spent 27 years inside the CIA in a career that spanned the administrations of John Kennedy to George Bush, Sr. Nationally recognized as an expert on intelligence analysis, he will be speaking on the topic, “The Role of Intelligence in the War on Iraq.”

The Saturday, October 16 conference, co-sponsored by Nebraskans for Peace and the University of Nebraska-Omaha School of Social Work, will be held at Augustana Lutheran Church, 38th and LaFayette Streets in Omaha, and will run from 10:00 a.m. to 4:00 p.m. Advance registration cost, including breakfast and lunch, is $25.00 ($30 at the door). CEUs are available to all Social Workers and Licensed Mental Health Practitioners. Registration forms will be available by mid-month.

McGovern’s visit could not be more timely. With Nebraska Representative Doug Bereuter’s recent announcement that the preemptive attack on Iraq was “not justified” and that (knowing what he knows now) he would not have supported the war, Nebraskans may be the most receptive they’ve been since 9/11 to a critique of the Bush Administration’s policies.

The importance of Doug Bereuter’s action should not be underestimated. As a 13-term Republican member of Congress who served as the vice chair of the House Intelligence Committee, his views were well regarded by members of his own party. For a ranking Republican like himself to now be raising questions about the integrity and use of the intelligence cited in the run-up to the war (he specifically singles out Vice President Dick Cheney for his repeated, but uncorroborated allegations of a link between al-Qaida and Saddam Hussein) can only further erode the White House’s credibility.

Considering the inadequate intelligence and faulty conclusions, the retiring congressman concluded in his statement that, “all things being considered,” a preemptive strike to remove Saddam Hussein was a “mistake”—especially without a broad and engaged international coalition. “The cost in casualties is already large and growing, and the immediate and long-term financial costs are incredible. Our country’s reputation around the world has never been lower and our alliances are weakened. From the beginning of the conflict it was doubtful that we would for long be seen as liberators, but instead increasingly as an occupying force. Now we are immersed in a dangerous, costly mess and there is no easy and quick way to end our responsibilities in Iraq without creating bigger future problems in the region and, in general, in the Muslim world.”
Bush’s Plans for Venezuela Foiled Again

Democratically elected by popular vote in 1998 and in 2000, Venezuelan President Hugo Chávez has had an upward struggle to hang onto his Presidency in a country that has suffered from past corruption, current economic recession and a sharp divide between the poor majority and the wealthy minority. He survived a coup attempt in 2002, for which the Bush Administration had provided financial backing to key participants. Clearly, the plans of Bush and Co. (do the names Otto Reich, Elliot Abrams, and John Negroponte ring a bell?) were foiled when Chavez was returned to power after just 48 hours, in response to demands of workers and peasants.

Why was the Bush White House so eager to repeat a Chile-style coup in another Latin American democracy? One answer is that Chavez does not buy into the neoliberal globalization agenda of the U.S. He has dared to use the huge oil profits (Venezuela is the fifth largest oil supplier in the world) to help the have-nots of his country, instead of kowtowing to multinational corporations. As though that were not enough, he has also befriended Fidel Castro, who has sent Cuban doctors, nurses and dentists to the Venezuelan countryside to provide free care for people who have never had medical attention. Emulating the Cuban Revolution, Chávez has instituted free public education to all, and he backed a new Constitution that enshrines rights for women and indigenous peoples.

Angered by these moves, the wealthy Venezuelan opposition successfully called for a referendum to remove Chávez. Polls just prior to the referendum, which was held on August 15, 2004, had the two sides nearly even, with Chávez projected to eke out a victory. An elderly resident said, “Here we are used to the top chickens crapping on those below them, but we on the bottom are the majority.” This majority got out the vote (voter roles increased by nearly 1.5 million in the weeks leading up to the vote, mostly in poor neighborhoods), and the referendum, monitored by Jimmy Carter and observers from the Organization of American States and the Carter Center, resulted in a 59 percent to 41 percent victory for Chávez. Both Jimmy Carter and Cesar Gaviria of the O.A.S. validated the results, declaring that the voting had proceeded in an orderly manner, that the voting machines functioned properly and that both sides should abide by the results. Nearly 95 percent of the electorate voted, and voting hours were extended so that all of the people waiting patiently in line would be able to vote.

The victory celebration had barely begun, however, when accusations of electoral fraud rang out from the opposition. Their exit polls gave the opposition a 20 percent lead, while in actuality they lost by 20 percent. The reason, the opposition was quick to say, was that the voting machines malfunctioned or were tampered with, and that they had actually won. In response, Carter and Gaviria offered to monitor an audit by electoral authorities of a sampling of recall results, as demanded by opposition groups, in the presence of government officials and opposition leaders. The opposition, however, rejected this offer to be present at the audit, and now claim they were shut out of the audit process. The exit polls that led to these charges were based on voter surveys taken at polling places by Súmate, an opposition organization that helped organize voters against Chávez, and First Justice, an anti-government political party. The poll was conducted by the U.S.-based firm, Penn, Schoen & Berland, paid by Súmate to lend their names to the process. Although election officials in Venezuela banned publication or broadcast of any exit polls during the voting, survey results were sent out by fax and e-mail to media outlets and opposition offices by Penn, Schoen & Berland nearly five hours before polls closed, thus violating election law. Súmate, incidentally, has received a $53,400 grant from the National Endowment for Democracy, which in turn receives funds from the U.S. Congress, although a Súmate spokesman denied that those funds paid for the surveys.

What is the U.S. official reaction to the referendum? The U.S. stopped short of joining much of the world in congratulating Chávez, focusing instead on preoccupation over possible irregularities in the process and calling for a transparent investigation to clarify any doubts. Even so, the U.S. grudgingly accepted the probable result and stressed support for a spirit of reconciliation within Venezuela.

Nearly a week after the referendum, the Wall Street Journal (8/20/2004) published an article on one page declaring that a hand-counted audit proved that fraud claims were unfounded, and on the opinion page published another charge of voting machine tampering. One gets the uneasy feeling that this issue won’t be settled until–and if–Bush gains reelection, at which time he will no doubt make removing both Fidel and Hugo a priority, leading to the Iraqui-zation of Latin America.
Report on the August 6-9 Vigil, Rally and Line Crossing at StratCom’s Kinney Gate

by Frank Cordaro

The Des Moines Catholic Worker community and the Spirit of Peace Community in Omaha hosted its annual three-and-a-half-day vigil at the main gate at Offutt Air Force Base, home of the Strategic (StratCom) and Military Space Commands in Bellevue, Nebraska, August 6 through 9—the dates the U.S. dropped the atomic bombs on Hiroshima and Nagasaki, Japan in 1945.

This year’s vigil numbers ranged from five to fifteen people, throughout the event. On Saturday August 7, our numbers climbed to 60 when Speak Out at StratCom (SOS 2004) and the Nebraskans for Peace joined in for a 10:00 a.m. “Farewell To Arms” rally.

The weather was unseasonably cool throughout the vigil. Except for two hours of rain on Sunday morning, it was ideal vigiling weather. Reactions from passers-by were mixed. The majority of those expressing an opinion were negative; they were often peppered with a four-letter word and middle-finger gesture. The property owner directly north of the main gate set up her own “Support Our Troops” vigil on the roadside adjacent to her property one day, with flags and a banner. Another pro-bomb person made up his own posters and stood opposite from us on the other side of the main gate. One of his posters read, “Support Our Troops” and the other read, “Hippy Terrorist,” with an arrow pointing at us. Someone threw a half-full can of beer at us and for the first time ever, we were MOONED by someone in a passing car. A few people chose to stop and talk to us, often leading to lively discussions.

Mostly though, we were left alone, with the noise traffic passing us by and plenty of time to pray and contemplate the 59-year demonic legacy of the atomic bombings and the work and mission of StratCom and the Military Space Command the bombings spawned.

At the conclusion of the vigil at 11:00 a.m. on Monday, August 9—the date and time when the U.S. dropped the second atomic Bomb on Nagasaki, Japan, Elton Davis, of the Des Moines Catholic Worker, crossed the property line at Offutt AFB, was detained by Air Force Security, given a “ban and bar” letter and released. Elton’s possible federal charges for trespassing are pending.

Next year marks the 60th anniversary of the A-bombings of Hiroshima and Nagasaki, and both the SOS planning group and Nebraskans for Peace have made commitments to help organize and turn out many, many more people to the vigil and rally.

Frank Cordaro can be reached at the Phil Berrigan Catholic Worker House, 713 Indiana St., Des Moines IA 50314; or by phone at 515-282-4781. Visit the website at www.desmoinescatholic worker.org.
U.S. Repeats Fatal Error in Choice of Afghan Ally

The following article by Dr. Taj Millatmal, MD originally appeared in the August 7, 2004 Omaha World-Herald as a guest editorial. Dr. Millatmal is a resident of Omaha and the founder of Humanity International for Peace and Prosperity. A member of the national democratic group, Millat, in Afghanistan, he has been the target of persecution both by the Communists, who imprisoned him, and Islamic extremists, who he has actively opposed since 1982.

The situation in Afghanistan is deteriorating very rapidly. Citing concerns that the government has failed to provide for their safety, the Nobel Prize-winning group Doctors Without Borders just announced it is withdrawing its staff and ending the life-saving services upon which thousands in the country depend.

Almost daily, we read that a "re-emerged" Taliban is regaining control of many provinces, while the central government, weaker than a mayor of rural city, is helpless to stop them.

President Karzai’s own appointed governor of Shiberghan province was banned from taking office, when his convoy of hundreds of soldiers was attacked by the local warlord who opposed the appointment.

Elements of the Northern Alliance captured and looted the entire police department in Mazari Sharief after the chief of police publicly condemned the Alliance’s leading role in the heroin trade. According to reports, the heroin trade has increased 2000 percent since the fall of the Taliban.

The chaos has spilled over into the presidential election. The last two elections clearly indicated that a free election is impossible. Even if an election is held, an Islamic extremist government, harsher than the Taliban, may emerge. Not only would the prospects for democracy vanish; Afghanistan could once again become a sanctuary for terrorists.

Just two-and-a-half years after the defeat of the Taliban, how could things have gone so wrong?

Years of war had left Afghanistan in dire need of reconstruction and development. The insufficient levels of aid provided by the international community, however, crippled the Karzai government’s ability to improve the lives of the Afghan people and win their support.

But it was President Karzai’s decision, at the instigation of the U.S., to cooperate with the Northern Alliance and bring them into the government that cost him the public’s trust.

Widely regarded as thugs and thieves, the warlords who make up the Northern Alliance are hated by Afghans more than the Communists were during the Soviet occupation. Now in charge of both the government and the economy, they are looting the country every way they can.

And that they are doing it with the full knowledge and consent of the U.S. State Department gets right to the problem with American policy in Afghanistan.

As a loyal citizen of the U.S., I am deeply concerned that my adopted country is in the process of repeating the same mistake in my homeland that it’s been making the last 25 years.

In their Afghan policy, the Democrats and the Republicans alike have practiced a philosophy of “the enemy of my enemy is my friend.”

After the Soviet invasion in 1978, the U.S. unwisely supported Islamic extremists in Afghanistan (including Osama bin Laden), while ignoring and suppressing democratic intellectuals who could have prepared the way for a transition to democracy.

After the Soviets withdrew, the U.S. realized the depth of its mistake, but desperate to fix it, repeated the error by backing the Taliban as a means of countering the other extremists.

It wasn’t long, though, before the Taliban made common cause with al-Qaeda, culminating of course in the tragedy of 9/11.

Horrible as it was, 9/11 created an opportunity for the U.S. to fix the situation in Afghanistan once and for all. Despite continued requests from Afghans that the U.S. should not partner with Northern Alliance, they did it anyway.

In perhaps, in its biggest mistake to date, the U.S. sought to buy off the warlords with money, weapons, and power in a shortsighted bid for political stability.

The end result is that the Bush administration’s promises of democracy and freedom in Afghanistan have been thwarted. The Afghan people are virtually being forced back into the arms of Taliban and al-Qaeda just to protect themselves from the outrages of these warlords. And success in the War on Terror is more elusive than ever.

At this late hour, our only hope to avert yet another catastrophe for Afghanistan (and by extension, America, which will wind up paying for these policy mistakes) is to authentically support the democratic elements inside the country with our political and financial will.

These groups, who are anxiously waiting to promote peace, democracy and freedom and are desperate for our help, are the ones we need to be supporting—not the warlords.

But time is short. Afghanistan is at the brink. Unless we can demonstrate the economic and political advantages of democracy to average Afghans, and do it quickly, all that we have sought to do there since 9/11 will have been for naught. And we will pay dearly for our mistakes.

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Petition Names Cooper Station Nuclear Reactor as Vulnerable Terrorist Target

by Kevin Kamps
Nuclear Information and Resource Service
Washington, D.C.

Headlines like this one from the Chicago Sun-Times, “AL-QAIDA PLANNED 10 HIJACKINGS”, blared from newspapers across the nation June 17 after the “9/11 Commission” delivered its preliminary findings. Among the original ten targets, the 9/11 Commission publicly revealed for the first time, were nuclear power reactors. (See also “Nebraska’s Nuclear Reactors: Radioactive ‘Bull’s Eyes’ for Terrorists?” May/June 2004 Nebraska Report.) On July 22, the final 9/11 Commission report disclosed that lead al-Qaeda suicide hijacker, Mohammad Atta, “considered targeting a nuclear facility he had seen during familiarization flights near New York.”

In response to such scary revelations, on August 10 Nebraskans for Peace joined with a coalition of national, regional, and local environmental, public interest and nuclear watchdog organizations to officially petition the U.S. Nuclear Regulatory Commission (NRC) to hold emergency enforcement hearings on a “significant structural vulnerability to terrorism” existing at 32 U.S. commercial nuclear power reactors located in 15 states. Included on the list is the Nebraska Public Power District’s Cooper Station reactor in Brownville.

Besides Nebraskans for Peace, six national groups, two New England regional groups, and 35 local groups representing 13 other states with similar “boiling water” nuclear reactors (Connecticut, Georgia, Iowa, Illinois, Massachusetts, Minnesota, North Carolina, New Jersey, New York, Pennsylvania, Tennessee, Vermont and Washington) have thus far joined the “Nuclear Security Coalition” and signed onto the petition. Copies of the petition, its annex and appendices have been sent to Nebraska Governor Mike Johanns and Attorney General Jon Bruning (as well as the governors and attorneys general of the other relevant states), as well as to outgoing 1st District Representative Doug and his colleagues in other states representing districts hosting such reactors. The full documentation is viewable at the Citizens Awareness Network website (http://www.nukebusters.org/) under “COALITION DEMANDS SOLUTION for NUCLEAR REACTOR VULNERABILITY to TERRORIST ATTACKS.” The petition has been made publicly available, as it contains no “safeguards information” that could aid terrorists.

“Nuclear reactors are pre-deployed weapons of mass destruction,” said Deb Katz, Executive Director of Citizens Awareness Network, a Northeast regional group and one of the petition’s authors, at a news conference announcing the petition. “It is the NRC’s job to protect our health and safety and assure public confidence in the regulatory process. Presently NRC’s efforts are inadequate,” Katz stated.

The petition spotlights the General Electric Mark I and Mark II boiling water reactor (BWR) designs (24 Mark I and 8 Mark II reactors), where large inventories of highly radioactive waste—irradiated nuclear fuel rods—are currently stored in densely packed elevated storage ponds, above and outside the primary containment structure. The rooftop nuclear waste storage ponds are vulnerable to a variety of attacks from above, below and on three sides of the reactor designs. Cooper is a GE Mark I reactor.

“The structural vulnerability at these reactors can no longer be quietly tolerated,” said Paul Gunter with the Washington, D.C.-based Nuclear Information Resource Service (NIRS), another petition signatory. “NRC must stop protecting the nuclear industry from the cost of security and assess the true cost of protecting these reactors against terrorism,” Gunter said.

An NRC study issued in October 2000, entitled “Technical Study on Spent Fuel Pool Accident Risk at Decommissioning Nuclear Power Reactors,” specifically identifies the structural vulnerabilities of Mark I and II BWRs to aircraft penetration. “Spent fuel” is a euphemism the nuclear power industry and its friends in government and academia use for irradiated nuclear fuel. Irradiated nuclear fuel is highly radioactive, a million times more so than when the new nuclear fuel was inserted into the reactor. A few minutes exposure to irradiated nuclear fuel without radiation shielding can be deadly.

“Mark I and Mark II secondary containments generally do not appear to have any significant structures that might reduce the likelihood of aircraft penetration,” the NRC document reported (“Transmittal of Technical Study on Spent Fuel Pool Accident Risk at Decommissioning Nuclear Power Stations,” U.S. NRC, January 18, 2001, Section 3.5.2 ‘Aircraft Crashes,’ page 3-23. NRC ADAMS Accession # ML010180413). This publicly available government report additionally stated that the public health consequences of a nuclear fuel fire caused by the loss of cooling water in the storage pond could result in tens of thousands of deaths out to 500 miles from the damaged facility.

The grassroots Nuclear Security Coalition emergency petition comes on the heels of U.S. congressional appropriators urging NRC to take “immediate steps” to upgrade fuel pool safety and security to conduct further analyses of pool vulnerabilities, focusing on certain types of terrorist attacks. The U.S. House committee gave NRC 90 days to report back. Since the September 11 terrorist attacks, NRC has ignored structural vulnerabilities and consequences of a successful attack on reactor fuel pools, instead describing them as “well engineered” and “robust” structures despite pre-9/11 findings to the contrary.

The petition requests that the NRC take immediate action to address these structural vulnerabilities to acts of terrorism against boiling water reactors such as Cooper. These actions include:

- Empowering an independent review of Mark I and II irradiated fuel pool vulnerabilities;
- Developing a comprehensive plan for addressing the danger presented by the Mark I and II fuel pools, including alternative storage options for irradiated fuel, as well as improvements in security and emergency response;
- Establishing an open, democratic process which allows local communities and the public to be involved in the evaluation of the risk reduction measures;
- Issuing a “Demand for Information” to Mark I and II owners and operators such as the Nebraska Public Power District, requiring them to provide the data necessary to conduct the emergency review.

Central to the coalition’s petition is the request for an open and democratic process that is inclusive of the public and affected communities. Since September 11, 2001, NRC has unilaterally neglected input from public interest groups, affected communities and other government agencies, and instead allied itself with nuclear reactor owners and operators. NRC’s response to the 9/11 attacks has been characterized by secrecy, superficial improvements and public relations.

Phone calls, letters, and faxes to Nebraska’s governor, attorney general, and U.S. congressional representatives alerting them to the importance of this petition would be very valuable. Also, other organizations interested in joining the petition should contact Deb Katz, NUCLEAR SECURITY COALITION, c/o Citizens Awareness Network (CAN), Box 83, Shelburne Falls, Massachusetts 01370; 413-339-5781, can@nukebusters.org.
Credit the Nebraska Liquor Control Commission for not making a bad situation worse. Had the commissioners not denied the license application of Thomas Bernard for “White Clay Liquor” August 10, this 14-person unincorporated village could have ended up with as many as FIVE liquor licenses. Last April, the commission voted 2-1 not to grant a license to Jason Schwarting (whose father Donald had had his Arrowhead Inn license revoked after being convicted of a felony), reducing the number of off-sale dealers in Whiteclay to three. Schwarting, however, has since filed suit in Lancaster County District Court to gain his license and his case is pending. If the commission had granted Bernard’s request for a new license—and Schwarting wins his appeal—the number of dealers in Whiteclay would have jumped above its usual number of four to five.

Unwilling to risk such a development, given all the negative publicity about Whiteclay, the commissioners departed from their usual procedure of automatic approval and held a public hearing on Bernard’s application. Winnebago Tribe member Frank LaMere; Judi Morgan, gaiaishkibos, Executive Director of Nebraska Indian Commission; NFP President Mark Vasina and Kate Allen, representing State Senator Don Preister of Omaha all testified in the public comment period against approval of the application. As Allen’s testimony, the text of which is printed below, indicates however, the legal and law enforcement problems associated with Whiteclay alcohol sales are far from resolved. In the past four months, the Liquor Control Commission has taken two very positive steps regarding the situation there. But much remains to be done. And despite the conspicuous lack of cooperation from the state legislature, the commissioners themselves have the authority with which to do it.

Good morning, Commissioners. My name is Kate Allen and I am speaking here today on behalf of Senator Don Preister of District #5 in South Omaha.

I appreciate the actions taken by the Liquor Control Commission last spring to revoke the license of Donald Schwarting, owner of Arrowhead Inn, after learning Schwarting is a convicted felon, and to deny a license to his son Jason for the Arrowhead Inn. I thought it was a positive step forward.

However, as you well know, the problems in Whiteclay continue. The concerns of alcohol sales in Whiteclay have been well documented regarding the three to four liquor licensees in a community of 14 people selling over 11,000 cans of beer a day next to a dry reservation with random law enforcement.

I strongly encourage you to reject issuing a license not only to Thomas Bernard for “White Clay Liquor,” but to any future license applicants until, at minimum, full-time law enforcement can be established in this unincorporated village.

A law enforcement presence is necessary not only to police the sale of liquor but also to prevent the deaths which have occurred over the past years, and which continue to occur today related to alcohol sales.

In addition, I believe the Commission should use their authority to adopt rules and regulations and adopt a rule/regulation which defines “adequate law enforcement.”

Let me address these issues point by point:

- Schwarting wins his appeal—the number of dealers in Whiteclay would have jumped above its usual number of four to five.
- The sufficiency of law enforcement “adequacy of existing law enforcement in an unincorporated community as it relates to the alcohol supply” needs to be addressed.
- The Commission Should Adopt a Rule/Regulation Defining “Adequate Law Enforcement”

It is time for the Commission to shift the burden away from the law enforcement agencies and onto the applicants and licensees. It should not be the responsibility of law enforcement to define “adequate law enforcement.” To do so puts them in an untenable position of having to potentially provide resources where, when and in numbers they are unable to deliver.

The Commission has the authority to adopt rules and regulations and clearly does so in the past to clarify other statutory provisions. Defining “adequate law enforcement” would clearly be within the authority of this Commission.

Once it is defined, law enforcement can assess the requirements as set out by the Commission, identify their own resources and attest to the local city council, county board, or Commission whether or not adequate law enforcement exists.

As you’ve seen in your letter, I have proposed one definition which essentially states that “adequate law enforcement” is one full-time law enforcement officer on duty during all hours that liquor is sold. However, when you review 53-132 at (g), the language actually states: The adequacy of EXISTING law enforcement...

That means: Can we say that the existing law enforcement is adequate? So another way to approach this matter might be to define it this way:

- For the purposes of defining adequacy of existing law enforcement in an unincorporated community which borders a dry reservation which is located in another state, “adequacy of existing law enforcement” means a sufficient number of law enforcement officers on duty within the community relative to the annual volume of liquor sold by the licensees.

The sufficiency of law enforcement...
officers shall be measured against other comparable annual liquor volume sales by licensees in a community or communities and the number of law enforcement in that or those communities.

I think we have been approaching this problem from the wrong side. It is not the tribe’s responsibility to provide additional law enforcement. It is not the county’s responsibility to provide additional law enforcement. It is not the State’s Patrol’s responsibility to provide additional law enforcement. It is the Commission’s responsibility to not issue licenses because THE APPLICANTS can’t meet the burden of proving there is “adequate existing law enforcement.”

And it is the Commission’s responsibility to define this in regulation under their current authority and to make sure the BURDEN IS CLEARLY SHIFTED WHERE IT SHOULD BE—ON THE APPLICANT WHO IS GOING TO PROFIT FROM THIS LICENSE… Not on the county who does not have the resources… Not on the State Patrol who is stretched to provide law enforcement services across an entire state… And certainly not on the tribe who is being exploited and has already taken action to declare their reservation dry from alcohol consumption.

Deaths Due to Alcohol:

Finally, last, but certainly most importantly, people are dying because of the high volume of liquor sales and lack of adequate law enforcement. Since 1999, 15 people have died—seven of these deaths are young native people who died in the past two months in alcohol-related car accidents. Tim Giago in a August 3, 2004 Omaha World-Herald op-ed article included this description of deaths due to alcohol sales in Whiteclay from one of the tribe’s elders:

“[B]efore he died of cancer, Ogllala Sioux Tribal Councilman G Wayne Tapio lamented the many Pine Ridge deaths from car wrecks. He pointed toward the town of Whiteclay, Neb., where the sale of liquor is legal, and at the [two] miles of highway between it and the village of Pine Ridge. “If I put up a white cross for every Indian killed on that stretch of highway, it would look like a white picket fence.”

We have a moral obligation to act to rectify the activity that is causing these deaths. And now you have an opportunity to limit the number of liquor licensees in this community. I urge you to follow Nebraska law on public need and necessity, to exercise your authority to define “existing law enforcement authority” and to shift the burden to those who would profit from a liquor license.

We have been going round and round in circles long enough. The buck stops here. Thank you for your consideration.

This article by Aaron Blake originally appeared in the Fargo Forum of Fargo, North Dakota on August 17, 2004.

Ken Billingsley’s sharply-hit double down the right field line saved some face for his North Americans team at the World Fastball Tournament at Jack Williams Stadium.

The South Sioux City, Nebraska, team’s longest-tenured player broke up the opponent’s no-hit bid with just one out left in the game Sunday. He said it was important for his team, even though the 6-0 loss was disappointing.

Lucky for the North Americans—a team composed entirely of American and Canadian Indian men—the game is only slightly more than half the equation.

Team manager and founder Frank LaMere describes his team’s purpose as 51 percent showcasing Indian athletics and 49 percent building pride in Indian youth by mentoring them to stay away from drugs, alcohol and gangs. Players on the team come from 16 different tribes in six states and two Canadian provinces. Most of them are former drug or alcohol abusers. They must be sober, and must be able to mentor kids wherever they travel. After their games this week, they are meeting with the Sisseton-Wahpeton Sioux of the Lake Traverse Reservation, which is in southeast North Dakota and northeast South Dakota.

“There are many talented players who are not here because they cannot do the mentoring that we seek to do among native youth,” LaMere said. “You’ve got to be sober, and you’ve got to work hard. That’s what the North Americans are about.”

Billingsley, a co-founder who lived on the Standing Rock Reservation south of Bismarck for 26 years, said 35-50 “good ballplayers” have had to leave the team because they couldn’t keep the pledge.

In an event where many players will frequent the beer tents between Jack Williams and Mickelson Park after games, such a message and pledge might seem out of place. But the North Americans make sure to explain that they don’t pass judgment. “The guys that go to the beer tent—they all respect what we do and know what we do here,” Billingsley said. “So we can go over there. We don’t step foot in that beer tent, though. We’ll step outside and talk to them while they’re drinking beer.”

LaMere added that “wild nights” on the road for his team include watching ESPN, reading the sports section of the newspaper and meeting with Indian youth.

But the work that the North Americans do is often thankless. Billingsley, who works as a federal investigator for the National Indian Gaming Commission, cannot get Indian casinos to buy into sponsoring his club. “We could be their walking billboards,” he said. “We scrape, and we have a helluva time getting to tournaments. But it’s all worth it when Frank pulls through.”

And eight times in the team’s 15-year history, LaMere has pulled through in getting his team to the world tournament.

But this year is somewhat different. This year, they entered the tournament having won the Nebraska-Iowa-South Dakota travel league—a league the International Softball Congress allowed them to join as a sovereign nation, regardless of the geographic locations the players come from.

In turn, they have offered to be ambassadors to the Indian community for the ISC, encouraging Indian peoples to get involved in softball. “Softball is big in the Native community,” LaMere said. “Native people have helped to keep the game alive in the Midwest.

“There’s a rich tradition dating back to the ’30s, ’40s, ’50s and ’60s. Every reservation community had a team and worked to put their best players on the field.”

But softball and children aren’t the only things LaMere and Billingsley advocate. Both of them also feel responsible to represent their communities to non-Indians everywhere they go. Billingsley has sung his people’s national anthem at several ISC tournaments, including Friday at Jack Williams during the opening ceremonies. “It’s an educational thing for the non-Indians to understand that we have a culture among the 500-and-some tribes throughout the United States,” he said. “To pass that on to the non-Indians that have never seen that or been on a reservation makes my heart feel good.”

LaMere also tries to teach non-Indians about his culture, and he said he’s often characterized as a political and social activist. He chaired the American Indian caucus at the recent Democratic National Convention in Boston.

He also led a march on the Pine Ridge Reservation on July 3, 1999, protesting the flow of alcohol from the neighboring town of Whiteclay, Neb., to the alcohol-free reservation. He was arrested for crossing yellow police tape once the march reached Whiteclay, and charges against him were dropped after a two-year legal battle.

But for this week, they will help people on a smaller scale in their week-long sojourn in Fargo. And they hope to influence everyone around them. “Our job isn’t done because this game’s over,” Billingsley said after Sunday’s loss. “We’re going to work with kids and help them to understand that we’re abstaining from that stuff and playing top-level fastpitch softball. And we wouldn’t be here today if we were still doing drugs and alcohol. I guarantee you.”

Frank LaMere, team manager and co-founder of the North Americans of South Sioux City, Nebraska says his team’s purpose is to showcase Indian athletics and build pride in Indian youth.
The Day After Tomorrow

Global Warming Gets the Hollywood Treatment

by Mark Zimmermann, Treasurer
Nebraska Green Party

“The Day After Tomorrow” has come and gone. The summer action film, now making the rounds of second-run theaters, portrays an extreme version of what scientists call “abrupt” climate change. This scenario would occur when changes to ocean temperature and salinity (decreased by melting ice) reach a trigger point and disrupt major ocean currents like the Gulf Stream. Since these currents are a prime driver behind climate, their disruption could have drastic effects. While this is regarded as a plausible theory (see pewclimate.org for a basic introduction or the National Academies of Science for more detail) and in fact has occurred before in geological history, climatologists are working in a very different time scale than the average movie-goer or Hollywood director—perhaps decades rather than the minutes or even seconds, as we watch the film’s heroes race for cover from the flash-freezing of New York City.

This is not to disparage the basic message of the movie, however. In a sense, we are in a race with global warming. And in a backwards sort of way, the film raises an important set of issues with regard to global warming and timeframes.

To begin with, global warming issues involve spans of time with which we are unaccustomed and cannot reasonably comprehend. There is now more carbon dioxide in the atmosphere than at any time in the last 55 million years. More than at times when there was no ice anywhere on Earth. This dire warning comes from Britain’s chief scientific advisor, Sir David King (The Guardian, 7/14/04). Even the relatively stable climate period in which we live is about 10,000 years old—in other words, older than recorded human civilization. Looked at from this perspective, even “gradual” climate change is as abrupt in geologic terms as the movie version is to “gradual.” We live in such a sped-up world that it takes a flash freeze to fit our frame of reference. Here though is another way to look at the problem. The common wisdom purports that if you drop a frog in very hot water it will of course immediately hop out. But if you put a frog in tepid water and very slowly turn up the heat, the frog will stay there until it is too late. This is certainly an apt... (I suppose experiments have mostly replaced parables these days)... lesson for our time and our situation in history.

The danger is probably less (though not negligible) in something catastrophic happening overnight, than that it will happen too slowly for our human frames of reference to notice. Did it feel .3 degrees warmer this summer? Did spring start a day later? Is the ocean a centimeter or two higher than last year?

Certainly there are noticeable signs. We can see TV pictures of state-sized chunks of ice falling off of Antarctica. This summer, hundreds of thousands of English sea birds failed to breed because rising temperatures in the North Sea are eliminating their main food source—a small but formerly plentiful fish called the sandeel.

We see these things, but time slips by. There always seems to be time to fix things. Now the sheer magnitude and relentless momentum of the situation are almost beyond contrast with our fragmented response and social/political inertia. It took an entire Industrial Age to get us into this dilemma, and it will take an equally immense effort to see us through it.

It might be easy at this point to say that individual efforts won’t suffice. But that’s where collective efforts begin. Millions of us need to not just start driving hybrid vehicles; millions of us need to demand an end to internal combustion engines and their replacement by fuel cell technology. Millions of us need to vote spineless ‘followers’ out of elective office and replace them with actual leaders who will work cooperatively with other nations and negotiate firmly with the corporate world. And most fundamentally, we need to realize that just like there is no ‘free lunch,’ there is no totally ‘free market.’ All economic decisions have environmental costs, even if they are conveniently “externalized.”

A marketplace based on ecological considerations offers a coherent and rational basis for decision making. Can we say the same for one based on greed? Such a shift in behavior would require a deep and immense change in social perception and will (thus the need for better leaders), but that’s the scope of the problem as well.

So to conclude the movie review, “The Day After Tomorrow,” while a summer popcorn movie in most ways, still has important themes when viewed with a larger perspective. Maybe what we need is a 4-D version of those cardboard 3-D glasses people used to wear at science fiction movies to enhance, not just our depth perception, but our sense of scale.
Politician Contacts

The White House
Washington, DC 20500
Comment Line: 202-456-1111
202-456-1414
202-456-2993 (FAX)
president@whitehouse.gov

Sen. Chuck Hagel
346 Russell Senate Office Bldg.
Washington, DC 20510
202-224-4224
202-224-5213 (FAX)
402-476-1400 (Lincoln)
402-758-8981 (Omaha)
308-632-6032 (Scottsbluff)
hagel.senate.gov/email/contact.html

Sen. Ben Nelson
720 Hart Senate Office Bldg.
Washington, D.C. 20510
202-224-6551
202-228-0012 (FAX)
402-391-3411 (Omaha)
402-441-4600 (Lincoln)
bennnelson.senate.gov/email.html

Rep. Doug Bereuter
1st Congressional District
2184 Rayburn HOB
Washington, DC 20515
202-225-4155
202-226-5452 (FAX)
402-397-9944 (Lincoln)
202-225-5686 (FAX)
202-438-1598 (Lincoln)
www.house.gov/bereuter

Rep. Lee Terry
1524 Longworth HOB
Washington, DC 20515
202-225-4645
202-226-5584 (FAX)
308-381-5555 (Grand Island)
www.house.gov/terry

Rep. Tom Osborne
507 Cannon HOB
Washington, DC 20510
202-224-6435
202-226-1385 (FAX)
402-391-3411 (Omaha)
402-438-1598 (Lincoln)
www.house.gov/osborne

Capitol Hill Switchboard
202-224-3121

State Capitol Switchboard
402-471-2311

State Senator, District #
State Capitol
PO Box 94604
Lincoln, NE 68509-4604

Governor Mike Johanns
PO Box 94848
Lincoln, NE 68509-4848
402-471-2344
402-471-6031 (FAX)
mjohanns@notes.state.ne.us

SEPTEMBER 2004 NEBRASKA REPORT, P.9

Just in Time for the Campaign Season...

Same-Sex Marriage Becomes Political Football

Same-sex marriage, though far from becoming a reality in Nebraska, has nevertheless been on the minds of many Americans. So much so, that conservative Republicans in the U.S. Senate—hoping to capitalize on all the media hype—pushed to bring to a vote a constitutional amendment banning same-sex marriage during the very week of the Democratic National Convention. As expected, the senate debate over this blatantly partisan maneuver ended July 14 with no vote. But, not before both Senators Hagel and Nelson voted for cloture to shut off the filibuster and bring the measure to a vote. Citizens For Equal Protection had waged a letter-writing and email campaign to both of the senators’ offices asking them to vote against the amendment. Both senators assured all of our supporters that they would not vote for the amendment. By voting for cloture, however, you can’t help but wonder what their actual intent was and if, at the very least, they weren’t trying to play both sides.

Although the issue has been temporarily settled in the Senate, the battle over same-sex marriage rages on in the House with bill H.R. 3313. The following article with bill H.R. 3313. The following article by Alan Hirsch, a visiting professor at Williams College, provides a critical analysis of this pending legislation.

–Michael Gordon, NFP State Board and Executive Director, Citizens For Equal Protection

Off the Court:
New bill would block federal judges from hearing key gay-marriage cases

We’ve been watching the wrong game. With attention focused on the doomed constitutional amendment to ban same-sex marriage, the media, general public, and gay rights supporters are overlooking a more lively threat: H.R. 3313, the so-called Marriage Protection Act.

The constitutional amendment was merely an opportunity for conservative members of Congress to throw red meat to the base. Opponents of same-sex marriage knew the amendment wouldn’t pass, so they crafted a fallback plan: the Marriage Protection Act, which says federal courts may not hear cases from gay couples challenging the eight-year-old federal law that prohibits them from marrying. If the bill passes, many states will refuse to recognize the marriage of a gay couple hitched in another state. Under today’s rules, the couple could bring suit in federal court, asking that the Defense of Marriage Act, or DOMA, be ruled unconstitutional. If the Marriage Protection Act becomes law, no federal court could take the case...

Does that sound outlandish? Brace yourself for a primer on the anti-gay approach to constitutional law. The conservatives’ nightmare has long been that gay and lesbian couples will marry in Massachusetts or some other enlightened state, then be free to move anywhere and enjoy the state and federal benefits that accompany marriage. In 1996, they responded with DOMA, which declares that no state must recognize another state’s marriage of a same-sex couple.

DOMA amounts to an end-run around Article Four of the Constitution, which says that the public acts of each state (such as marriage licenses) must be honored in every state. Recognizing that DOMA is constitutionally vulnerable, to put it mildly, opponents of same-sex marriage now push the Marriage Protection Act. It solves DOMA’s constitutional infirmities the easy way, by saying that federal courts may not hear interstate cases involving DOMA, and thus cannot declare it unconstitutional. Even the U.S. Supreme Court would be shut out.

This effort to strip the federal courts of jurisdiction may itself be unconstitutional. The Constitution pointedly gives federal courts, especially the Supreme Court, the ability to unify federal law. It also gives federal judges life tenure to insulate them from public pressure. But if the Marriage Protection Act passes, DOMA’s fate would rest with state judges, many of whom face election and are prone to public pressure. Worse still, courts in some states would find DOMA unconstitutional while courts in other states would hold otherwise.

Supporters of the act point to Article Three of the Constitution, which says federal courts’ jurisdiction is subject to “such exceptions, and under such regulations as the Congress shall make.” Many legal scholars, however, argue that the “exceptions clause” was never intended to permit stripping all federal courts of authority to hear cases arising under the Constitution or federal law, especially where fundamental rights are concerned.

Regardless of the precise meaning of the exceptions clause, court-stripping threatens a fundamental constitutional principle: separation of powers. More than two centuries ago, Supreme Court Justice John Marshall declared it “emphatically the province and duty of the judicial department to say what the law is.” Federal judicial review safeguards against the tyranny of the majority that rightly concerned the framers.

If courts go too far, the American people can amend the Constitution. DOMA and the Marriage Protection Act are efforts to circumvent that process. They amount to an attempt to change the Constitution without amending it.

This is nothing new. In recent years, disgruntled members of Congress have introduced legislation to strip the courts of jurisdiction over various controversial issues, including abortion, busying, and school prayer. Typically, the bill effectively overrides a Court decision (for example, declaring that life begins at conception, in an effort to make abortion illegal) and then declares that some or all federal courts may not hear a case on this issue.

Fortunately, these attempts to short-circuit the Constitution have failed. If we start down the court-stripping road, there’s no telling where we’ll end up. Imagine if Congress had passed a law denying the Supreme Court jurisdiction over cases challenging the president’s authority to detain enemy combatants indefinitely. Our deliberate constitutional balance will be upset if federal courts cannot prevent overreaching by the other branches.

The Marriage Protection Act is a double affront. Gays, who crave equal treatment in life, have the right to marry in particular, would obviously be harmed. The act should alarm not just them and their supporters but anyone concerned about the Constitution.

Alan Hirsch is a visiting professor of constitutional law at Williams College and senior consultant to UCLA School of Law’s Williams Project on Sexual Orientation Law.
can strike anything anywhere at anytime with any weapon of choice. SpaceCom (or NorthCom as it’s called) and StratCom have merged into a new StratCom whose mission is Global Strike, Information Operations to deceive, Space Support, Missile Defense and Global Command and Control. The Global Positioning System used in targeting smart bombs that are satellite-guided is directed from StratCom.

Last August, StratCom hosted a secretive meeting to develop a new kind of nuclear weapon called the mini-nuke. In ‘Zeus’ terminology, it’s called the “Robust Nuclear Earth Penetrator.” I call it another way to rape planet Earth. The “penetrator” is like a mini-Hiroshima bomb and is supposed to burrow 200 to 300 feet underground to destroy secret bunkers around the world that could be used to make or command weapons of mass destruction. In all reality though, the mini-nuke can only go 30 or 40 feet down, creating a dangerous plume of radiation that would kill thousands of innocent people downwind. The development of the mini-nuke not only violates the Nonproliferation Treaty. It sets a horrible double standard for ourselves, as we preemptively attack other countries for their alleged development of weapons of mass destruction, but develop a new class of warheads ourselves and refuse to deactivate and dismantle our Cold War nuclear arsenal.

Americans say they want peace in the world and we pray for it every Sunday, while half our tax dollar is used to feed the military Zeus who can do whatever, whenever and however. Your average American doesn’t know about these new nukes, and probably doesn’t really understand what a nuclear weapon is, but certainly doesn’t understand what depleted uranium is. Because we have used weapons made with depleted uranium, though, our service people are coming home sick and we are contaminating the environment in Iraq for billions of years to come as cancer rates and birth defects soar there. The video “The Invisible War” with Doug Rokke gives you an idea of what’s going on.

But our military complex thrives on obedience, secrecy and our money. Yet, we cannot and must not support any military policy that maintains, monitors and develops nuclear weapons. If we accept our country’s nuclear weapons policy, if we accept handing over half of our tax dollar to support this insanity while education, library hours and veteran’s benefits are being cut, then we are accepting the possible destruction of our planet.

The nuclear machine must be stopped. Zeus has to come down out of the clouds and we must take away all his lightning bolts. We must become protectors and not destroyers of life. Bruce Blair, a former Minuteman Operations Officer who has since turned peace activist, suggests hardening and sealing the hatches of all missile silos so that we can take a step back from the hair-trigger-alert scenario. Russia’s computers, command center and nuclear weapons systems are rapidly deteriorating, and mistakes in communication or malfunctions are more likely now than they were in the ‘80s. We need to heed Blair’s advice and take the step back and then proceed to dismantle all nuclear weapons.

David Krieger of Waging Peace has said to rely upon nuclear weapons for security is to put the future of our species and most of life at risk of annihilation. Humanity is faced with a choice: eliminate nuclear weapons or continue to run the risk of them eliminating us. Unless we recognize this choice and act upon it, we face the possibility of ‘global Hiroshima.’

World-renowned peace activist Helen Caldicott has said we all need to do “something big” for peace. My “something big” is my monthly vigil at StratCom. Once a month, I stand at the Kinney Gate at StratCom with a sign that says NO NUCLEAR WEAPONS. I testify to the truth as an advocate for peace, exposing the lie of StratCom—the notion that nuclear weapons are a deterrent.

The monthly vigils are on the 9th of each month, the anniversary of the day of the bombing of Nagasaki. They are from 4:00 to 5:30 p.m. and we have a permit to protest. On September 9 we will be out there, and I would ask you to join us. There is a potluck and discussion afterwards at my house. I would like to conclude by singing a song for you now, because I believe creativity is our hope. We must pull together globally and not tolerate war anymore.

For more information about the “Peacemaker’s Vigil” on the 9th of each month at Kinney Gate at StratCom and the “Say No to Nuclear Weapons Potluck and Discussion” at Gina Zebolsky’s house in Bellevue that follows, call 402-871-9817.
potential for energy farming in rural areas through biofuels like ethanol and soy diesel, and biomass and wind generation, to decrease dependence on foreign oil. Kerry's Clean Energy plan would meet 20 percent of American demand for motor fuel with alternative fuel produced in the U.S. by 2020.

Kerry's plan includes a renewable fuels standard to require retail gasoline to include increasing percentages of renewable fuel, an extension of the ethanol tax incentive, and a national goal of 20 percent of electric consumption from renewable generation, including wind, solar, and biomass by 2020. Rural areas stand to benefit from Kerry's proposed renewable energy credit trading market and production tax credits which can make wind-farming a reality, across the Plains especially.

2. Competition in Agricultural Markets

Under the Bush Administration, the concentration in agricultural markets has reached historic figures and the loss of family farmers and ranchers has continued. Secretary of Agriculture Ann Veneman effectively vetoed the results of check-off referendums on beef and pork, when producers voted their lack of confidence in the NCBA and the NPPC, so-called "producers organizations" which serve meatpackers' interests over those of rank-and-file farmers and ranchers.

In fact, under President Bush, the corridors of USDA are so full of industry-approved loyalists and former NCBA that farmers and ranchers cannot get a hearing or help. House Speaker Dennis Hastert and House Majority Leader Tom DeLay ignored repeated pleas for help from rural congressmen on emergency disaster relief during recent record drought.

Kerry will enforce Packers and Stockyards legislation to reverse the concentration and vertical integration that has robbed the livestock market of all fairness. Today, ownership of 81 percent of cattle slaughter by just four processors and 60 percent by the top four pork processors means producers cannot get a profit from the market. Likewise farmers sell into a concentrated market. In fact, every major commodity produced by American farmers sells below the cost of production today. Kerry will fight to restore competition to agricultural markets. He'll restore American diplomacy and help Congress negotiate fair trade, as opposed to the disastrous wholesale giveaways of U.S. sovereignty and farm price supports which the Bush Administration sells as "free trade."

1. Karl Rove is 'betting on the come'

Karl Rove, the political mastermind of the Bush Administration, bet the farm in 2002 that they could hang agricultural states out to dry, and rural America would still vote Republican. They were correct, and the result is a government badly out of balance. The White House and both Houses of Congress are increasingly hostage to extremists, and today Congressional Democrats are indeed the only fiscal conservatives standing, while a radical right wing president is spending our grandchildren into historic national debt.

Nothing has change since 2002, except the stakes on the table. Fool rural America once, shame on the liar. Fool rural America twice, with the same old wedge issues and the politics of fear, shame on rural America.

With nothing resembling a record on rural development or quality of rural life, with a stalled-out energy policy and farm-gate prices permanently depressed, plus a spiraling debt, tax cuts for the richest of the rich and the specter of a new Vietnam in the Middle East, this president has nothing much to recommend him in November but an 'R' next to his name. For many rural Americans, who know in their hearts the country can't afford four more years, that 'R' is just not going to be enough.

Nebraskans for Peace Chapter
& Local Affiliate Contact Information

Crete Chapter ........................................ Pat Wikel ....................... 402-826-4818
Lincoln Chapter ................................. State Office ....................... 402-475-4620
Omaha Chapter ............................... Cary Vignieri ...................... 402-453-0776
Scottsbluff Chapter ........................... Byron Peterson .................. 308-783-1412
Southwest Nebraska Chapter ......... Dennis Demmel ................... 308-352-4078
Wayne/Wayne State College Chapter ... Sayre Andersen .................. 402-375-3794
Central Nebraska Peace Workers . Charles Richardson ............ 402-462-4794
(Grand Island, Hastings, Kearney)

Contact the NFP State Office for information on the UNL, UNO, UNK, Creighton and Nebraska Wesleyan University and Hastings & Doane College Chapters

Make a tax-deductible gift to the Nebraska Peace Foundation

SEPTMBER 2004 NEBRASKA REPORT, P.11
Barriers to Peace...

The richest 20 percent of Americans now account for 50 percent of total U.S. income, while the aggregate income share of the bottom fifth is only 3.5 percent. America’s wealthy have seen their share of the national income jump six percentage points over the past 20 years, up from 44 percent in 1973. Both the poor and middle-income workers have seen their share tumble over the same 20 year period.

Sources: Congressional Budget Office, Bureau of Labor Statistics and Census Bureau.

Why Rural America Should Vote ‘D’

George W. Bush is a dangerous man, most dangerous because he has, increasingly, nothing left to lose. In history, the Bush dynasty will go down in the book of tragic ambition, and even W. looks heavy-hearted these days with that truth.

His smirk has become bewildered. The President is not used to taking responsibility for his actions. His oil company and his baseball team both lost a lot of other peoples’ money. He drank and he drugged to hurtful excess, but Someone Else paid for his sins. He didn’t win the popular vote in 2000, but the Supreme Court gave him office. He has squandered a record federal surplus and the esteem of most of the nations of the world.

Bush stands today at the throttle of a train wreck, like some great grand illegitimate stepchild of Casey Jones, Kaiser Wilhelm and Marie Antoinette. There is a rumble of recognition among Americans of all parties, that the only way to stop the wreck is to defeat him. Every American has at least one reason.

Rural America, as I see it, has five.

In growing order of importance, those five reasons are:

1. The Bush dynasty will go down in the book of tragic ambition.
2. A dangerous man, most dangerous because he has, increasingly, nothing left to lose.
3. The President is not used to taking responsibility for his actions.
4. His oil company and his baseball team both lost a lot of other peoples’ money.
5. He drank and he drugged to hurtful excess, but Someone Else paid for his sins.

Under George Bush, only 10 percent of Treasury Department community development funds go to rural communities. Despite the close ties of the President to business, under his administration private loans have been similarly scarce in rural areas, venture capital has actually declined, and during the recent economic downturn, struggling small businesses have received no new federal loans or technical assistance. The President has also tried to slash funds earmarked to help small and mid-size American manufacturers adopt key new technologies.

Kerry and Edwards both have strong records on expanding high-speed internet access, without which it is realistically impossible to do business in the world today. Massachusetts and North Carolina are leaders in bringing broadband access to rural communities through marketplace solutions and tax credits, and a Kerry administration would help level the playing field for rural Americans with universal access. Equally important, Kerry and Edwards propose to increase federal venture capital investments in small towns and to offer rural small businesses the kind of expert start-up help available to urban entrepreneurs.

4. Health Care, Education and Law Enforcement

Despite an epidemic of methamphetamine abuse, the number one crime problem in rural America, the President has sought to slash funding for the COPS program (which hires local law enforcement) by 90 percent and is seeking 63 percent in cuts to a federal program which targets meth “hotspots” for enforcement.

Bush wants to force seniors to join HMOs to receive Medicare prescription drug benefits, and his administration has failed to correct the unfair system that makes Americans pay 10 and 20 times what people in other countries pay for life-saving drugs. Despite its hopeful name, the No Child Left Behind (NCLB) Act has been a non-starter, substituting a huge burden of testing for actual help to schools. Failure by Bush and his congressional leadership to fund the act has felt like a cruel joke, especially on rural schools already struggling to keep their doors open.

Kerry and Edwards will fully fund No Child Left Behind, including the Rural Education Achievement Program which funds teacher training and retention, school repairs and distance learning initiatives. Their education plan offers substantial incentives to highly skilled teachers who are willing to relocate to rural schools which need them most. Under their health care plan, 95 percent of Americans will have access to real health insurance coverage. And Kerry has pledged to fully fund COPS and the “hot spots” programs which target meth rings operating in rural areas.

3. Energy

The Bush administration has failed to move forward any real energy policy, and the President’s House leadership has hung it all up on protecting MTBE (a toxic gasoline additive) producers from liability for pollution damage. Big oil is as big oil does, and it is no coincidence that both Bush presidents have gone to war in oil rich lands overseas. That is why the wealthiest Americans (President Bush has openly called them “my base”) saw to it that these oil men were elected in the first place. Doubtless even the Captains of Industry did not foresee the events of September 11, but foreign wars always come home to roost in the end.

We will see more of this, I think, unless we put in place public policy which creates U.S. energy independence. Kerry understands the enormous

From the Bottom by Sally Herrin

The real political spectrum isn’t right to left... It’s top to bottom.