

Columbia Foundation
Articles and Reports
February 2011

Arts and Culture

ASIAN ART MUSEUM

\$1,058,000 awarded since 1971, including a three-year \$150,000 grant in 2007 for the *Dragon's Gift: An Exhibition from Bhutan*

1. [San Francisco Chronicle, November 15, 2010](#)

Asian Art Museum reportedly in financial turmoil

The Asian Art Museum of San Francisco is in dire financial straits. The museum restructured \$120 million in loans to hedge against rising interest rates in 2005, but rates have hit bottom and its lender JPMorgan has threatened to close the museum's line of credit. The museum would stand to lose \$20 million in assets. The money is insured, but it would nonetheless be a blow to the museum.

2. [The Wall Street Journal, November 19, 2010](#)

Money Woes Threaten Museum: San Francisco's Asian Art Showcase Is Latest Institution Stressed by Soft Economy

The Asian Art Museum is one of several museums to suffer financial problems amid the weak economy. According to a 2009 survey, more than 30% of large museums have reported "severe or very severe stress," due to declining contributions and shrinking stock-market investments. The museum, one of the more prominent institutions to be hurt, has hired a bankruptcy attorney to negotiate with creditors.

3. [San Francisco Chronicle, January 7, 2011](#)

Asian Art Museum deal makes city liable for debt – Complicated financial agreement will leave S.F. liable for nearly \$100 million in debt

In a complicated agreement with lenders and San Francisco, the city has assumed the liability for the Asian Art Museum debt, helping the museum to avoid financial calamity.

COUNTERPULSE

\$50,000 in 2009 for *Performing Diaspora*, a three-week dance festival in October 2009, a residency program for dance artists, and a commissioning program to support artists who are deeply rooted in traditional forms yet seek to push those forms into new territory

4. [San Francisco Bay Guardian, November 19, 2010](#)

Return to me: Adia Tamar Whitaker explores her identity in the exceptional Ampey!

Review of *Ampey!*, a 50-minute dance, chant, music, film, and narration piece in CounterPULSE's *Performing Diaspora* program; the writer says, "If CounterPULSE's *Performing Diaspora* program had produced nothing but *Ampey!*, it would have been worth doing. Performed by a stellar cast of dancers and musicians, Whitaker has succeeded in pulling together strands of complex subject matter into a first-rate, original piece of poetic theater."

DOOR DOG

\$35,000 in 2011 for the *International Youth Music Initiative*, to commission five internationally renowned traditional-music masters to compose pieces that the youth orchestra will premiere in November 2011

5. [San Francisco Monthly, October 2010](#)

Learning from the Past, Door Dog Music Forges Ahead

Instead of working only for preservation of traditional music, Door Dog is evolving into an organization that takes a systemic point of view. Artistic Director Michael Santoro says, "We realized that if we as an organization are going to say we're trying to revitalize traditional music, we had to step back and say, what are we not paying attention to? Twenty years from now we might lose everything we're trying to preserve." Accordingly, the 2010 festival, called The Ritual Project, was conceived within the context of a more ambitious agenda. Concerns include environmental issues, public health, and political awareness, using the music as a catalyst to encourage social activism.

6. [Youtube.com, January 21, 2011](#)

Door Dog Youth Orchestra (2009)

[The embedded video] traces the evolution of Door Dog's youth-education programs.

LOS CENZONTLES

\$225,000 awarded since 2004, including a three-year \$150,000 grant in 2007 for *Cultures of Mexico in California*

7. [Morning Edition on National Public Radio, October 28, 2010](#)

Los Cenzontles: A 'Little Factory' Of Culture

Raza De Oro is the newest album from Los Cenzontles, a Mexican arts center in San Palo, California that provides arts education to youth. Los Cenzontles executive director and founder Eugene Rodriguez says, "Our neighborhood, it's known more for problems than for good things. Our actual center is actually an ex-liquor store. We got together to transform this little liquor store into a cultural space where we teach music, dance, arts and crafts. We create CDs and make documentaries — it's like a little factory of cultural workers" [radio broadcast embedded and linked.]

8. [Youtube.com, January 21, 2011](#)

Good Morning Aztlan – Los Cenzontles

Los Cenzontles perform the Los Lobos Classic *Good Morning Aztlan*. The video is by Les Blank and Maureen Gosling. [The embedded video] also includes a special appearance by David Hidalgo.

MAGIC THEATRE

\$263,500 awarded since 1980, including \$50,000 in 2011 for *The Lily's Revenge*

9. [StarkInsider.com, December 22, 2010](#)

Magic Theatre secures special funds for Taylor Mac's 'The Lily's Revenge' – NEA, Columbia and Kenneth Rainin Foundation Grants Total \$120,000.

Columbia Foundation and two other foundations award grants to the Magic Theatre for *The Lily's Revenge*.

ODC THEATER

\$276,000 awarded since 1980, including a two-year \$200,000 grant in 2009 to renovate, refurbish, and expand the original ODC Theater as a performance space for the dance community

10. [San Francisco Chronicle, November 8, 2010](#)

ODC Theater gets jump on butoh with 'ODD'

ODC Theater premieres “an unusual, unprecedented collaboration”. The production, *ODD*, inspired by the Norwegian figurative painter, Odd Nerdrum, brought together Shinichi Iova-Koga's inkBoat collaborative with Oakland's Axis Dance Company, which integrates able and disabled performers.

OPERA CIRCUS

\$75,000 awarded since 2007, including \$25,000 in 2011 from the Columbia Foundation Fund of the Capital Community Foundation for the production costs in London of a new opera, *Naciketa*, with music by Scottish composer Nigel Osborne and libretto by Chilean/American writer and poet Ariel Dorfman

11. [Blip.tv, Autumn 2010](#)

ISPA NWN 2011: Naciketa Rehearsal Fragments

Naciketa is a contemporary opera with musical influences from Indian classical music, urban African and the folk rhythms of South America [linked video of *Naciketa* rehearsals and introduction to the artists and performers behind the production.]

TECTONIC THEATER PROJECT

\$5,000 awarded in 2011 for a San Francisco performance in October 2010 of *The Laramie Project*, and *The Laramie Project: Ten Years Later* at the San Francisco Jewish Community Center

12. [Metro Weekly, January 25, 2011](#)

Legacy of 'The Laramie Project' [video] – The impact of Matthew Shepard's murder discussed at a public forum at Arena Stage

Moises Kaufman and members of Tectonic Theater Project, U.S. Assistant Attorney General for Civil Rights Tom Perez, and SMYAL Executive Director Andrew Barnett discuss the impact of the Matthew Shepard murder, the legacy of Laramie, and how our culture perceives itself on the issue of hate crimes [The video is embedded (and linked) to the report in three parts.]

UNIVERSITY OF NEW MEXICO PRESS

\$10,000 awarded in 2008 for the 2008 publication of *The Migrant Project: Contemporary California Farm Workers*, a book based on the traveling photo-documentary exhibition by Rich Nahmias, with an introduction by Dolores Huerta.

13. [Grist.org, December 21, 2010](#)

Favorite food books of 2010

The Migrant Project: Contemporary California Farm Workers is listed as a favorite book of 2010 by Grist.org contributing writers. Dara Goldstein, editor of Gastronomica says, “These beautiful sepia-toned prints document intimate moments in the lives of the marginalized workers who labor to put food on our tables. Each photograph is accompanied by a descriptive text; essays and oral histories place the images in historical context. This is a gorgeous and important book.”

14. [The Record Searchlight, January 6, 2010](#)

Exhibits: Out with the old, in with the new: Turtle Bay switches up exhibit

The photo-documentary exhibition *The Migrant Project: Contemporary California Farm Workers* runs from February 4 to April 10, 2011, at Turtle Bay Museum in Redding, California.

15. [Grist.org, February 4, 2011](#)

The Migrant Project: Putting faces to your food [SLIDESHOW]

Rick Nahmias says, “*The Migrant Project* photo-documentary series sets out to do one thing: to put human faces to the people who, in the inimitable words of Edward R. Murrow, ‘harvest the food for the best fed nation in the world.’ While traveling nearly 4,000 miles across the state to photograph more than

40 towns during five months, two things became evident: 1) there is no other sector in our country where people have to work so hard to have so little, and 2) by adjusting our mentality to one of inclusion and respect, we can welcome farmworkers as a meaningful part of our society and understand their intrinsic value, not just for the essential work they perform, but as human beings and individuals who each carry with them the same hopes of many Americans—the dream of a better life.” [The essay and images are excerpted from *The Migrant Project: Contemporary California Farm Workers*, an iconic photo-documentary series by Rick Nahmias. This is the fourth article in Grist’s *California Dreamin’ Series*.]

YOUTH SPEAKS

\$300,000 awarded since 2004, including a three-year \$150,000 grant in 2009 for the *Living Word Festival*

16. [San Francisco Chronicle, January 19, 2011](#)

Youth Speaks turns 15

Youth Speaks celebrates its 15th anniversary at an event for supporters of the organization.

Human Rights

MISSION ECONOMIC DEVELOPMENT ASSOCIATION

\$250,000 awarded since 2009, including a three-year \$150,000 grant in 2011 for *Plaza Adelante*, a community facility that serves as a center for asset development, workforce development, and family-support services designed to improve the economic standing of low- to moderate-income Latino families in San Francisco

17. [Marketplace Money on American Public Media, January 21, 2011](#)

Nonprofit center helps immigrants build business

Luis Granados, executive director of the Mission Economic Development Agency, has developed a financial resource center for Latino immigrants by bringing several nonprofits dedicated to providing financial education and assistance together under one roof [transcript of radio broadcast; audio linked from transcript.]

Public financing of campaigns

CHANGE CONGRESS

\$90,000 awarded since 2009, including \$40,000 in 2010 to end pay-to-play politics and corruption in the U.S. government by creating a grassroots online citizen movement to hold Congressional leaders accountable, and to promote public finance of Congressional campaigns

18. [The Nation, January 21, 2011](#)

“Legalize Democracy!” Demand Activists Rallying Nationwide to Overturn Lawless Citizens United Ruling

The Citizens United ruling a year ago by the U.S. Supreme Court effectively gave corporations “personhood” and equated money with free speech, allowing corporations to spend without limitation or accountability to influence elections. At the For the People Summit organized by reform groups, including Change Congress and Common Cause, Harvard Law professor [and founder of Change Congress] Lawrence Lessig was the keynote speaker.

COMMON CAUSE

\$100,000 awarded since 2010, including \$50,000 in 2011 for *One Person, One Vote, One Voice*

19. [\(The\) RawStory.com, January 20, 2011](#)

Group: Supreme Court Justices 'Participated in Political Strategy Sessions' Before Citizens United

On the first anniversary of the Supreme Court's ruling in *Citizens United*, which “overturned nearly a century of restrictions on campaign spending”, Common Cause has petitioned the Department of Justice to look into conflicts of interest that Justices Antonin Scalia and Clarence Thomas had when making the ruling, and that because of their involvement with Koch Industries, a corporation run by two conservative activists who directly benefited from *Citizens United*, they should have recused themselves. Common Cause writes, “It appears both justices have participated in political strategy sessions, perhaps while the case was pending, with corporate leaders whose political aims were advanced by the decision.”

20. [The Wall Street Journal, January 20, 2011](#)

Advocates Call for Reopening Campaign Finance Ruling

A collection of campaign-finance-reform advocates have organized events around the country on the anniversary of the *Citizens United* vs. the Federal Election Commission decision, which rolled back bans on corporate campaign contributions. Common Cause says that Justices Scalia and Thomas have close ties to groups that directly benefited from the decision, and cite their attendance at fundraising retreats organized by the Koch brothers, a pair of conservative activists who spent millions in the last election. If Attorney General Eric Holder finds evidence that the justices were conflicted, Common Cause is asking him to petition Chief Justice John Roberts to vacate the *Citizens United* decision.

21. [\(The\) HuffingtonPost.com, January 20, 2011](#)

Citizens United v. United Citizens: Building a Movement to Drive Money Out of Politics

According to recent analysis, over one-third of all outside ad spending in the 2010 elections came from secret sources, made possible by the *Citizens United* decision. The total funding it allowed for represents \$1 for every \$5 dollars spent by candidates, which translates to over \$85 million spent in U.S. Senate races alone. [The article champions the Fair Elections Now Act and cites Common Cause as a good source of information.]

22. [\(The\) HuffingtonPost.com, January 20, 2011](#)

A Supreme Conflict of Interest

Common Cause president Bob Edgar writes, “A year ago this week, Scalia and Thomas supplied critical votes in the 5-4 *Citizens United* decision that was of particular importance to two politically active billionaire brothers, Charles and David Koch. Charles Koch, president of Koch Industries, the nation's second largest privately-held firm, and brother David have spent tens and perhaps hundreds of millions of dollars over the years on conservative political activism. The Koch-sponsored group Americans for Prosperity has been critical to development of the Tea Party; it promised last year to spend \$45 million on the Congressional midterm elections. The Koch Brothers regularly convene conservative business and thought leaders and elected officials to plot strategy around elections out of sight from the public and the press. According to a letter distributed by Koch Industries last September, Scalia and Thomas have been among the featured guests at these exclusive gatherings.” According to the Center for Responsive Politics, in the 2010 elections, corporations and other independent donors put nearly \$300 million into House and Senate races and “tens, perhaps hundreds of millions more went into races for governor and state legislatures.”

23. [ABC News, January 24, 2011](#)

Justice Clarence Thomas Amends 20 Years of Disclosure Forms with Wife's Employers – Virginia Thomas' Place of Employment Had Been Omitted From Justice's Reports

The Ethics in Government Act of 1978 requires all federal judges to disclose their spouse's employer. Common Cause has uncovered that Supreme Court Justice Clarence Thomas omitted his wife's place of employment on financial disclosure forms for the past 20 years. Thomas amended the reports, adding that his wife Virginia Thomas was employed by the Heritage Foundation, a conservative think tank, from 1998 to 2003, all while claiming the omission was a "misunderstanding of the filing instructions". Common Cause president Bob Edgar says, "Justice Thomas sits on the highest court of the land, is called upon daily to understand and interpret the most complicated legal issues of our day and makes decisions that affect millions. It is hard to see how he could have misunderstood the simple directions of a federal disclosure form. We find his excuse is implausible." None of Thomas' forms, covering activities through December 31, 2009, mention his wife's work at Liberty Central, a conservative legal group she co-founded in January 2009 in part "to energize Tea Party activists". Edgar continues, "we also continue to be puzzled by omission of Liberty Central as Virginia Thomas's most recent employer."

24. [The New York Times, January 24, 2011](#)

Thomas Cites Failure to Disclose Wife's Job

Common Cause has identified (1) that Supreme Court Justices Scalia and Thomas may have had a conflict of interest in the Citizens United case and should have recused themselves, and (2) that Thomas failed to disclose his wife's employment for the past twenty years as required by law. The Justices said in a statement released by the court that they had each spoken at dinners at the Koch retreat and that their expenses were paid by the Federalist Society, a conservative legal group. Justice Thomas also amended the past twenty years of financial disclosure forms, claiming an "inadvertent omission" in a second formal statement in five days. The filings show that Helen Thomas was employed by the Heritage Foundation, a conservative policy group, and Hillsdale College in Michigan, for which she ran a constitutional law center in Washington. The Heritage Foundation paid Helen Thomas \$686,589 from 2003 to 2007. The amended disclosures filed by Justice Thomas do not mention Liberty Central, the conservative legal group that Mrs. Thomas founded in 2009 in opposition to President Obama's policies. Deborah Rhode, a law professor at Stanford University who specializes in judicial ethics, said that it was still unknown who contributed a total of \$550,000 to Liberty Central. Mrs. Thomas left the group in the fall.

25. [Alternet.org, January 27, 2011](#)

Koch Brothers Feel the Heat in DC, as Broad Coalition Readies Creative Action to Quarantine the Billionaires Gathering in California Desert – The news that justices Scalia and Thomas have attended Koch strategy sessions is adding to the growing buzz over a planned demonstration against the billionaires.

The Koch brothers will have a "billionaires' strategy session" in Rancho Mirage, Calif. on January 30, 2011, amid big questions being raised in Washington about the Koch's' relationship with conservative justices Antonin Scalia and Clarence Thomas. Common Cause led by former congressman Bob Edgar and Robert Reich have organized a protest at the event.

26. [The Guardian \(London\), January 28, 2011](#)

The billionaires are coming: Obama's richest enemies to hold summit – Koch brothers to host rightwing politicians and business leaders at California resort to discuss how to influence politics

About 200 of America's wealthiest and most powerful individuals in finance, big business, and right-wing politics meet near Palm Springs, California in a conservative political-strategy event organized by the Koch brothers. The brothers have a combined fortune of \$35 billion and run the second largest private company in the U.S., Koch Industries, and are increasingly using their "fabulous riches to push their special interests within America's political process". Common Cause has organized an anti-Koch gathering, which includes a rally and panel discussions, to protest the event. Mary Boyle, Common

Cause's vice president for communications, says, "We want to raise public awareness of the harmful influence of corporate money. The Koch gathering embodies all that we consider damaging to our democracy."

27. [CNN.com, January 28, 2011](#)

'Secret' weekend meeting fires up debate over \$\$\$, politics & influence

Common Cause holds a telephone press conference on Thursday, January 27, 2011, announcing plans for its "Uncloaking the Kochs" rally and panel discussions organized opposite the Koch brothers' semi-annual meeting of ultra-wealthy conservatives. Robert Reich, former Labor Secretary in the Clinton administration [and current board chair of Common Cause] says that the Koch brothers' meeting is a "threat to our democracy" and the Citizens United v. Federal Election Commission decision "opens the floodgates to any amount of money by corporations and rich individuals".

28. [The New York Times, February 14, 2011](#)

Common Cause Asks Court about Thomas Speech

When questions were first raised about the Koch brothers retreat last month, a U.S. Supreme Court spokeswoman said Justice Thomas had made a "brief drop-by" at the event in Palm Springs, California, in January 2008 and had given a talk. In his financial disclosure report for that year, however, Justice Thomas reported that the Federalist Society, a prominent conservative legal group, had reimbursed him an undisclosed amount for four days of "transportation, meals and accommodations" over the weekend of the retreat. The event is organized by Charles and David Koch, brothers who have used millions of dollars from the energy conglomerate they run in Wichita, Kan., to finance conservative causes. Arn Pearson, vice president for Common Cause, said the two statements appear at odds. His group sent a letter to the Supreme Court on Monday asking for "further clarification" as to whether the justice spent four days at the retreat for the entire event or was there only briefly. Pearson says, "I don't think the explanation they've given is credible." If Justice Thomas's visit was a "four-day, all-expenses paid trip in sunny Palm Springs," it should have been reported as a gift under federal law. Common Cause maintains that Justice Thomas should have disqualified himself from last year's landmark campaign-finance ruling in the Citizens United case, partly because of his ties to the Koch brothers.

29. [The Rachel Maddow Show on MSNBC, February 15, 2011](#)

Rachel Maddow: Justice Thomas too close to the Koch's?

Maddow spells out conflicts of interest and ethics by Justice Thomas and Scalia in the *Citizens United* case. Maddow says, "The Supreme Court as an institution has very few rules that govern it because they are expected to have good judgment enough to not need them. Our whole system of having a Supreme Court that cannot be appealed at the pinnacle of our judiciary depends on us as Americans believing in the integrity of that court. What do we do if the court just decides they don't care if they're seen as biased?" Common Cause has called for an investigation. [The linked video includes an interview by Maddow of Bob Edgar, president of Common Cause.]

HABITAT MEDIA

\$125,000 awarded since 2006, including \$100,000 in 2007 for *Priceless*, a feature-length, nonpartisan documentary film that examining citizen efforts to restore a more functional and participatory democracy in the U.S. by means of democratically financed campaigns for elective office

30. [Accolade Awards, August 26, 2010](#)

Award of Excellence Winners

Priceless wins an Award of Excellence from The Accolade Film, Television, New Media & Videography Awards. [Priceless is a finalist at the upcoming Washington, D.C. Independent Film Festival, which will screen the world premiere of the film on March 7, 2011.]

31. [Vimeo.com, August 2010](#)

Preview for Priceless

Trailer for *Priceless*, a one-hour documentary about the influence of money on politics [film preview linked]

32. [BlueOregon, October 19, 2010](#)

Priceless, The Movie

Steve Cowan made *Priceless* in an effort to follow the money in the American political system “from big industry campaign coffers to K Street to Capitol Hill, through two major American policies (farm & energy), and right back into the pockets of the same industries that planted the money in the first place. Along the way, we met citizens who feel the everyday impact of big-lobby policies, and who've decided to do something about it” [written by Steve Cowan, executive director of Habitat Media and director of *Priceless*.]

MAPLIGHT

\$190,000 awarded since 2008, including \$50,000 in 2011 to track campaign donations and the subsequent votes by elected officials on issues of interest to campaign donors, and to publish same on their website

33. [KALWNews.org, October 21, 2010](#)

The Curious Constituent: Three budget propositions you haven't heard of – and why they matter

In the run-up to the November 2010 election KALW News breaks down lesser-known state propositions in California. [The article links to Maplight.org where campaign contributions are listed for and against propositions by contributor and industry/interest. According to the organization, MAPLight's audience reach (readership/viewership) for 2010 was 10.1 million people via 30 radio/TV “stories”; 258 newspaper, magazine, and internet news “stories”; and 330 blog and other website “stories”.]

PUBLIC CAMPAIGN

\$480,000 awarded since 2003, including \$80,000 in 2010 to continue to provide national leadership to advance understanding of and support for public finance of political campaigns through Public Campaign and the Fair Elections Now Coalition

34. [\(The\) HuffingtonPost.com, January 25, 2011](#)

White House Opposes GOP Attack On Public Financing, But Obama Makes Flawed Advocate

The Obama Administration releases a policy statement formally opposing House Republican efforts to end public-financing in presidential elections. Nick Nyhart, president and CEO of Public Campaign, says, “The current system is very clearly broken – reformers and President Obama agree on this. It's just as clear that the White House and Congress should now work together to fix the outdated system, not repeal it, by giving more clout to small contributors.” Obama, however, was the first candidate since Watergate to opt out of public financing during his bid for the presidency.

35. [\(The\) HuffingtonPost.com, January 25, 2011](#)

Which Side Are They On?

David Donnelly, national campaigns director of Public Campaign, writes, “Amid the fanfare of the State of the Union address tonight, the House Republican leadership is pushing legislation this week to kill the presidential system of financing elections. Let's understand this for what it is: House Speaker John Boehner (R-Ohio) and the Republican leadership want to place elections even more squarely into the hands of corporate interests, their political action committees, and their lobbyists.” Public Campaign Action Fund research has found that the original eight GOP members of Congress sponsoring the legislation have secured more in earmarks over the past few years than what cutting this system would save.

Marriage equality

CIVIL MARRIAGE COLLABORATIVE

\$950,000 awarded since 2004, including \$75,000 in 2011, for a funder collaborative that awards grants to marriage-equality advocates working to win marriage equality on a state-by-state basis

36. [The San Diego Tribune, January 9, 2011](#)

Prop. 8 legal battle has implications for all ballot measures

The 9th U.S. Circuit Court of Appeals issued an order asking California's Supreme Court to decide if state law allows proponents of a proposition to defend it in court when state officials refuse that role. Following U.S. District Judge Walker's decision, whereby Proposition 8 was ruled to be unconstitutional, Walker questioned whether the advocacy group that sponsored the bill had the legal right to appeal his decision, as Jerry Brown [California's attorney general at the time of the ruling] refused to challenge Walker's decision. The California Supreme Court, however, is not required to decide on the standing issue. Jennifer Pizer, the marriage project director for Lambda Legal [a Civil Marriage Collaborative grantee,] says that she hopes the Supreme Court takes up the matter because state law is unclear and because "so much lawmaking is done by popular vote at the ballot box."

37. [KeenNewsService.com, January 18, 2011](#)

Marriage Equality in 2011: Opportunities and Risks

In 2011, New Hampshire, Iowa, and Washington, D.C. face the possibility of challenges to state marriage-equality laws; New York, Rhode Island, California, New Jersey, Maine, Oregon, and Maryland may secure marriage equality; Hawaii, Montana, Colorado, and Delaware could win civil unions; and Indiana, Minnesota, New Mexico, North Carolina, Pennsylvania, South Dakota, West Virginia, and Wyoming face the possibility of marriage-equality bans. [The article breaks down the possibilities in each state, and features Civil Marriage Collaborative grantees Lambda Legal, Empire State Pride Agenda, New Hampshire Freedom to Marry, Garden State Equality. The article also quotes Evan Wolfson, executive director of Freedom to Marry.]

38. [Des Moines Register, January 19, 2011](#)

Bill introduced to allow public to vote on same-sex marriage

Iowa House Republicans introduce to bills in an effort to ban marriage equality in the state. [The article features One Iowa, a Civil Marriage Collaborative grantee, and quotes Evan Wolfson, executive director of Freedom to Marry.]

39. [Reuters, January 22, 2011](#)

Gay marriage could move forward in some U.S. states

The November 2010 election brought in new legislators, which may tip the balance in favor of the passing of marriage-equality laws in Maryland, New York, and Rhode Island. "It is premature to make predictions or attempt head counts based solely on prior votes, but there is reason to be confident," said Ross Levi, executive director of Empire State Pride Agenda [a Civil Marriage Collaborative grantee.]

40. [New York Daily News, January 27, 2011](#)

Gay marriage supported by record number of New York voters: 56% according to new poll

According to a Quinnipiac University survey, 56% of voters in the state of New York favor marriage equality, up from the previous best of 51% in 2009 [quotes Empire State Pride Agenda executive director Ross Levi.]

41. [Associated Press, January 31, 2011](#)

Quinn to sign historic civil unions legislation

Governor Quinn of Illinois will sign an historic civil-unions bill in Illinois. [The article quotes Dalia Fridi, a board member for Equality Illinois, a Civil Marriage Collaborative grantee.]

EQUALITY CALIFORNIA (EQCA)

\$155,000 awarded since 2007, including \$55,000 in 2010 for community-based education programs throughout California designed to build connections between, and understanding and appreciation of, gays and lesbians and Californians who are undecided about marriage equality

42. [San Diego Gay and Lesbian News, December 3, 2010](#)

Geoff Kors, Equality California executive director, announces 2011 departure

Equality California's executive director of 9 years, Geoff Kors, will step down from his position on March 31, 2011. Kors says, "It has been a true honor and privilege to serve as executive director of Equality California and to work with California's lesbian, gay, bisexual and transgender community. I am incredibly grateful to the elected officials, coalition partners, dedicated staff, board and especially to our members who have done so much to advance equality here in California."

43. [The Bay Area Reporter, January 6, 2011](#)

Breaking: Prop 8 case sent back to CA Supreme Court

The issue of whether Protect Marriage, the group behind California's same-sex marriage ban Proposition 8, can defend the law in the federal courts may be decided by the state's Supreme Court. Former Governor Arnold Schwarzenegger and Governor Jerry Brown, serving as the state's attorney general, refused to defend Prop. 8 before the 9th U.S. Circuit Court of Appeals when the three-judge panel heard oral arguments last month. Kamala Harris, who was sworn in as the state's attorney general January 3, 2011, has said she does not intend to change course. The issue of standing is key, as should it be determined that Protect Marriage has no right to intervene, then a ruling last summer by U.S. Chief District Court Judge Vaughn Walker that Prop. 8 is unconstitutional would stand. It will likely be up to the U.S. Supreme Court to decide the matter, though, as the losing side in the case is expected to appeal the appellate court's ruling. Should the state justices determine that Protect Marriage has no standing in the case, then the appeal would likely be dropped and Prop 8. would be overturned. Same-sex marriages would once again be legal in California, as the case would have no impact outside California, though the backers of Prop. 8 could appeal the standing issue to the United States Supreme Court. EQCA Executive Director Geoff Kors says, "We are optimistic that the case will be dismissed, marriage equality restored and that same-sex couples and their families will finally enjoy equality and dignity under the law."

44. [San Diego Gay and Lesbian News, January 20, 2011](#)

Sen. Christine Kehoe bill would boost equal benefits law for LGBT workers

Senator Christine Kehoe, D-San Diego, introduces Senate Bill 117, which would strengthen the California's current equal-benefits law. Sponsored by Equality California, the bill adds a provision barring the state from entering into contracts with businesses and other entities that do not provide equal benefits to same-sex spouses of employees. Geoff Kors, Equality California executive director says, "We must strengthen our current equal-benefits law because thousands of same-sex couples have legally married since 2003, and it is vital that they are protected under this law. This legislation would ensure fairness and equality for workers and could mean the difference between having access to vital benefits such as health insurance or not."

FREEDOM TO MARRY (FTM)

\$675,000 awarded since 2002, including \$50,000 in 2011 for continuing support of this national-strategy center on marriage equality

45. [Martin Luther King, Jr. Keynote Address at University of Michigan Law School, January 17, 2011](#)
Is the Freedom to Marry Inevitable?

Evan Wolfson says, “It is an honor to be here with you as we gather to celebrate the inspiration of one of my personal heroes, Martin Luther King, Jr. – an icon to us all – and to acknowledge the inheritance given to us through the commitment, work, sacrifice, and hard-won gains of Dr. King and many others who came before us. Because the best way to honor that legacy left to all of us is to do our part to add to those gains, our part to lighten the burdens of those with whom we share our precious time on this planet and those who come after us, our part to hold America to its promise, our part to mend the world, we must not just come together to celebrate the past, but commit to working in the present to change the future.” [The speech is by Evan Wolfson, executive director of Freedom to Marry.]

46. [The Bay Area Reporter, January 20, 2011](#)

DOJ says DOMA is justified to prevent 'inequities'

The U.S. Department of Justice (DOJ) files a brief with an appeals court that will hear DOJ’s appeal of two district court rulings, which declared the Defense of Marriage Act (DOMA) unconstitutional. In July, U.S. District Judge Joseph Tauro ruled that DOMA is unconstitutional because it violates the equal-protection and due-process clauses in the U.S. Constitution, and, that DOMA violates the 10th Amendment right to exercise control of certain state issues. DOJ argues that Tauro erred in declaring the one section of the law unconstitutional and that “back-and-forth changes” such as those experienced by California concerning the recognition of same-sex marriages “have the potential to cause inequities in the operation of federal programs, and could result in administrative difficulties across a variety of federal programs”. Evan Wolfson says that he regrets that DOJ “continues to defend a law that President Obama has repeatedly said is discriminatory. Also disappointing is that the Justice Department is urging the court to give this discriminatory law a presumption of constitutionality. The Justice Department should be asking the courts to examine DOMA with skeptical eyes, not rubberstamp discrimination.” [The article also quotes Mary Bonauto, civil rights director at GLAD, a Civil Marriage Collaborative grantee, and Jennifer Pizer, the marriage project director for Lambda Legal, a Civil Marriage Collaborative grantee.]

47. [On Top Magazine, January 20, 2011](#)

Obama Hospital Visitation Rights For Gay Couples Goes In Effect

An order signed by President Obama in April 2010 goes into effect on January 25, 2011, prohibiting hospitals from discrimination based on sexual orientation or gender identity. The order also prevents hospital from denying visitation rights to same-sex couples and honors patients’ rights regarding who can make medical decisions upon their behalf. Evan Wolfson, executive director of Freedom to Marry says, “The president’s directive is a small, but welcome step forward. It addresses one of the many ways same-sex couples and their loved ones are made vulnerable and harmed by the denial of marriage and the safety-net of protections marriage brings – in this case, the assurance that a spouse can be by a loved one’s hospital bedside and participate in medical decision-making at a time of great need.”

48. [The Advocate, January 27, 2011](#)

RFK Jr. for N.Y. Marriage Equality

Robert F. Kennedy becomes an advocate for the marriage-equality movement. Kennedy is featured in a video released by the Human Rights Campaign as part of a New Yorkers for marriage equality campaign. Kennedy says, “This is the last vestige of institutionalized bigotry that’s left in this country and we need to get rid of it.” [The article quotes Evan Wolfson, executive director of Freedom to Marry and includes a link to the video of Robert Kennedy Jr. advocating for marriage equality.]

49. [Associated Press, February 9, 2011](#)

Gay marriage issue resurfaces in flurry of debate

There has been a flurry of activity in states across the country regarding marriage equality. Freedom to Marry announces the launch of the largest-ever national public-education campaign aimed at increasing popular support for same-sex marriage. FTM aims to raise and spend \$10 million over the next three years to run ads featuring gay and straight couples talking about the importance of marriage equality with the first ad scheduled to run nationally on CNN on Valentine's Day.

50. [ABC News, February 14, 2011](#)

Gay Love, Equality Examined in Nationwide Valentine's Day Campaign

Marriage-equality advocates launch a nationwide campaign on Valentine's Day to draw attention to the cause, with 37 events in 13 states. At the same time, Freedom to Marry launches a massive media campaign, in an effort to educate the public on the importance of marriage to same-sex couples. Thalia Zepatos, director of public engagement for Freedom to Marry, says, "As Americans see their gay and lesbian friends, families and coworkers in loving and committed relationships, they realize there is no good reason to withhold the protections and support that only come with marriage. It is as simple as the Golden Rule." [The article includes a link to a video ad by Freedom to Marry.]

51. [San Francisco Chronicle, February 22, 2011](#)

Obama drops defense of Defense of Marriage Act

In a momentous reversal, the U.S. Department of Justice has decided to no longer defend the constitutionality of DOMA in federal court. Evan Wolfson, founder and president of Freedom to Marry, says, "The single most important point is that the President of the United States and the Attorney General have said that sexual-orientation discrimination must be presumed to be unconstitutional."

NATIONAL CENTER FOR LESBIAN RIGHTS

\$210,000 awarded since 2004, including \$150,000 in 2009 to advance the civil and human rights of lesbian, gay, bisexual, and transgendered people and their families through litigation, public-policy advocacy, and public education

52. [San Francisco Examiner, December 6, 2011](#)

Prop. 8 appeals recap – judges seem likely to rule in favor of same-sex marriage

Following the December 6, 2010, hearing before the 9th District Court of Appeals on Prop. 8 [and before the appellate court asked the California Supreme Court to weigh in on the standing issue of Protect Marriage in January,] Kate Kendell, executive director for the National Center for Lesbian Rights, says, "Today, we were witnesses to history. The arguments for striking down Prop. 8 were powerful and persuasive, but the true animating feature of the fight to invalidate Prop 8. are the lives of the couples, their families, their children, and all who support a nation where the promise of our constitution applies to all. This morning, while many of us sat riveted to the argument over Prop. 8, LGBT headed-households all over the state went about their business, taking kids to school or dentist appointments, planning what to cook for dinner, rushing to catch the bus, or get to work. The future and fortunes of many of these very real families hang in the balance over the outcome of this morning's hearing. We remain hopeful that Walker's ruling will be upheld and Prop 8 invalidated by the Ninth Circuit". [The article includes a link to video of the oral arguments.]

Food and Farming

AGRICULTURE AND LAND-BASED TRAINING ASSOCIATION (ALBA)

\$310,000 awarded since 2005, including \$30,000 in 2010 to advance economic viability, social equity and ecological land management among limited-resource and aspiring farmers. ALBA works to create opportunities for family farms while providing education and demonstration on conservation, habitat restoration, marketing, and whole-farm planning

53. [Grist.org, January 28, 2011](#)

Farmworkers are climbing up the organic food chain

25-year-old Rigoberto Bucio is one of a growing number of young migrant workers who are no longer earning little money as farm laborers, but instead are working for themselves. Bucio worked for ten years as a farm laborer on organic strawberry farms before applying for and receiving assistance from the Agriculture and Land-Based Training Association (ALBA), a business incubator that works with mostly low-income Latino farmworkers, setting them up as independent organic farmers. Bucio farms land that is part of a 110-acre spread shared by about 40 ALBA farmers, including Maria Catalan. Catalan started out selling her produce to just a couple farmers' markets like Bucio and now cultivates 14 acres and sells at 13 farmers markets as well as to high-end restaurants in San Francisco. ALBA's funding has increased, and beginning and low-income farmers now have access to a few loans and benefits like conservation incentives that were previously only available only to large farmers. Loans, however, exist in very low amounts. It's unlikely that any of these farmers will ever own their own land. [According to the article], over 40 percent of American farmland is rented, and California has some of the most expensive farmland in the world. The rate to rent where Bucio farms ranges from \$1,300 to \$2,000 for an acre per year. Since this is his first year, Bucio is paying \$250 per acre, per year, to ALBA. Each year, that rent will increase slightly. The farmers believe success will be achieved when they can give food back to their community. [This is the second article in Grist's *California Dreamin' Series*.]

CALIFORNIA AGRICULTURAL WATER STEWARDSHIP INITIATIVE (CAWSI)

\$140,000 awarded since 2007, including two grants totaling \$60,000 in 2010 for CAWSI, a coalition working to promote approaches to agricultural water management that support the viability of agriculture, conserve water, and protect ecological integrity in California

54. [CivilEats.com, October 11, 2010](#)

Wading into Deep Waters: On California Water Stewardship with Dave Runsten

Water demands are high in California, and an outdated water system transports water over great distances to populous cities and to farms for irrigation. There is a water shortage, and it will get worse as the climate changes. Conservation is required for a sustainable water supply [interview with Dave Runsten, executive director of the Community Alliance with Family Farmers, regarding his work with CAWSI.]

CALIFORNIA CLIMATE AND AGRICULTURE NETWORK (CALCAN)

\$100,000 awarded since 2009, including \$50,000 in 2010 to advance policies that recognize and provide financial rewards for sustainable agricultural practices that mitigate and adapt to changing climate

55. [The Sacramento Bee, December 11, 2010](#)

Viewpoints: Ag must brace for a changing climate

[According to Rich Rominger,] California's Central Valley is the "last great Mediterranean-climate agricultural area in the world" as California supplies over 400 crop and livestock commodities, including half of the country's fruits, nuts, and vegetables. A changing climate could disproportionately affect agriculture in California, including "diminished water supply, the extremes and unpredictability of weather events, shifting pest and disease patterns, decreased chill hours, and more – all of which threaten

productivity and profitability”. Through greater efficiency and conservation of water and energy , carbon sequestration, and by the creation of renewable energy on the farm, agriculture can prove a valuable resource in not only dealing with climate change on the farm, but contributing to sustainability and renewable energy production. [The op-ed is written by Rich Rominger, an advisor and participant in crafting [CalCAN's recently released policy recommendations](#) to incoming Governor Brown.]

CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE

\$37,500 awarded in 2008 for *California Agriculture Vision*, a project to plan and hold a minimum of six public hearings across the State to engage stakeholders in a process to create a vision for California's food and agriculture sector to achieve a robust, sustainable, and prosperous system by the year 2030.

56. [Ag Alert, California Farm Bureau Federation, December 22, 2010](#)

Ag Vision 2030 group releases strategic plan

A two-year process by the California State Board of Food and Agriculture and partner organizations results in the unveiling of a dozen recommendations aimed at securing the future of agriculture in California, the nation's largest farm state. In December 2010, the group releases a strategic plan for agriculture and food systems known as California Agricultural Vision 2030, or Ag Vision. [The article links to the recommendations.]

CALIFORNIA RURAL LEGAL ASSISTANCE FOUNDATION

\$50,000 awarded in 2008 for the *Sustainable Communities Project* to strengthen the voice of farm labor in coalition work for sustainable agriculture and food systems in California

57. [San Francisco Chronicle, January 4, 2011](#)

Methyl iodide's use in state challenged by suit

Environmental and farmworker groups, including California Rural Legal Assistance, have sued California over its decision to approve the use of the pesticide methyl iodide, a toxic fumigant and carcinogen, on California crops. The lawsuit alleges that methyl iodide is a poison that causes cancer and thyroid disease and can harm the lungs, liver, kidneys, brain and central nervous system. It was approved by the U.S. EPA in 2007 for use as a fumigant over the protests of more than two dozen California legislators and 54 scientists, including six Nobel laureates, who signed a letter opposing registration of the chemical.

CENTER FOR FOOD SAFETY (CFS)

\$415,000 awarded since 2003, including \$75,000 in 2010 for legal, policy, and educational work to halt the further commercialization of genetically engineered crops until their safety and effectiveness for sustainable agriculture can be demonstrated

58. [Times-News Magic Valley, November 30, 2010](#)

USDA releases statement on Roundup Ready sugar beet seed

A lawsuit won by the Center for Food Safety in August halted the deregulation and planting of Monsanto's genetically modified Roundup Ready sugar beets. [Despite the ruling,] the USDA releases a draft environmental impact statement (EIS) outlining “three interim regulatory options that the USDA reviewed in order to give farmers the choice to plant Roundup Ready sugar beets until the full EIS is completed” in 2012.

59. [Associated Press, December 3, 2010](#)

Judge orders removal of sugar beet seed plants

U.S. District Judge Jeffrey White has ordered the removal from the ground of plants grown to produce seeds for Monsanto's genetically modified sugar beets, citing the potential for environmental harm. The USDA decided to issue the permits despite an August ruling by White that put a hold on future planting of genetically modified sugar beets. The ruling allowed this year's crop to be harvested and processed, but

the current seed crop was not to be planted until the USDA reviewed the effects the crops could have on other food. In his order Tuesday, White wrote that the environmental groups had shown that the genetically modified sugar beets could contaminate other crops, including through cross-pollination. The judge said the USDA failed to conduct the environmental review he demanded in his August ruling before issuing permits authorizing the planting of the seed plants. George Kimbrell, an attorney for the Center for Food Safety, called White's ruling a "groundbreaking victory for farmers and the environment. This is the first time ever a federal court ordered an illegal biotech crop destroyed."

60. [San Francisco Chronicle, December 27, 2010](#)

Environmentalists fight bioengineered seafood plan

The FDA is poised to make a decision on a salmon developed by AquaBounty Technologies that would be the first genetically engineered animal food approved for human consumption. A two-month public comment period on labeling requirements that ended November 22. Colin O'Neil, regulatory policy analyst for the Center for Food Safety says, "The effect of what happens if these genetically engineered fish escape is largely unknown and has been largely unquestioned by the FDA. These fish have been demonstrated to be less healthy. Consumers clearly do not want to eat genetically engineered salmon."

61. [FoodQualityNews.com, January 5, 2011](#)

Agriculture Secretary calls for 'new paradigm' of cooperation in GM debate

In an open letter to stakeholders, and as stakeholders debate the approval of genetically engineered alfalfa, USDA chief Tom Vilsack encourages compromise and cooperation between supporters of GMO crops and non-GMO. Vilsack writes, "Surely, there is a better way, a solution that acknowledges agriculture's complexity, while celebrating and promoting its diversity. By continuing to bring stakeholders together in an attempt to find common ground where the balanced interests of all sides could be advanced, we at USDA are striving to lead an effort to forge a new paradigm based on coexistence and cooperation. If successful, this effort can ensure that all forms of agriculture thrive so that food can remain abundant, affordable, and safe." Bill Freese, science policy analyst at the Center for Food Safety, says that although Vilsack has expressed "genuine concern" for farmers, coexistence between non-GMO and GMO alfalfa is particularly difficult. Freese continues, "Everyone sounds reasonable, but when push comes to shove, if there's no liability, it's just words."

62. [San Francisco Chronicle, January 7, 2011](#)

Bioengineered salmon: State bill seeks clear label

The FDA has yet to decide whether to legalize genetically engineered salmon made by AquaBounty Technologies. California Assemblyman Jared Huffman has introduced a bill that states that if it does become legal, the genetically engineered salmon must be clearly labeled. Rebecca Spector, West Coast director of the Center for Food Safety and co-sponsor of the bill says, "We don't think it's premature. We want to send a message to the FDA that Californians don't want bioengineered salmon, or at least want it to be labeled."

63. [Center for Food Safety Press Release, January 27, 2011](#)

USDA Decision on GE Alfalfa Leaves Door Open for Contamination, Rise of Superweeds: Rogue Agency Chooses "Business As Usual" over Sound Science – Center Announces Immediate Legal Challenge to USDA'S FLAWED ASSESSMENT

Despite public pronouncements by USDA head Tom Vilsack of cooperation between non-GMO and GMO stakeholders, the USDA deregulates genetically engineered alfalfa. Andrew Kimbrell, executive director of the Center for Food Safety, says, "We're disappointed with USDA's decision and we will be back in court representing the interest of farmers, preservation of the environment, and consumer choice. Last spring more than 200,000 people submitted comments to the USDA highly critical of the substance and conclusions of its Draft EIS on GE Alfalfa. Clearly the USDA was not listening to the public or

farmers but rather to just a handful of corporations.” [The press release includes a link to an open letter by CFS to Secretary Vilsack on January 24, 2011, regarding the specific dangers of GMO alfalfa.]

64. [FoodSafetyNews.com, January 28, 2011](#)

USDA Fully Deregulates Roundup Ready Alfalfa

In an unexpected move, Agriculture Secretary Tom Vilsack announced that USDA will allow genetically engineered (GE) Roundup Ready alfalfa to be planted without restriction. Andrew Kimbrell, executive director of the Center for Food Safety, says that “USDA has become a rogue agency in its regulation of biotech crops and its decision to appease the few companies who seek to benefit from this technology comes despite increasing evidence that GE alfalfa will threaten the rights of farmers and consumers, as well as damage the environment.” GE alfalfa has been at the center of litigation since 2005 when the Center for Food Safety, along with organic and conventional farmers, sued the USDA alleging the USDA had not adequately reviewed GE alfalfa and that cross-pollination was causing the farmers harm. A federal court banned GE alfalfa, but the case was appealed to Supreme Court last April, the first ever GE crop case to reach the high court. In a 7-1 decision, the Supreme Court overturned the lower court's ban, saying it went too far, but agreed that USDA was required by federal law to complete an Environmental Impact Statement (EIS).

65. [SustainableBusiness.com, January 28, 2011](#)

USDA to Fully Deregulate Genetically Engineered Alfalfa

USDA Secretary Tom Vilsack announced that the agency will fully deregulate Monsanto's controversial genetically engineered alfalfa. Monsanto has been trying for years to gain approval for its genetically modified Roundup-Ready alfalfa seed. Farmers can now plant GE alfalfa, and the USDA will not keep track of who plants it where. Monsanto will bear no responsibility for any business loss related to genetic contamination that is certain to result. [According to the article,] alfalfa is the main forage crop for livestock – the spread of contaminated alfalfa will undoubtedly tarnish organic beef and dairy, as well as organic vegetables. USDA could have maintained regulatory status over this perennial crop that is so important to the livestock industry, or they could have chosen a limited regulation strategy with bans on the planting of GE alfalfa seeds in seed growing regions to attempt to limit the contamination of alfalfa seed stock by foreign DNA from Monsanto's crop. (Alfalfa is pollinated by bees and other insects and has a pollination radius of five miles). Instead, the agency, under heavy pressure from the biotech sector, chose total deregulation. Over 250,000 public comments were received by the USDA, with the vast majority opposing deregulation, according to the Cornucopia Institute. The Center for Food Safety will take the matter back to court.

66. [ABC News, January 31, 2011](#)

Organic Panic: Obama Administration Green Lights Mutant Alfalfa – USDA Deregulation of Genetically Modified Hay Threatens Organic Foods, Critics Say

The nation's organic farmers are upset after an Obama administration decision they say could destroy their supply chains and drastically limit the choices and availability of some popular consumer foods. Michael Pollan, author of The Omnivore's Dilemma, which examines the U.S. farming and food industry, says, “Consumers don't eat [genetically modified] alfalfa, of course, but it's the main feed for dairy cows. And organic milk, one of the most successful and popular organic foods, could be compromised if the organic cows eat non-organic feed.” Some environmental experts are also concerned that broader planting of herbicide-resistant crops, which are then doused with powerful chemicals, could expedite the spread of superweeds, which are herbicide-resistant pests that force farmers to potentially use more toxic substances to root them out. “This is a bad solution to a nonexistent problem,” says Pollan, noting that more than 90% of alfalfa crops are grown without herbicides. Many organic farming advocates speculate that the new Roundup-ready alfalfa is an attempt by the crop's commercial producers – Monsanto and Forage Genetics International – to dominate the market and increase profits. [The article quotes Andrew Kimbrell, executive director of the Center for Food Safety.]

67. [Grist.org, January 31, 2011](#)

White House pressured Vilsack to approve GMO alfalfa, media reports suggest

Tom Philpot questions whether the decision to completely deregulate genetically engineered alfalfa was based on a careful weighing of the evidence by the USDA – or on “political consideration emanating from the White House”. Wall Street Journal reporters Bill Tomson and Scot Kilman write, “The Obama administration Thursday abandoned a proposal to restrict planting of genetically engineered alfalfa, the latest rule-making proposal shelved as part of the administration's review of ‘burdensome’ regulation.” [According to Philpot,] alfalfa is a “prodigious” pollinator – different varieties can cross-pollinate and transfer genetic material. Alfalfa is a forage crop for pastured animals, and farmers grow it to store as hay to feed cows in winter months. For organic dairy producers, a steady supply of organic alfalfa – and organic alfalfa seed – is critical. Vilsack acknowledged as much in his open letter to stakeholders in late December acknowledging “the potential of cross-fertilization to non-GE alfalfa from GE alfalfa”. Cross-pollination, he added, poses “a significant concern for farmers who produce for non-GE markets at home and abroad”. Further, Vilsack wrote that he favored a policy of “co-existence” – implying that there would be restrictions on where farmers could plant modified alfalfa to protect organic fields from genetic contamination. Philpot writes, “A USDA chief had publicly declared his willingness to defy the industry, and then was seemingly forced by political pressure from above to cravenly abandon that defiance.”

68. [Associated Press, January 31, 2011](#)

Nation's largest farm groups join together to fight bad publicity, improve farmers' image

Two dozen of the nation's largest and best-funded industrial agricultural groups have formed a coalition to counter “poor publicity” that they say has led to some bad public policies and threatens farmers' ability to produce food for the world's population. J.D. Hanson, a policy analyst with the Center for Food Safety, says, “I would encourage them not to get themselves in a situation where they are seen as advocates of destroying wildlife and the environment. Farmers need to make sure they are positioned where they are not saying ‘we're going to pollute the environment and resist any testing for human health effects.’”

69. [Reuters, February 4, 2011](#)

USDA partially deregulating biotech sugar beets

Despite a ruling by a federal judge banning the planting of Monsanto’s Roundup Ready sugar beets until an EIS could be prepared, and then a second decision from the same federal judge ordering their removal from the ground, USDA partially deregulates the sugar beets for planting, circumventing the court’s order. Center for Food Safety attorney Paige Tomaselli says, “The measures provided in the decision will not protect farmers and will not protect public health and the environment. Because USDA continues to bow to industry pressure and permits further commercial production of Roundup Ready sugar beets, without first preparing an EIS or protecting the public, the Center for Food Safety will once again seek to halt the planting in court.”

70. [FoodSafetyNews.com, February 12, 2011](#)

USDA Fully Deregulates GE ‘Ethanol Corn’

USDA announces the full deregulation of genetically engineered corn designed by Syngenta to produce an enzyme that speeds the breakdown of starch into sugar, which would increase efficiency in making ethanol. Bill Freese, science policy analyst at the Center for Food Safety, says, “Syngenta's biofuels corn will inevitably contaminate food-grade corn, and could well trigger substantial rejection in our corn export markets, hurting farmers.” The Center for Food Safety argues that “it is irresponsible to engineer corn for fuel use at a time when massive diversion of corn to ethanol has played a significant role in raising food prices and thus exacerbating world hunger.”

CHEZ PANISSE FOUNDATION

\$185,000 awarded since 2002 for the *Edible Schoolyard* and the *School Lunch Initiative*, including a two-year \$100,000 grant in 2007 for the *School Lunch Initiative* to create a sustainable-food system in the Berkeley School District

71. [Berkeleyside.com, October 22, 2010](#)

Berkeley Bites: Alice Waters

Profile and interview of Alice Waters, founder of the Edible Schoolyard and Chez Panisse Foundation.

72. [Grist.org, December 1, 2010](#)

Boulder rallies around improving its schools' food

[Following her success in Berkeley schools] Ann Cooper [former director of nutrition services for Berkeley Unified School District] has revolutionized Boulder school lunch, and the community is rallying around the program.

73. [San Francisco Chronicle, December 2, 2010](#)

School lunch program likely to be overhauled

An overhaul of the National School Lunch Program passes the Senate. The plan includes \$40 million in mandatory funding for a program to encourage schools to buy food from local farms and start their own gardens, conceptualized by Alice Waters, founder of the Edible Schoolyard and Chez Panisse Foundation.

74. [Grist.org, December 8, 2010](#)

Lessons from Ann Cooper's school-food revolution in Boulder

In remaking the lunch line in Boulder schools, Ann Cooper [former director of nutrition services for Berkeley Unified School District] has revealed the federally subsidized school-meals program is in need of an overhaul.

75. [San Francisco Chronicle, January 14, 2011](#)

U.S. plan aims to make school meals more healthful

New rules proposed by the USDA would require schools to improve nutritional standards in school lunch. The requirements limit the amount of trans fat, salt and calories that could be served in the cafeteria and call for increasing the produce and whole grains served. The proposed rules would raise reimbursements to schools by 6 cents a meal. Ann Cooper, a school food consultant and chef who helped build Berkeley Unified School District's lauded school meal program and has been vocal critic of the national school lunch program, says "I think it's a wonderful step and we really should be optimistic about it." However, Cooper says, "Six cents is about the price of a quarter apple" and "I'd like to see a faster crackdown on the levels of sodium we're serving as opposed to the USDA's proposal of (reducing it incrementally) over a 10-year period." [The article also quotes Alice Waters, founder of Chez Panisse Foundation.]

GRIST

\$25,000 awarded in 2010 for a written and multimedia series managed by food editor Tom Philpott, [subsequently titled the *California Dreamin' Series*] to explore the role of California in national food production, as well as alternative ways to a sustainable food-and-farming system

76. [Grist.org, January 25, 2011](#)

California Dreamin' Series Intro

The writer says, "This Grist special series will look beyond the pretty face of California agriculture to some of the stories that aren't often told, and that will affect the future of the state's food production in important ways."

77. [Grist.org, January 26, 2011](#)

Where Westlands water flows, California's agriculture follows

The Westlands Water District is on the west side of California's San Joaquin Valley. The area is filled with large-scale agribusinesses, but is also home to some small-scale family farmers. According to a local farmer, the soil is good for farming in Westlands, but water is scarce. In 2007, a three-year drought hit California and a federal judge limited water diversions to protect endangered fish in the Sacramento and San Joaquin river delta. Westland's contracts for water from the federal government are some of the most vulnerable to being shorted, "thanks to the arcane hierarchy by which water is apportioned during dry times". In 2009, they were limited to 10% of their water-supply entitlement from contracts with the federal government. The water shortage is changing the landscape, and the situation might be a microcosm of the challenges farmers will face all over a "drying world". The writer says, "Farmers don't talk much about the fact that a water shortage is forcing them to grow crops that are actually more water intensive. Farmers are shifting to higher dollar-value crops that will cover water price hikes, but, paradoxically, are more sensitive to drought. They're pumping groundwater as an emergency supply of water -- and burning through that safety net even as it saves them from the current dry spell. And some farmers here are beginning to think about an exit strategy from agriculture altogether. [This is the first article in the *California Dreamin' Series*.]

78. [Grist.org, February 1, 2011](#)

The 'food desert' in the heart of California's farming region

[According to the article] California's Central Valley produces half the fruits and vegetables grown in the United States, but low-income residents have little access to fresh food, as it is quickly and efficiently trucked off to cities and processing plants, returning back only as packaged, processed, and/or fast food. [This is the third article in the *California Dreamin' Series*.]

79. [Grist.org, February 17, 2011](#)

What doesn't kill you makes you gourmet

The writer says, "The Bay Area is good at containing contradictions: being both the great laboratory for new military technologies and the capital of opposition to militarism, being both Tuscany and the starship Enterprise, making both delights for the palate and poison for the body. Behind the latter conundrum lies its constant tension between being more sensual and engaged with place, substance, and pleasure, on the one hand, and more sped-up, technological, profitable, and disembodied, on the other. Such contradictions may never be resolved, but they can at least be recognized. Even tasted." [The essay and map are excerpted from Rebecca Solnit's *Infinite City: A San Francisco Atlas*. This is the sixth article in the *California Dreamin' Series*.]

INSTITUTE FOR FISHERIES RESOURCES (IFR)

\$150,000 awarded since 2006, including \$50,000 in 2010 for *The Klamath Basin Project*, to implement the Final Klamath Settlement Agreement to secure both the water reforms and a positive decision by the U.S. Secretary of the Interior by March 31, 2012 (the date required in the agreement), for federal takeover of the project, culminating by 2020 in the removal of four dams

80. [The Times-Standard, January 28, 2011](#)

Environmental groups ask feds to protect spring Chinook; petition considers fall and spring runs distinct enough to be separate

Four environmental groups are asking the federal government to impose Endangered Species Act protections for spring Chinook, one of the Klamath River basin's struggling salmon stocks. The groups are asking that the spring-run Chinook be listed separately from the more numerous fall-run Chinook. The National Marine Fisheries Service does not currently distinguish between the two. Though the agency could choose to protect both fall and spring Chinook, this effort puts the precarious position of the fish front and center, highlighting the need for river restoration. Spring Chinook number between 300 and

3,000 each year, migrating upstream beginning in March and spawning in the late summer and fall. Some young fish migrate to sea quickly, while others wait until the following spring. Fall Chinook, on the other hand, average about 120,000 a year, with about half of that number being hatchery-bred fish. They migrate in the late summer and early fall, and their young migrate out more quickly. The difference in behavior and genetics make the two runs separate. The spring-run Chinook would likely be the source of upper Klamath basin reintroduction should an agreement come to fruition whereby four Klamath dams are removed. California and Oregon, several tribes, and fishing and environmental groups have signed this agreement to remove the four Klamath dams, and embark on a \$1 billion plan to restore salmon and shore up water supplies to farms in the upper basin. Glen Spain [North Coast Regional Director of IFR] says, "The one single thing that we can do is give them a place to live." Spain says that ocean commercial fishermen can likely avoid impacts to spring Chinook as they do for protected Coho salmon, but that tribal fishermen may see effects. A statement from the Karuk Tribe said it shares the concern over spring Chinook. It echoed its stance that the Klamath agreements to remove the dams are the best way to help their struggling stocks.

81. [San Francisco Chronicle, January 31, 2011](#)

The Art of Hydraulic Illusion and the Westlands Water District

Zeke Grader writes, "newly elected Central Valley House members are cramming web sites with misinformation about scientifically sound protections for the San Francisco Bay-Delta and its collapsing fisheries, and the effects of these protections on water supplies. The Westlands Water District, the most powerful agricultural water district in the nation, also recently staged a theatrical walk-out of a meeting with the Secretary of the Interior about the Delta. This is the prelude to a cynical push to weaken legal protections for the largest and most important estuary on the West Coast of the Americas – and for the fishing communities and those whose jobs depend on the health of that ecosystem. This will be the big-budget sequel to a pork-rich water giveaway that flopped last year. The goal will be to get more taxpayer-subsidized water to further enrich a few hundred of the wealthiest farmers in the world. Who would pay for this? The rest of us – but especially California's fishing businesses, families and communities." Grader says that fishermen have lost thousands of jobs, harming communities and families, as boats lay idle. Commercial salmon fishing was banned in 2008 and 2009 in California, and 2010 was marginally better, because of over-pumping "to deliver cheap water to big ag and the other water oligarchs south of the Delta". Grader mentions that the same farmers complaining about inadequate water supplies, and trying to block protections for salmon, set an all-time record for California's almond harvest in 2010 and set a record harvest for processing tomatoes in 2009. These same farmers receive billions in taxpayer subsidies for water, crops, and energy. The average agricultural allocations of water from the federal Central Valley Project this year is around 75%, and 80% of California's water supply is used by agriculture. Grader says, "Sure, some farmers get tons of water, while the junior water users like Westlands get less. That's how water rights work. You sure won't hear that the water-short farmers always buy water from their water-rich neighbors. You'll just hear folks blaming the fish." Grader asserts that only a few hundred growers comprise the Westlands Water District, and most do not even live there, while the farmworker communities they employ on the west side of the San Joaquin Valley have been among the poorest communities in the nation in both wet and dry years. Grader says, "every scientific review, from the State Water Resources Control Board to the National Academy of Sciences and many independent analyses, have shown a simple truth: We've been pumping too much water from the Bay-Delta estuary. We need to turn the pumps down a little to give the system an opportunity to recover...There are real, practical solutions to California's water challenges. We need to restore Delta wetlands to provide habitat for young fish. We must improve fresh water flows in the rivers that feed the Bay-Delta – the most important salmon producing system south of the Columbia River. And we need to invest in proven water supply strategies like urban and agricultural conservation, water recycling and beginning to manage our groundwater in order to reduce pressure on the Delta while helping us meet our water needs. These solutions work. They're cost effective." [written by Zeke Grader, executive director of IFR.]

ORGANIC CONSUMERS ASSOCIATION (OCA)

\$50,000 awarded in 2005

82. [\(The\) HuffingtonPost.com, January 28, 2011](#)

The Organic Elite Surrenders To Monsanto: What Now?

Ronnie Cummins writes, "In the wake of a 12-year battle to keep Monsanto's Genetically Engineered (GE) crops from contaminating the nation's 25,000 organic farms and ranches, America's organic consumers and producers are facing betrayal. A self-appointed cabal of the Organic Elite, spearheaded by Whole Foods Market, Organic Valley, and Stonyfield Farm, has decided it's time to surrender to Monsanto. Top executives from these companies have publicly admitted that they no longer oppose the mass commercialization of GE crops, such as Monsanto's controversial Roundup Ready alfalfa, and are prepared to sit down and cut a deal for "coexistence" with Monsanto and USDA biotech cheerleader Tom Vilsack." [The piece is written by Ronnie Cummins, executive director of the Organic Consumers Association, and mentions the successful lawsuits by the Center for Food Safety.]

83. [CommonDreams.org, February 4, 2011](#)

Monsanto Nation: Exposing Monsanto's Minions

Ronnie Cummins writes that his article *The Organic Elite Surrenders To Monsanto: What Now?* [above] has started a much-needed debate on how to stop biotech giant Monsanto's "earth killing, market-monopolizing, climate-destabilizing rampage". His piece prompted Whole Foods, Organic Valley, Stonyfield, the National Coop Grocers Association, and the Organic Trade Association to make strong statements about fighting GMO crops. Cummins notes that they are not the enemy, and that "OCA wants the organic community to unite our forces, cut the bullshit about 'coexistence,' and move forward with an aggressive campaign to drive GMOs and CAFOs off the market." Despite public statements by President Obama that he supports labeling of genetically engineered products and that agribusiness cannot be trusted with the regulatory powers of government, he has appointed at least seven Monsanto-affiliated people to key governmental positions, including Tom Vilsack; Michael Taylor, former Monsanto Vice President, now the FDA Deputy Commissioner for Foods; Roger Beachy, former director of the Monsanto-funded Danforth Plant Science Center, now the director of the USDA National Institute of Food and Agriculture; Islam Siddiqui, Vice President of the Monsanto and Dupont-funded pesticide-promoting lobbying group, CropLife, now the Agriculture Negotiator for the U.S. Trade Representative; Rajiv Shah, former agricultural-development director for the pro-biotech Gates Foundation (a frequent Monsanto partner), served as Obama's USDA Under-Secretary for Research Education and Economics and Chief Scientist and is now head of USAID; Elena Kagan, who, as President Obama's Solicitor General, took Monsanto's side against organic farmers in the Roundup Ready alfalfa case, is now on the Supreme Court; and Ramona Romero, corporate counsel to DuPont, has been nominated by President Obama to serve as General Counsel for the USDA. [The op-ed is written by Ronnie Cummins, executive director of the Organic Consumers Association.]

ORGANIC FARMING RESEARCH FOUNDATION (OFRF)

\$275,000 awarded since 1991, including \$25,000 in 2010 for the *Multifunctionality Project* to advance the concept of the multiple public-interest benefits that organic farming systems can deliver

84. [Grist.org, February 7, 2011](#)

The (not so) New Agtivist: Organic movement leader Bob Scowcroft looks back

Bob Scowcroft, who recently retired as head of the Organic Farming Research Foundation, discusses the beginning of the organic movement and his hopes for the next-generation leaders in the movement. [This interview of Bob Scowcroft is the fifth piece in the *California Dreamin' Series*.]

ROOTS OF CHANGE FUND (ROC FUND)

\$1,600,000 since 2002, including a five-year grant of \$1,000,000 awarded in 2007 to strengthen the institutional and political base for, and commence the implementation of, a campaign to transition California food and farming systems to sustainability by the year 2030

85. [\(The\) HuffingtonPost.com, December 4, 2010](#)

What U.S. Municipalities Can Learn From San Francisco's Urban Farming Movement

San Francisco is home to urban farming projects that “create jobs and build life skills for people in need; they enhance and make safe the urban environment; they provide an element of food security and foster community; they give the participatory citizens of San Francisco a sense of ownership and pride in their own city. But even more significantly, they all happened with San Francisco City and County money, support and involvement. These are exactly the kind of projects that local, state and federal governments should promote and support. With such support and the opportunity for community leadership they are easily replicable and would make measurable difference in the quality of life in every city and county throughout the country.” Last year, the city of San Francisco enacted Mayor Gavin Newsom’s executive directive to increase its healthy and sustainable food. In this directive, Newsom called on all city agencies and departments to conduct an audit of land within their jurisdiction suitable for, and actively used for, food-producing gardens and other agricultural purposes. [The writer, Francesca Vietor, is the recently appointed president of The San Francisco Public Utilities Commission, which is following through on Newsom’s directive. The ROC Fund conceived of and convened the San Francisco Urban-Rural Roundtable, a group of 40 urban and rural leaders charged with forming a market-development and food-access plan for the city and its rural neighbors, and to further develop the concept of regional foodsheds. Hosted by the ROC Fund, the process included a series of workgroups, which included participation from city staff and mayor, resulting in a series of recommendations upon which Newsom based his directive.]

86. [San Francisco Chronicle, December 23, 2010](#)

Urban agriculture: S.F. considers allowing sales

Newsom introduces new rules that fit with his directive from last year. San Francisco is poised to consider changes in zoning law that will allow sales of urban produce from small plots within San Francisco, which will test the viability of urban agriculture in the city.

87. [Stanford Social Innovation Review, Spring 2011](#)

Letting Go

The writers suggest, “To make steady forward progress solving problems in dynamic environments of complexity and uncertainty, foundations must shift from centrally planned, narrowly focused grantmaking strategies to more decentralized, diversified, strategies that are better able to catch the waves of effective leadership, distributed wisdom, and innovation.” The [ROC Fund’s] New Mainstream strategy “funded by Columbia, Heller, and Kellogg foundations and others to make California a national leader in developing a sustainable food system” is a “foundation-supported, community-designed” strategy, which does “a better job than foundation-designed strategies of harnessing distributed wisdom for solving tough, systemic problems.”

XERCES SOCIETY

\$180,000 awarded since 2007, including \$50,000 in 2010 for *Restoring Biodiversity in California's Agricultural Landscapes*, to develop and deliver tools to farmers so they can protect and restore pollinator habitat and curb pesticide use

88. [NRCS New York via Youtube.com, December 20, 2011](#)

Pollinator Conservation

This [embedded] video features Eric Mader, assistant pollinator program director for Xerces Society, as he discusses the importance of pollinators and a three-step approach to pollinator conservation.

89. [Xerces Society Press Release, November 29, 2010](#)

American Farmers Create 41,000 Acres of Wildflower Habitat for Bees in 2010

New financial incentives established as part of the Conservation Reserve Program (CRP) of the USDA have made it possible for a group of over 4,600 farmers, who signed up for the program, to plant 41,231 acres of wildflowers, which are critical to bee habitat. Eric Mader, assistant pollinator program director for Xerces Society, says, "The new wildflower planting incentives represent a monumental shift in CRP."

90. [ScienceNews, December 24, 2010](#)

Flower sharing may be unsafe for bees – Wild pollinators are catching honeybee viruses, possibly from pollen

Eleven species of wild pollinators have been found to be carrying some of the viruses known to kill domestic honeybees, possibly picked up via flower pollen. Sarina Jepsen, endangered species program director for the Xerces Society, says, "We recognize that those viruses likely pose a major threat to wild bumblebees." It is an important finding to discover that viruses can be transmitted through pollen, raising concerns about the safety of honeybee pollen, which is used to feed bumblebees in bee-raising operations around the world.

91. [Merced Sun-Star, January 11, 2011](#)

Livingston Farms set to attract essential insects

Jessa Guisse, a pollinator habitat restoration specialist with the Xerces Society, works with farmers that want biodiversity on their farms, particularly by helping pollinators, such as bees and butterflies. Guisse plants wildflowers and about 25 other species of plants that attract native pollinators, which in turn attract other beneficial insects. According to Guisse, there are 1,500 native species of bees in California. Some species such as bumblebees are endangered. Guisse says, "Habitat loss and disease have hurt them. If we help the bumblebees, we also help the honeybees." Livingston Farms is one of seven farms in California where pollinator habitat is being restored, to serve as an example to other growers.

92. [Greenwire.com, January 17, 2011](#)

WILDLIFE: Steep drop in 4 bumble bee species is a 'wake-up' call

A three-year study, published in the Proceedings of the National Academy of Sciences, found that the populations of four common species of bumblebees have declined by up to 96% in North America, and their geographic ranges have also contracted. Scientists have been observing declines among bumblebee species for about a decade, but this is one of the first long-term studies to be conducted on a national scale. For the most part, long-term research and funding has focused on commercially raised honey bees and their decline, termed colony collapse disorder for lack of a clear understanding of its cause. The honey-bee industry has the backing of lobbyists, almond boards, and has significant USDA funding. However, interest among scientists in bumblebee decline is growing, which most credit to Dr. Robbin Thorp, professor emeritus at UC Davis, who has been studying the decline of the Franklin's bumblebee, which is only found in northern California and southern Oregon. Thorp discovered that both the Franklin's bumblebee and Western bumblebee populations have dropped precipitously. According to Scott Black, executive director of the Xerces Society, only one Franklin's bee has been found in the last four years, and Xerces is petitioning for its listing as an endangered species. Thorp's work has spurred other scientists to examine other bumblebee populations, and the massive decline discovered as a result of this study is alarming. About 70% of wild plants are pollinated by insects, mostly bees. Bumblebees are especially important because they are able to withstand cold temperatures, meaning they are the primary bees in tundra regions. Further, bumblebees also have long tongues, allowing them to pollinate long-tubed flowers. They also pollinate plants important to humans, including tomatoes, eggplants, peppers, blueberries, and cranberries. Black called the declines "potentially catastrophic". In general, researchers say much more study is needed. The community studying the bees, while galvanized, lacks the manpower and funding needed to observe all of North America's species. Black says, "We are heartened that our efforts and the efforts of other conservation organizations have highlighted the need for more

funding for bumblebees and other native species, and we are seeing a move in that direction. I don't think it's enough yet, I think we can do more, and I think we do need additional funding. But at least we've started to take a serious look at these species.”

93. [Portland Tribune, January 20, 2011](#)

Low-key group champions butterfly

The Xerces Society operates in 36 states to protect invertebrates, the 95% of animals that have no backbone. Scott Black, executive director of the Xerces Society, says, “They’re the basis of every food chain. Without them, we wouldn’t have most flowering plants.” Xerces is currently working to protect the Fender butterfly, native to Oregon, as an endangered species. Butterflies are a priority, but Xerces is primarily focused on promoting the revival of native bee species. Black says, “We think, to have good food security, you might want to think beyond honey bees for pollination. There are 4,000 native bee species in the U.S., and many can serve to pollinate crops, as they now do with other plants.”

Other

NEW ECONOMICS INSTITUTE (NEI)

\$35,000 awarded in 2010 for the New Economics Institute (NEI), a joint project of the E. F. Schumacher Society (which has transitioned to become the NEI) and the New Economic Foundation (nef) of London to bring critical but isolated strands of knowledge together to integrate sustainability principles into the economics mainstream in the U.S., and to promote the transition from our current economic system to one that is sustainable, just and responsible to community and ecologies of place.

94. [World Futures Review, October 2010](#)

A New Economics for the 21st Century

Neva Goodwin [a board member of New Economics Institute] writes, “The critical role for economic theory is no longer simply to explain how the existing system works, but also to explore how the economic system can be changed to become more adaptive and resilient in the face of the challenges of the 21st century, and how it can be more directly designed to support human well-being, in the present and the future. Simultaneous changes are needed, in both the actual economy (how it functions, by what rules, how it can be made responsive to constraints) and also in economic theory.”

95. [Vimeo.com, November 20, 2010](#)

Voices of New Economics: 30th Annual E.F. Schumacher Lectures

The lectures [linked videos below] focus on a movement for a new economics, one that supports people and the planet.

[Gus Speth E.F. Schumacher Lecture](#)

[Gus Speth is a board member of New Economics Institute and prominent environmentalist who has been at the forefront of rethinking the connection between the health of the environment and the nature of our economic system.]

[Neva Goodwin E.F. Schumacher Lecture](#)

[Neva Goodwin is a board member of New Economics Institute and pioneer of contextual economics education at the Global Development and Environment Institute at Tufts University.]

[Stewart Wallis' E.F. Schumacher Lecture](#)

[Stewart Wallis is a board member of New Economics Institute and executive director of the New Economics Foundation of London.]

Asian Art Museum reportedly in financial turmoil

Phillip Matier, Andrew Ross

Monday, November 15, 2010



San Francisco's Asian Art Museum has seen attendance fall sharply since last year.

Photo: Michelle Gachet / The Chronicle

San Francisco's Asian Art Museum is in dire financial straits and could be forced into bankruptcy if it can't work out a new deal with its lender by Friday, according to knowledgeable sources.

Our sources say the troubles started in 2005 when the museum's directors, hoping to hedge against rising interest rates, restructured \$120 million worth of loans to try to save millions of dollars.

But now rates have hit rock bottom, and their lender, JPMorgan Chase, says it plans to close the Asian Art's line of credit as of Friday - in which case, the museum would lose \$20 million that it put up in collateral.

That money reportedly is insured, but one source following the developments said losing the collateral would nonetheless spell calamity for the museum.

It would still be on the hook for the \$120 million in loans, but the repayment timetable would be sped up to five years from now. We're told the museum's current endowment amounts to just \$60 million.

"They could only keep up with the payments for maybe a year or a year and a half before they would have to close their doors," said the source, who spoke on condition of anonymity because he is not cleared to discuss the negotiations publicly.

The museum's directors have hired bankruptcy lawyer Bruce Bennett - who helped restructure Orange County's \$10 billion debt a few years back - to try to buy the museum extra time to turn around its finances.

Asian Art reps also plan to huddle with Mayor Gavin Newsom's people today in hopes of getting help with another line of credit. However, one city rep, speaking on condition of anonymity, said, "Nobody is using public money to bail them out."

It's quite a reversal of fortune for the museum, which relocated to the restored old main library in Civic Center in 2003 with the help of a \$42 million city bond measure.

According to its board minutes, the museum had a balanced budget as recently as June 2009 and was racking up record attendance.

Since then, however, attendance has fallen sharply and the place hasn't seen any donor gifts in a couple of years.

Even a ballyhooed exhibit to coincide with the opening of Shanghai's world trade expo in May failed to draw the anticipated crowds.

The museum's management did not return our repeated calls seeking comment, and board directors we spoke with either appeared to be in the dark or weren't talking.

"I'm not in a position to give you the information you are looking for," said Robert Duffy, vice president of the Asian Art Museum Foundation.

Bennett, the bankruptcy lawyer, did not return our calls. A spokeswoman for JPMorgan Chase promised to look into the matter late Friday, but did not get back to us by deadline.

NOVEMBER 19, 2010

Money Woes Threaten Museum

San Francisco's Asian Art Showcase Is Latest Institution Stressed by Soft Economy

By JUSTIN SCHECK



Brian Frank for The Wall Street Journal

San Francisco's Museum of Asian Art is facing a severe financial crisis as a result of the weak economy and rising loan payments.

SAN FRANCISCO—The Asian Art Museum here is facing a financial crisis, the latest—and one of the largest—in a string of museums to suffer from problems amid the weak economy.

Officials of the Asian Art Museum, which showcases more than 17,000 artworks from Asia and has an annual operating budget of about \$17 million, are currently negotiating with J.P. Morgan & Co. to keep loan payments from increasing, said the museum's chief financial officer, Mark McLoughlin. The difficulties date back to a 2005 refinancing of more than \$100 million of debt that eventually drove loan payments sharply higher.

Mr. McLoughlin said the museum has hired a bankruptcy lawyer to negotiate with creditors, though he added that the institution doesn't plan to declare bankruptcy.

A lawyer for J.P. Morgan declined to comment on the matter.

The Asian Art Museum's troubles come as many museums face financial hardship because of the weak economy. The Magnes Museum in Berkeley, Calif., said earlier this year that it couldn't afford to stay open, and would donate its collection to the University of California. In New York, the Chelsea Art Museum may fold after its founders' company declared bankruptcy and the museum's collection was put up as collateral for a loan. Other museums are cutting staff and operating hours.

A survey earlier this year by the American Association of Museums found that in 2009, more than 30% of large museums like the Asian Art Museum reported "severe or very severe stress," due to problems like declining contributions and withering stock-market investments.

The Asian Art Museum is one of the more prominent institutions to be hurt. The museum is regarded as a premier Asian art institution and was built largely around a collection donated by Chicago businessman Avery Brundage. In 2000, the museum sold \$107 million of bonds to help it move to its current building, near San Francisco's City Hall. Italian architect Gae Aulenti updated San Francisco's old public library to house the collection, which includes one of the oldest known Chinese Buddha sculptures.

For the Asian Art Museum, donations and income from visitors have remained healthy, Mr. McLoughlin said. But after refinancing the fixed-rate debt in 2005 to a variable-rate loan, the bond's insurer, MBIA Inc., had its credit rating downgraded in 2008 during the financial crisis.

That caused the museum's loan interest to skyrocket, at one point hitting 9%, Mr. McLoughlin said. The museum temporarily fixed the situation by getting a letter of credit from J.P. Morgan assuring that the bonds were a safe investment. That letter is set to expire on Dec. 21, Mr. McLoughlin said, raising the prospect that the museum's payments could rise.

If it does, the museum's debt payments could rise.

"The Museum's current financial predicament far eclipses any downgrade of MBIA's rating," said a spokesman for MBIA in an email. He said the insurer is "optimistic that the City and the Museum will be able to successfully address the multitude of problems facing this great institution."

In the spring, Mr. McLoughlin said, the museum hired Los Angeles bankruptcy litigator Bruce Bennett to negotiate with large creditors. Mr. Bennett didn't respond to a request for comment.

Even in a worst-case scenario, Mr. McLoughlin said, the collection and the building itself would be safe from creditors. That is because both are owned by the City and County of San Francisco, so in the event of a bankruptcy filing, creditors could only go after about \$70 million of endowment money and minor assets owned by the museum's foundation, Mr. McLoughlin said.

Asian Art Museum deal makes city liable for debt

Complicated financial agreement will leave S.F. liable for nearly \$100 million in debt

January 07, 2011 | By John Wildermuth, Chronicle Staff Writer



Francisco Santamarina looks at a sculpture of the Hindu deity Shiva at the Asian Art Museum, which is millions of dollars in debt.

Credit: Laura Morton / Special to The Chronicle

The doors will stay open at the beleaguered Asian Art Museum, thanks to a complicated financial agreement with its lenders and San Francisco that for the first time makes the city liable for the museum's nearly \$100 million in debt.

The Asian Art Museum Foundation, the private fundraising arm of the museum, still has the primary responsibility for repaying the bonds it issued in 2000 to help convert the city's main library into a space for the 17,000-piece collection of Asian art. But the city, which owns both the collection and the museum building, now will guarantee the debt.

"Everyone had to give a little, and we felt it was appropriate," Mayor Gavin Newsom said Thursday, when the deal was announced at a museum news conference. Without an agreement "we would have been left with the fast-track devolution of the museum over the next few years, which would have been a real blow to the city and its cultural future."

While the deal still needs the approval of the Board of Supervisors, the city's Asian Art Commission and the museum's foundation, board President David Chiu is confident the backing will be there.

"This is absolutely the best possible deal," he said, and reiterated that at least a temporary closure of the museum would be "imminent" without the agreement. While there had been rumors of the museum's fiscal woes, the true extent of the problem wasn't made public until it was revealed in a Chronicle story in mid-November.

The problems started in 2005, when the foundation looked to save millions by restructuring its \$120 million in debt. But the crippled national economy, along with a drop in attendance and a dearth of big-bucks donations, left the museum and its foundation on increasingly shaky financial ground.

The city quickly became involved when JPMorgan Chase, the main lender, warned that it would close the museum's line of credit on Dec. 21, causing the museum foundation to forfeit \$20 million it had put up as collateral for the debt.

That also would have triggered what city Controller Ben Rosenfield termed "a rapid amortization" of the debt, which would have forced the museum to repay all it owed over five years, which would be nearly impossible.

The city also put pressure on JPMorgan Chase, urging the bank to delay closing the line of credit and work out a better deal for the museum. The bank "does a lot of business with the city and knows us well," Rosenfield said.

In a Nov. 30 letter to the bank, City Attorney Dennis Herrera suggested that the bank had given the museum foundation bad advice when it suggested restructuring the debt in 2005 and had "already reaped at least \$13,000,000 from the foundation in fees and other charges."

Herrera mentioned problems the bank had been having with the federal Securities and Exchange Commission and the Justice Department over its banking practices.

"I hope that the various and repeated allegations of undisclosed conflicts of interests and self-dealing ... are not present here," Herrera wrote. "But given the various roles played by JPMorgan (with the museum), my office may need to learn more."

Return to me

Adia Tamar Whitaker explores her identity in the exceptional *Ampey!*

By Rita Felciano
11/19/2010



PHOTO BY JENNIFER PRITHEEVA SAMUEL

If magical realism is rooted in Latin American cultures, nobody told Adia Tamar Whitaker. Her *Ampey!*, a 50-minute dance, chant, music, film, and narration piece, is an incantatory celebration of life — including the parts of life ingrained in our muscles and our dreams. If CounterPULSE's Performing Diaspora program had produced nothing but *Ampey!*, it would have been worth doing. Performed by a stellar cast of dancers and musicians, Whitaker has succeeded in pulling together strands of complex subject matter into a first-rate, original piece of poetic theater.

Whitaker is equally skilled in verbal and movement languages. The blunt honesty with which she looks at herself, refusing to sentimentalize or overplay her sense of identity, gives *Ampey!* a strong backbone. The impetus for the work came from a trip to Ghana, where Whitaker traveled to explore her roots. A small-boned, light-skinned woman who shaves her head, she found herself at odds there. With *Ampey!*, she set out to explore the disconnect between her African and African American identities. Perhaps not surprisingly, she found misunderstandings on both sides. One of the show's most insightful moments comes via a film clip, in which an elderly Ghanaian man talked about how outsiders not only view his country, but the whole continent.

Whitaker divides *Ampey!* into three acts: "Freedom," "Home," and "Family." Her periodic narrations, on film, feel a bit like a personal travelogue, but they also create a sense of anticipation for the live segments. On stage, her persona shifts identity by moving from one dancer to another, an effective way of expanding the personal into a larger context.

In "Freedom," the dancers, dressed in prim American school uniforms, dive into a high-energy children's clapping dance, "Getting Lite." With limbs flying, this is an exuberant, wildly energetic but also playful form of urban expression whose African origins — at least as seen here on stage — are unmistakable. A ring shout and a Haitian dance raise the volume of this affirmation of freedom, though in actuality it is being denied. Strong vocalist-dancer Tossie Long, scurrying anxiously among the celebrants, acts as an Elder, cautioning Whitaker to be patient.

"Home" switches gears drastically. With one chair conspicuously empty and Whitaker as the lead vocalist, the dancers sit in a row, chanting and keeping the beat with gourd-like rattles. According to the program notes, the dance is a version of the Ghanaian *agbadza*, usually performed on an open field. Here, clapping and percussion underline rhythmical, forward-bending movements. The flowing harmonies set against that regular bending pattern proved to be hypnotic — I kept thinking of Muslims praying together on the floors of their mosques. Whitaker dedicated this section to her former teacher, Alicia Pierce, who died in San Francisco while Whitaker was learning this very dance in Ghana. This mourning dance, rising and falling, like waves, like deep breaths, was perhaps *Ampey!*'s single most beautiful moment.

The final section, the somewhat problematic "Family," finds Whitaker on her knees. Carefully measuring and pasting segments of tape, she tries to rearrange the complex floor patterns that look like a mixture of astrology charts and gym floors. As people in colorful garb spill onto the stage, she keeps up her task for a while. The scene becomes a marketplace, with dancers "selling" their wares to each other and to the audience. Here, the performers' individuality — Eyla Moore, Stephanie Bastos, Veleda Roel, Zakiya Roehl, and Rashidi Omari Byrd — creates a vibrantly pulsating environment. Still, as Whitaker finally takes her place among them, the finale feels a little too easy. It is a lovely ending, but not a completely convincing one.

AMPEY!

Thurs/18–Sat/20, 8 p.m.;

Sun/21, 3 p.m., \$19-\$24

CounterPULSE

1310 Mission, SF

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Learning from the Past, Door Dog Music Forges Ahead

by Jean Schiffman

October 2010 Vol. 20 No.4

Tibetan opera singer Techung performs at this month's World Music Festival.

When Michael Santoro, artistic director of San Francisco's Door Dog Music Productions, staged the annual World Music Festival in 2007, he believed that the organization had realized almost all its goals. He'd founded Door Dog in 1995, in the basement of a music center, in order to preserve traditional culture and provide musical opportunities for immigrants and artists, with a focus on youth educational programs. From those humble beginnings emerged the centerpiece festival, which evolved to feature major commissions and achieve an international profile.

But now, on the eve of the 11th festival, Santoro says his lofty ideals backfired. In 2007, Santoro and company had brought a group of Kurdish children from Turkey to perform at the festival. Upon their return home, the children, ages 12 to 16, were thrown in jail, accused of promoting the outlawed free-the-Kurdish movement abroad. (They were released months later and the charges eventually dropped.)

Since then, Door Dog has been re-examining its mission. "As an arts organization, even though we've been political, we haven't been looking at things from a systemic point of view," says Santoro, on the phone from Tapei, Taiwan, where he and interim executive director Yafonne Chen were interviewing and filming the Thaos, Taiwan's smallest indigenous tribe; the resulting film will be screened, along with others, as part of the multidisciplinary festival. "We artists say our work is trying to accomplish this and this," he continues. "[Now] we're trying to challenge ourselves about what the role of a nonprofit actually is."

Among other things, Door Dog perceived more acutely, through its musical lens, that the symbiotic balance among environment, humans and animals is critical. For example, for thousands of years, in the highlands of Northeast Turkey, musicians have been making bagpipes, used in special ceremonies, from the skin of sheep that graze there. What happens if the area's ecosystem is threatened?

"We realized that if we as an organization are going to say we're trying to revitalize traditional music, we had to step back and say, What are we not paying attention to? Twenty years from now we might lose everything we're trying to preserve."

Politically, Santoro knew that if those young Kurdish singers hadn't come to the World Music Festival, they wouldn't have gone to jail. Those realizations, he says, changed his life, and the deeper goals of the festival.

Accordingly, this year's festival, The Ritual Project, was conceived within the context of a larger and more ambitious social agenda than ever before. Concerns include not only environmental and political awareness but also public health, with the music itself as a sort of catalyst to encourage social activism.

The Ritual Project is divided into three nights. Master musicians and proteges, some of whom have come from Burma, China, India, Kyrgyzstan, Taiwan, Tibet and Uzbekistan, join with Bay Area youth ensembles to perform musical and dance rituals that cross cultural boundaries. Special features are a commissioned premiere by Indian tabla master Pandit Swapan Chaudhuri, and the participation of 30 to 40 elders of the Ohlone tribe, once native to San Francisco and now based in Los Angeles.

Of this year's theme, music director and longtime tabla player Jim Santi Owen says, "The whole festival is a question, and the question is, In 2010 in San Francisco, in a multicultural society where we're distracted by YouTube and Facebook, what things have meaning for us, and connect us to something larger than ourselves?" Door Dog's thesis is that music provides a powerful channel to find a shared humanity. Each night's program showcases the various ways we relate to spirit, nature and ancestors and the ways we mark rites of passage such as birth, death, marriage and so on.

The Ohlone launch the first night, subtitled "Offering," with an invocation, followed by singing, dancing and drumming rituals to help the dead continue on their journey. Songs of grief and mourning predominate, with a trio of sacred drums of the West African and Caribbean Santeria religion accompanying songs for the deities, or orisha. Each night of the festival also includes a donor drive, in coordination with the "Be the Match" Bone Marrow Registry, to encourage audience members, particularly those of non-European ancestry, to register as stem cell transplant donors. The likelihood of finding a blood match for leukemia patients is disastrously low, says Owen. It's a cause near to his heart; his partner died three years ago of leukemia, and he himself is now a registered donor.

The second night, "Entering the Fire," focuses on rituals to sustain the gap between life and death, the bardo in Buddhist tradition. "That night we'll focus on supporting people in the middle of treatment and in desperate need of a donor," says Owen. The performance emphasizes intense, fiery drumming, with percussion from Indian, Native American, African and Cuban traditions, and will be streamed live so that people everywhere can watch.

The final night, "Feasting," celebrates joyous rebirth, honoring those who have survived diseases, and ends the festival on an upbeat note.

In his work with young musicians from so many different cultures, Owen helps them understand and appreciate the aesthetics of other musical traditions. For example, during rehearsals, he asked

a group of Indian tabla players and Chinese percussionists to pound West African drums for half an hour. "In their systems there's emphasis on very fast passages and variety," he says, of the Indians and Chinese. "You introduce one melodic idea, or a rhythmic composition with one idea, for 30 seconds, then it changes to something else. Some of the kids, I could see them thinking, This is so simple, almost primitive, compared to how complex our music is." Owen knew they'd have to learn to let the music come from the earth through their bodies and into the drum.

His other challenge is to showcase each group's particular strength and power while also stretching the individuals as musicians, giving them creative puzzles to solve. In preparation, he emailed them music samples from different groups, telling them, for instance, "Think about how this melody could go on top of this rhythm." The various musical instruments to be played in the festival include violin, assorted drums, a Burmese harp, xylophones, a Chinese zither, tabla, bamboo poles from the Congo that are tuned to different pitches by pounding them on the pavement, a South Indian version of a bluegrass-type jaw harp and more. Owen says that despite the varied songs and rhythms, he finds more similarities than differences among the musical traditions.

"We do a lot of work throughout the year to help these musicians figure out how to play together," says Santoro, "figuring out which scales or rhythms they have in common, in ways they themselves wouldn't necessarily explore." That goes to one of Door Dog's primary goals, as he says, of "bringing together top-level and community musicians to create innovative and impactful music."

He adds, "We're in a position to begin developing solutions to issues [affecting traditional culture], through the lens of traditional music." But the long-term, underlying goal, he says, is nothing less than to help realign the systemic balance of our world.

Nov. 19-21, Jewish Community Center, 3200 California St. 292-1233.
www.Sfworldmusicfestival.org

Door Dog Youth Orchestra (2009)

January 21, 2011

A natural evolution of Door Dog's youth arts education programs, the International Music Youth Orchestra promotes and preserves ethnic music here in the Bay Area as well as in endangered villages around the world. Thanks to funders like the Sam Mazza Foundation, we have been able to create this orchestra and bring together youth and master musicians from around the world. This dialogue between youth from many countries, having diverse global perspectives, is an effort to promote and preserve ethnic music here in the Bay Area, as well as, to provide youth from oppressed or endangered cultures of the world a voice to express themselves through their traditional music. Reaching across the globe to unite the youth of the world through music, the International Music Youth Orchestra brings together youth from all over the Bay Area, 10-20 years of age, combining a diverse range of our world's musical traditions and cultures, from the ragas of South India to the chamber music of China. In addition to investing in the youth of the Bay Area, Door Dog has also traveled to the rural mountains of Nepal, Taiwan, and Kyrgyzstan to help pass on to youth their traditional music.

<http://www.youtube.com/watch?v=dhrfWalzqQs>

Los Cenzontles: A 'Little Factory' Of Culture

by NPR Staff



October 28, 2010



courtesy of the artist Los Cenzontles

<http://www.npr.org/templates/story/story.php?storyId=130866714>

Raza De Oro is the newest album from Los Cenzontles ("The Mockingbirds"), a remarkable group from San Pablo, Calif. There's no big record label behind this music, made mostly by a bunch of kids who walked in the door of a tiny nonprofit cultural center in town. Their leader, Eugene Rodriguez, is a third-generation Mexican-American. He says the group was formed when he created a place for kids in San Pablo to hang out.

"Our neighborhood, it's known more for problems than for good things. Our actual center is actually an ex-liquor store," he says. "We got together to transform this little liquor store into a cultural space where we teach music, dance, arts and crafts. We create CDs and make documentaries — it's like a little factory of cultural workers."



The lead singer of many of the songs on *Raza De Oro*, Hugo Arroyo, started attending the community center soon after it was founded. Arroyo says he walked in because he was bored.

"There was nothing really to do in our neighborhood," he says. "When I was 8 years old, I went to see the movie *La Bamba*, and then I found out there were guitar lessons after school, and that's when I started with Eugene."

"Soy Mexicano, Americano" is the title of one of the songs on *Raza De Oro*, and as the title suggests, it deals with Mexican-American identity.

"I think a lot of Mexican-Americans, at least myself, feel split," Rodriguez says. "Sometimes you have a white American saying we're not American enough, and Mexican Mexicans saying that we're not Mexican enough. The song really says with clarity and pride that this is who I am."

"The song was actually written during the Chicano movement back in the early '70s," he adds. "It's amazing to me how these many years later, it's developing a whole new resonance with a whole new generation of Mexican-Americans."

The album also tackles some current hot-button issues in the Mexican-American community. "State of Shame," for example, criticizes the immigration law that recently passed in Arizona.

"To be honest, I was a little concerned when we first came out with it, but I think our approach really isn't so political or divisive," Rodriguez says. "It's really about the humanity of the issue. I think it's important as a community that we dare to say what we have to say, because that's our contribution to the country."

Good Morning Aztlan – Los Cenzontles

January 21, 2011

<http://www.youtube.com/watch?v=GYGLUmFZD9Y>

12.22.10

Magic Theatre secures special funds for Taylor Mac's 'The Lily's Revenge'

NEA, Columbia and Kenneth Rainin Foundation Grants Total \$120,000.



Magic Theatre announced that three organizations – the National Endowment for the Arts (NEA), the Columbia Foundation and the Kenneth Rainin Foundation – have awarded \$120,000 in grants for the rolling world premier production of *The Lily's Revenge*, by Taylor Mac. Mr. Mac received the Obie Award for the showcase production of the play in 2010.

"*The Lily's Revenge* is theatrically epic," said Loretta Greco, the Magic's producing artistic director. "A five act party experienced over five hours, with six directors, a creative company of 50 in collaboration with six adventuresome Bay Area performing arts companies. It may be the most ambitious production Magic has ever attempted in its 44-year history. This support is a tremendous boost to Magic's momentum, affirming our national impact and the importance of creating this once-in-a-lifetime experience for Bay Area audiences."

The Lily's Revenge tells the story of a flower that goes on a quest to become a man in order to wed his beloved bride. It is the first Taylor Mac play presented by the Magic.

The Magic requested and received \$50,000 from the NEA. It is one of the largest of more than 100 NEA Access to Artistic Excellence grants to American theatre companies this year. Steppenwolf Theatre in Chicago was awarded a \$35,000 to support the production of Middletown written by playwright Will Eno and The Woolly Mammoth Theatre in D.C. was awarded a grant to support a production of Luis Alfaro's Oedipus El Rey, which had its world premiere at the Magic this past February.

For the second consecutive year, the Columbia Foundation is supporting a Magic Theatre premiere production. Columbia awarded \$35,000 for Oedipus El Rey. It has committed \$50,000 for The Lily's Revenge.



The Kenneth Rainin Foundation granted Magic \$20,000. This is the first time that this foundation has funded Magic Theatre. \$20,000 is the maximum grant they award to performing arts organizations.

Brad Erickson, Executive Director of Theatre Bay Area, said, “For an organization the size of Magic Theatre to receive such a substantial grant from the NEA is quite unusual. For it to receive grants in consecutive years from Columbia is even more impressive. I’m very pleased to see the Magic recognized for the quality of its works by such prestigious institutions. It’s a testament to the Bay Area’s appreciation of exemplary theatre and the Magic’s innovative leadership”.

Founded in 1967, Magic Theatre is one of the most prominent theatres in the nation solely dedicated to development and production of new plays. Magic Theatre plays and playwrights have won numerous awards, including Pulitzer Prizes, Kennedy Center Award, NAACP Image Award, Obie Awards, Pen-West Awards, Bay Critics Circle Awards and Los Angeles Drama-Logue Awards. The list of playwrights whose works have premiered at the Magic reads like a “Who’s Who of American Theatre”: Sam Shepard, Theresa Rebeck, David Mamet, Paula Vogel, Nilo Cruz, Charles Mee, Anne Bogart, Luis Alfaro, and Tarell Alvin McCraney. Eight of eleven productions presented by Magic in the past two years have received further productions across the United States and in Manila. For more information, visit Magic Theatre’s website at www.magictheatre.org.

The National Endowment for the Arts (NEA) is a public agency dedicated to supporting excellence in the arts, both new and established; bringing the arts to all Americans; and providing leadership in arts education. Established by Congress in 1965 as an independent agency of the federal government, the Arts Endowment is the largest annual national funder of the arts, bringing great art to all 50 states, including rural areas, inner cities, and military bases.

Columbia Foundation is dedicated to furthering the public welfare within the limits of nature. Its grantmaking for the arts is focused on programs that provide opportunities to artists from diverse cultures for the creation, development, performance, or exhibition in the performing, literary, or visual arts. Current priorities are:

1. New work that demonstrates the potential: for artistic excellence, to reach large and diverse audiences, and/or to make a significant, new contribution to the art form;
2. Art that is experimental, risk-taking, and/or engages controversial issues; and
3. Programs that involve young artists, and/or art in community settings as well as within arts organizations.

ODC Theater gets jump on butoh with 'ODD'

Allan Ulrich, Chronicle Dance Correspondent

Monday, November 8, 2010



Axis dancer Alice Sheppard (left), inkBoat's Sherwood Chen, Axis' Rodney Bell, inkBoat's Yuko K.
Photo: Park Han

Welcome to the wide, wonderful, wacky, sometimes wearying world of butoh. This school of expressionist dance theater spawned in Japan after the horrors of World War II will be much with us the next couple of weeks. The style's most peripatetic practitioners, the Sankai Juku company, will visit the Bay Area through Sunday, while films of Kazuo Ohno, butoh's peerless pioneer, will be screened at Yerba Buena Center for the Arts.

However, ODC Theater got the jump on the rest of the pack Friday evening with its premiere of an unusual, unprecedented collaboration. "ODD," inspired by the Norwegian figurative painter, Odd Nerdrum, united Shinichi Iova-Koga's inkBoat collaborative with Oakland's Axis Dance Company, which integrates able and disabled performers. In the past, the troupe has commissioned pieces from dance world heavy hitters like Bill T. Jones and Joe Goode, but rarely has it been tested as in this unbroken, 75-minute opus. And rarely has it emerged with such stunning results.

The lexicon of butoh inclines to graduated movement delivered by supple, contorted bodies and often articulated at a glacial pace, frequently approaching stasis, not surprising from a country that suffered nuclear attack. The apocalyptic mood yields the gaping mouths and confrontational gazes appropriated from Edvard Munch. Choreographer Iova-Koga has worked brilliantly with Axis, smoothly deploying wheelchair-bound Alice Shepherd and Rodney Bell, who, near the start, delivers an ominous monologue about guns. Long-time Axis fans who have come to expect Bell's duetting with diminutive Sansherée Giles will not be disappointed.

Iova-Koga strives to vary the pace and patterning. He fills the performance space with processions, unisons and solo outings. He smoothly blends his dancers and those from Axis, and, in the finale, he sets 19 barefoot dancers whirling, shuffling and hopping manically across the field of vision. The individual personalities of the inkBoat performers also come through, notably in a playful (everything is relative) duet for Yuko K and Peiling Kao.

Iova-Koga expertly mines the dark vein of absurdist humor that infiltrates butoh. His opening monologue describing Nerdrum's style (a projection of a painting might have helped) concludes with a physical feat that left this observer gasping. The recounting of a hilarious anecdote about John Lennon and Paul McCartney almost passes without notice.

The danger in butoh performance lies in treading a thin line between sustaining a vocabulary that depends on a high degree of physical rigor and permitting the stylization to slip into mannerism. Iova-Koga never crosses that frontier, though a bit of editing might improve the piece.

"ODD," which transfers to Oakland next weekend, arrives with an impressive team of collaborators. Cellist Joan Jeanrenaud, a frequent participant in Axis' ventures, contributed an effective score performed live and amplified. Seated on an elevated platform, Jeanrenaud alternates contemplative passages with discordant episodes. The versatile Dohee Lee supplies percussive interludes, some barely perceptible, others painfully resonant, and wordless chants which suggest rumblings in the soul. Heather Barsarab's lighting does the job magnificently.



inkBoat dancer Yuko K
Photo: Park Han

METROWEEKLY

Legacy of 'The Laramie Project' [video]

The impact of Matthew Shepard's murder discussed at a public forum at Arena Stage

Producers: Sean Bugg, Randy Shulman

Video: Randy Shulman, Aram Vartian

Editing: Aram Vartian

Published on January 25, 2011

Few plays have taken root in the public consciousness — and served as the public conscience — as has "The Laramie Project," Moises Kaufman and Tectonic Theater Project's intimate narrative of the murder of Matthew Shepard and the impact of the crime on the people of Laramie, Wyo.

With the arrival of the 10th anniversary of the play, Kaufman and Tectonic came to Washington's Arena Stage in November 2010 for a production of both "The Laramie Project" and "The Laramie Project: 10 Years Later," the first-ever same-day production of both plays. On Nov. 20, Metro Weekly brought together Kaufman and members of Tectonic, along with U.S. Assistant Attorney General for Civil Rights Tom Perez and SMYAL Executive Director Andrew Barnett, for a community forum to discuss the impact of the Shepard murder, the legacy of Laramie, and how our culture perceives itself on the issue of hate crimes.

The forum, moderated by Metro Weekly co-publisher Sean Bugg, was filmed for broadcast and is presented here in its entirety in three installments. Special thanks to Arena Stage and Tectonic Theater Project for making this community forum possible.

Part 1: http://www.youtube.com/watch?v=FdbOPUy_cz4

Part 2: <http://www.youtube.com/watch?v=25rsxowLnCw>

Part 3: http://www.youtube.com/watch?v=3rsA_tn6nfA



Favorite food books of 2010

by Bonnie Azab Powell, Tom Philpott

21 Dec 2010



Here at Grist Food virtual headquarters, we were grappling with the obligatory green-holiday-gift-guide pressure, batting around DIY ideas like fruit-infused vodka, home-made granola ... you know, virtuous hippie stuff. Then, perhaps like you, we procrastinated, both on this feature and our own gift-making. So on the theory that nothing beats the gift of knowledge, we asked some of our friends in the sustainable-food movement to tell us the best food-related books they read this year. And because used books are greener than new (albeit not for starving authors) we said it didn't matter what year the book was published, only that our respondents have discovered them in 2010.

That's how we ended up with recommendations for books first published in 1727 and 1973. Which just goes to show that the paradoxes and pleasures of squeezing a living from the land and feeding people in a way that makes sense are nothing new.

Two brand-new books did stand out for a number of our folks: Paul Greenberg's ultimately hopeful lament for the troubled oceans, *Four Fish: The Future of the Last Wild Food*; and Jan Poppendick's *Free for All: Fixing School Food in America*, a rigorous, highly charged history of public school lunches. Both are very much books of the moment. One of the four fish on which Greenberg focuses, bluefin tuna, is locked in a highly publicized death struggle with

overfishing and habitat destruction. If present trends continue, it will be extinct by decade's end. And Poppendick's book emerged during Congressional debate over once-every-five-years reauthorization of the Child Nutrition act, which funds lunches. Since the fate of the oceans remains highly uncertain and the state of school lunches highly dismal, we expect that these exhaustively researched and reported books will be relevant for years to come.

You can order these and all the other books through the links below, which (full disclosure) give Grist a tiny kickback from Amazon.com, allowing us to buy yet more books for our own edification. Or, patronize your local, independent bookstore instead ... and consider gifting us some actual cash today, the last day of [Grist's fund-raising drive](#) and those endless pop-ups.

Happy reading!



Michael Pollan

Knight Professor of Journalism at UC Berkeley's Graduate School of Journalism and author of [Food Rules: An Eater's Manual and other books](#)

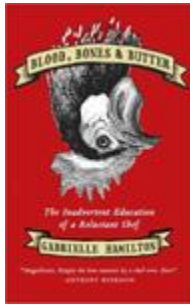


My favorite book of the season is [Farm Together Now: A Portrait of People, Places, and Ideas for a New Food Movement](#), by Amy Franceschini and Daniel Tucker. It consists of interviews with a wide range of farmers (and activists) who you haven't heard of. Inspiring without being romantic in the least, it advances the whole conversation about sustainable agriculture and access.



Ruth Reichl

Former editor-in-chief of *Gourmet* and author of [Not Becoming My Mother and other books](#)



I've been agonizing between Paul Greenberg's [Four Fish: The Future of the Last Wild Food](#) and Gabrielle Hamilton's forthcoming [Blood, Bones and Butter: The Inadvertent Education of a Reluctant Chef](#). And in the end I'm coming down to Hamilton's book. Why? For one thing, because she's an astonishingly good writer; her description of being on the line during brunch at Prune is so strong and visceral -- I've never read a better account of what it's like to be working in a really busy kitchen. But that's just a piece of it. More importantly, this is an entirely new voice. Everything we've read about professional kitchen work has come from men, and it's all been testosterone-laced. This is a woman's voice -- a young woman's voice -- and it feels like a sea change. Because this is a woman who loves food but is not sentimental. A woman who lets us into the intimate details of her life while skirting the romance that almost anyone else would include. A woman who rhapsodizes about the sheer grit and grunge of the kitchen. A woman for whom cooking is its own end, not a road to success. And, of course, it's great fun to read.



Tom Philpott

Grist senior food and agriculture writer



[Four Fish](#) may be the food politics book of the year; but that doesn't mean it's the only book to seek out. I'm eagerly reading UK farmer/writer Simon Fairlie's [Meat: A Benign Extravagance](#). (Chelsea Green has just come out with the U.S. edition.) This is the book [that inspired the formidable UK environmentalist George Monbiot to give up veganism](#) and give meat another chance -- so long as the animals are raised and consumed according to permacultural principles. Fairlie writes briskly and has a commanding grasp of the history and ecological footprint of agriculture. But don't expect Pollan-esque narratives; more like learned, stylish legal briefs that encompass the range of contradictions, benefits, and drawbacks of livestock-raising.

I also want to put in a plug for three non-food books that have been shaping my thinking around food-system reform. The first two, both released in 2010, offer defenses of robust social democracy at a time when Democrats and Republicans alike are committed to the Wall Street economic agenda: Tony Judt's [Ill Fares the Land](#) and Richard Wilkinson and Kate Pickett's [The Spirit Level: Why Greater Equality Makes Economies Stronger](#). (Go [here](#) for a taste of The Spirit Level's extraordinary charts.) The third, from way back in 1973, makes the case against economic giantism and for appropriate technologies that empower communities: E.F. Shumacher's [Small Is Beautiful: Economics as if People Mattered](#). If I am correct that we cannot truly reform our food system without rejiggering the broader economy, then these three books help sketch out a framework.



Severine von Tscharnner Fleming

Young-farmer activist and filmmaker, [*The Greenhorns*](#)



[*The Dirty Life*](#) by Kristin Kimball, which just came out. And man, never was there ever a slam-dunkier, farm-hunkier novel for cosy Christmas reading. Kristin tells how she quit her office job to marry a farmer with luscious foodie detail, sparing us none of the guts and glory. She and her husband, Mark, run Essex Farm, a farm so full on and radical in its approach (a take-what-you-need CSA of beef, pork, flour, beans, vegetables, syrup, and milk) on 500 lakeside, windswept horse-powered acres -- it makes the rest of us seem very sensible in comparison.

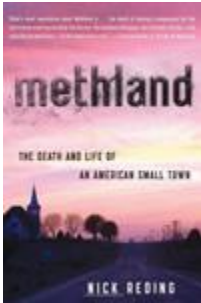
This is a great read for all those food-loving, food-systems-literate, ambitious, brilliant women who're working desk jobs but day-dreaming about a pastoral future as well as for moms of young farmers who're still trying to process their children's career choice. It's very post-Pollan with totally authentic, value-added, community-oriented ninja farming front and center.

And ladies, know this: there are PLENTY of good-looking young farmer menfolk. They are often to be found at a [young farmers' mixer near you](#), drinking beer and hanging out with other greenhorns. So come, join in.. and be ready to get serious. Make it real. Make it happen, give it a try.



Greg Massa

Farmer (rice, almonds, and wheat), [Massa Organics](#), and tractor-[Tweeter/Facebooker](#)



This is probably a different sort of book than your other contributors have suggested, but for me the book of the year was [Methland: The Death and Life of an American Small Town](#) by Nick Reding. Those of us who live and work in supposedly "idyllic" rural America deal with the effects of meth almost daily. For example, a few years ago when our house was burglarized the first time, it was by hungry, broke tweakers. Big Ag has played a role in creating the meth problem in America, from the nitrogen fertilizers used in meth production to the consolidation of the meat-packing industry that exploits its workers. This book connects the dots between Big Ag, Big Pharma, and America's meth epidemic.



Ruth Bourdain

Ruth Reichl eats Anthony Bourdain, s/he can be followed on [Twitter](#) and writes for [Chow](#)

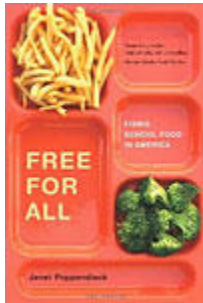


Not only is Amanda Hesser's [The Essential New York Times Cookbook](#) an amazing compendium of recipes from one of the best food writers out there, it also makes for a fucking fantastic doorstop. I love using it to pound camel loin filets, it works great for step aerobics, and it's a motherfucker of a panini press. You can also tear out the vegetable recipe pages and use them as rolling papers. It's one of the most versatile cookbooks I've owned.



Mark Winne

Author of [Food Rebels](#), [Guerrilla Gardeners](#), and [Smart-Cookin' Mamas and Closing the Food Gap](#) and more

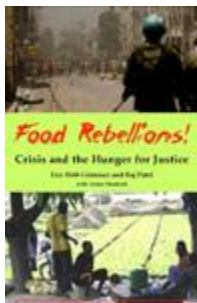


Janet Poppendieck's [*Free For All: Fixing School Food in America*](#) gives you the real skinny on why school kids are getting fat. It's at the top of my food-book gift list this year. In her thoughtful and readable treatise on a system that serves (barely) 30 million children each day, Poppendieck takes us on a tour of schools, cafeterias, and the sordid history of school food whose culinary reviews rarely surpass those given to pet food. Her solutions are bold, provocative, and by her own admission, not likely to get much political traction, but the clarion call of today's rebels will more than likely be tomorrow's everyday speech.



Nikki Henderson

Executive director of People's Grocery, Oakland, Calif.

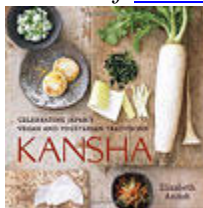


Eric Holt-Gimenez and Raj Patel's [*Food Rebellions*](#) is probably one of the best books I've read about food. It's not a feel-good narrative read, if that's what you're looking for. I needed a thick, meaty, full of information read. I needed a book that would give me an in-depth understanding of the 2008 food crisis, globalized food, and why sustainable agriculture can actually feed the world. It might take you a while to work your way through (it's very dense), but it's worth the time!



Sandor Katz

Author of [The Revolution Will Not Be Microwaved](#) and [Wild Fermentation](#)

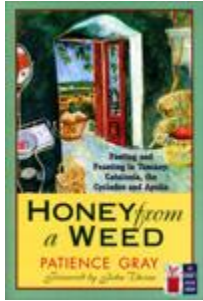


This year I've been so immersed in my own book project [an in-depth guide to fermentation due from Chelsea Green in 2012) that every food-related book I've read has been on the topic of fermentation. And most aren't new. For instance, I just read the extensive section on sorghum beers in Hamid Dirar's 1993 [The Indigenous Fermented Foods of the Sudan](#), an amazing opus chock full of fermentation techniques and socio-economic analysis. Of the food books published this year that I've read, my favorite two are Ken Albala and Rosanna Nafziger's [The Lost Art of Real Cooking](#) and Elizabeth Andoh's [Kansha](#), on Japanese vegetarian dishes, which has a wonderful section on tsukemono, Japan's extremely diverse pickling tradition.



Novella Carpenter

Oakland urban farmer and author of [Farm City](#)



This is pretty random, but my favorite discovery of 2010 is a book called [Honey From a Weed](#) by Patience Gray, published by North Point Press in 1990. The subtitle is "fasting and feasting in Tuscany, Catalonia, the Cyclades and Apulia," but it isn't a gourmet travel and eating book, it's a love song to ingredients and a way of life that is almost dead. The author mixes culinary history with amazingly delicious recipes that have stories attached to them. The writing makes for pure pleasure reading, which I am a loathe to admit is my penchant these days. But at the heart of this book is a deep thought: "Once we lose touch with the spendthrift aspect of nature's provisions epitomized in the raising of a crop, we are in danger of losing touch with life itself." Beautiful stuff!



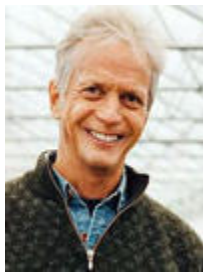
Anna Lappe

Author of [Diet for a Hot Planet](#)



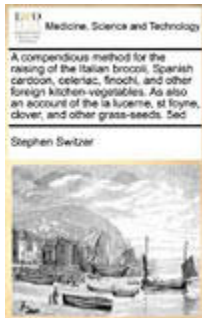
[What's On Your Plate?](#) That's definitely a question more and more of us are asking ourselves these days, and in this film and just-published companion book, two intrepid young New Yorkers set about answering it. The film chronicles the girls' travels from the streets of New York to farms upstate, and unfolds as the kids learn to ask the tough questions about why some of us eat so well while others struggle to eat at all; and why food is grown with toxic

chemicals and shipped thousands of miles, while farmers just a few hundred miles from the city struggle to find markets for their products. The book includes recipes, activities to sharpen those critical-thinking skills, and other fun elements for kids and those young at heart. Get the book and film together, and give as a holiday gift along with a tasty home-cooked meal, or make a viewing of it a fun family activity.



Eliot Coleman

Farmer, Four Season Farm, and [author most recently of The Winter Harvest Handbook](#)

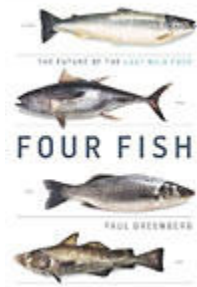


As a confirmed old-book nerd, my "new" book recommendations are going to be old ones that I've just recently discovered. My favorite this year was first printed in 1727, [*The Practical Kitchen Gardiner*](#) (subtitled "Or, a new and entire system of directions for his employment in the melonry, kitchen-garden, and potagery, in the several seasons of the year. . . . The whole methodiz'd and improv'd"), by Stephen Switzer. Tips on growing cucumbers in March and snap beans in April from hotbeds, plus fascinating details on every vegetable, combine to convince the reader that gardening has been universal since we left Eden and that there is nothing new under the sun. This old book and many others are available from Gale ECCO Print Editions in a scanned, print-on-demand version of the original. Once you get used to the long, skinny 18th century "s" that looks like an "f," reading the text is easy. This is a quality, nicely bound and printed book, unlike many of the fly-by night on-demand companies which send out cheap poorly scanned copies.



Ann Cooper

Renegade Lunch Lady and [author of Lunch Lessons and other books](#)

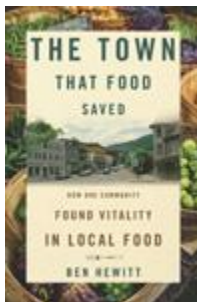


[***Four Fish: The Future of the Last Wild Food***](#) is not only a great read, but a must-read for all of us who care about sustainability of the food supply, the ocean and the wild animals that we're harvesting from it. And in [***Free For All***](#), Jan Poppendick takes us on an historical and contemporary perspective of school food in America. She explains not only how we got to "bad" food in schools, but suggests how we can change that paradigm: free lunch for all! I also liked *Diet for a Hot Planet*, *Food Rules*, and (sort of out of context) [***The Last Chinese Chef***](#), a 2007 novel.



Barry Estabrook

Former contributing editor at *Gourmet*, blogger at [***Politics of the Plate***](#)



Just when you thought that the last word had been written and rewritten about all things local, seasonal, and sustainable, in [***The Town That Food Saved: How One Community Found Vitality in Local Food***](#), Ben Hewitt not only tells how one small Vermont town was revived by small farmers and food processors, but shows how our broken national food system can be saved, too. And in [***Four Fish***](#), Paul Greenberg provides a blueprint for how the world's fisheries can be managed in an ecologically sound manner.



Darra Goldstein

Editor, [Gastronomica](#)



After visiting the Cesar Chavez Foundation this summer, I was prompted to take another look at Rick Nahmias's stirring photographs, published as [***The Migrant Project: Contemporary California Farm Workers***](#). These beautiful sepia-toned prints document intimate moments in the lives of the marginalized workers who labor to put food on our tables. Each photograph is accompanied by a descriptive text; essays and oral histories place the images in historical context. This is a gorgeous and important book. *[Editor's Note: Grist will be running a slideshow from this project in conjunction with our California series debuting in January.]*



Daniel Bowman Simon

Gardener, [currently advocating for a vegetable garden](#) to be planted right in front of New York's City Hall



Most people know about the Victory Gardens of World War II. But this is only a small part of the story. Laura Lawson's [***City Bountiful: A Century of Community Gardening in America***](#) tells the uplifting true story of everyday people cultivating the land for food in wartime and peacetime, growing kale and jalapeños in vacant lots, in schoolyards, and in places you'd never imagine.

It was thanks to Lawson's book that I discovered the 1910 book *Children's Gardens for Pleasure, Health and Education* by Henry Parsons, whose mother, Fannie, founded DeWitt

Clinton Farm School, New York City's first youth educational farm. Parsons discusses issues ranging from soil erosion to seed selection. The black-and-white photos of kids and their veggies are captivating. For modern-day advocates, the historical perspective offers hope and guidance. I got my hands on an original from a used bookstore on Cape Cod, but thanks to Google Books, the full text is available as [a dust-free PDF download](#).



Claire Hope Cummings

Author of [Uncertain Peril](#), working on a book about finding our way forward in a climate-ravaged world



Lately I've been relishing the amazing accomplishments of our food movement. My farmers market is full of local produce, wild fish, and artisan cheese and bread. Supermarkets now stock organic food. Kids can get healthy food in their schools.

At its heart, this work has always been about the farmers. They took the big risks, figuring out how to produce and market food without artificial chemicals. And they always understood that this was as much a political movement as an environmental one. No one captures the spirit of the citizen farmer better than Wendell Berry. For the last 40 years he has put into words what we know in our hearts to be true and he makes us glad of the work we have done. So, having recently sorted through my collection of food and agriculture books, the one I most recommend is a collection of Berry's [Mad Farmer Poems](#) -- which he began writing in 1967, beautifully rendered with engravings.

To savor his voice, during this season of reflection and celebration, is to know what sanity truly means. An excerpt:

Come into the life of the body, the only body
granted to you in all the history of time.
Come into the body's economy, its daily work,
and its replenishment at mealtimes and at night.
Come into the body's thanksgiving, when it knows

and acknowledges itself a living soul.
Come into the dance of community, joined
in a circle, hand in hand, the dance of the eternal
love of women and men for one another
and of neighbors and friends for one another.

Exhibits: Out with the old, in with the new: Turtle Bay switches up exhibits

Kerri Regan, contributing writer

January 6, 2011



Photo courtesy of Turtle Bay Exploration Park

Fire and science fiction will give way to sustainability, migrant farm workers and award-winning art when Turtle Bay Museum switches up its exhibitions in coming weeks.

Sunday is the final opportunity to see “Out of This World,” which features more than 40 costumes, models and props from science fiction films and television programs. That’s also the closing day for “Formed by Fire” which focuses on the shared concept of fire and how it shapes the north state’s beauty and ecology.

Then begins the setup for two new exhibitions – “The Migrant Project” and “Sustainable Choices,” both presented by the Record Searchlight.

“The Migrant Project: Contemporary California Farm Workers,” which runs from Feb. 4 to April 10, explores the lives of the state’s migrant farm workers, who number more than 1 million. The project uses a photojournalism lens and bilingual text to detail the lives and struggles of this population of people. The 40 images were photographed from the Mexican border to Sacramento and includes family life, the search for housing, health care and more.

“Sustainable Choices,” which will run from Feb. 5 through April 10, explores sustainability – the ability to meet present-day needs without compromising the ability of future generations to meet their needs. This topic has become hotter as the world’s population has continued to grow.

The interactive exhibit’s themes include electricity, water, shopping, transportation and the yard, each presented through the question, “From where did I come and where will I go?” Visitors will learn more about what objects can be recycled, what labels like “organic” mean and how different light bulbs convert energy to light and heat.

Meanwhile, for the first time ever, the Friends of the Arts at Turtle Bay in cooperation with Turtle Bay Exploration Park is presenting the West Coast Biennial Juried Art Exhibition, which runs from Jan. 29 to April 10. Juror was Bob Nugent, a retired professor of art in painting and drawing at Sonoma State University.

More than 800 pieces were submitted, and 47 were selected. Winners will be announced during the Cultural Cruise, slated from 4 to 8 p.m. Jan. 28 (awards are at 6 p.m.).



The Migrant Project

Putting faces to your food [SLIDESHOW]

by Rick Nahmias

4 Feb 2011

The following essay and images are excerpted with permission from [The Migrant Project: Contemporary California Farm Workers](#), an iconic photo-documentary series shot by [Rick Nahmias](#) in 2002-03 and later published as a monograph.



Each morning, as early as 2 a.m., these women travel from Mexicali to the Calexico Port of Entry. They wait to board work buses that transport them as far as 75 miles north for their work in the cantaloupe fields of California's Imperial Valley. Women comprise about 21 percent of America's farmworker labor force. Photo: (C) Rick Nahmias/themigrantproject.com

When envisioning California, most people conjure images of a warm, sea-sprayed coastline, redwood forests, the opulence of Beverly Hills, or the magic of Hollywood. It is easy to forget the farmland.

But California's leading industry is actually agriculture, which provides about 50 percent of the produce consumed in this country, amassing \$32 billion in annual cash revenue. To put this in perspective, this state's earthly output is well over three times the combined annual domestic box-office receipts of the entire U.S. motion picture industry. This says nothing of the additional \$100 billion in related economic activity that California agriculture generates.

Even easier to forget is that of the 36 million Californians, an estimated 1.1 million are farm laborers, without whom this state's vital agriculture economy simply could not function. This virtually invisible underclass, whose days begin in darkness and involve unending hours of stooped labor under the blinding sun for wages that rarely amount to more than \$10,000 a year, quite literally feeds our country.

Whether they are families living in the dirt lots of Mecca for months at a time during grape season; tomato pickers in Stockton who dash through muddy fields lugging 25-pound buckets in searing heat; day laborers who rise at 2 a.m. to cross the border at Calexico, only then to be bused 50 miles to the scorching onion and melon fields of the Imperial Valley; or workers of indigenous descent who are relegated to the lowest of the low in jobs and living conditions, each and every one of these people has a story.

Because of the transient, rural, and isolated lifestyles of migrants and the heavy and constant flow of undocumented workers that make up these vast harvesting armies, there is little public awareness of these people. As a result, farmworkers on the whole remain one of the easiest segments of our society to both cast off and exploit. For decades, though the languages they speak and their demographic make-up has changed, they have consistently endured our country's greatest hardships in the areas of healthcare, unlivable housing conditions, and workplace treatment and safety.

By virtue of the seasonal work they do and how they are employed—often traveling with one particular type of fruit or vegetable throughout an entire harvest—few call any one place home for more than a couple of months at a time. This not only keeps farmworkers on the outside of the communities in which they live, but also splinters families and prevents the growth of meaningful roots. It erodes any firm toehold they may get with which to negotiate for better conditions with the growers or the farm labor contractors.

There are glimmers of hope. Though theirs is an existence rife with struggle, it is this very constant push for survival that drives many toward inventing opportunity for themselves and their families. Grassroots organizations have emerged aimed at curtailing domestic abuse and sexual harassment, family recreation centers have been created where social services can be based and easily accessed, and countless unsung heroes and advocates in the farmworker community have worked tirelessly to imbue this population with a sense of pride and possibility.

There may always be controversy about the machinations of the political power that provides and controls cheap labor and about the status of farmworkers—whether they should be naturalized, how they should be treated, paid, housed, and who ultimately is responsible for their well-being. *The Migrant Project* photo-documentary series sets out to do one thing: to put human faces to the people who, in the inimitable words of Edward R. Murrow, “harvest the food for the best fed nation in the world.”

While traveling nearly 4,000 miles across the state to photograph more than 40 towns during five months, two things became evident: 1) there is no other sector in our country where people have to work so hard to have so little, and 2) by adjusting our mentality to one of inclusion and respect, we can welcome farmworkers as a meaningful part of our society and understand their intrinsic value, not just for the essential work they perform, but as human beings and individuals who each carry with them the same hopes of many Americans—the dream of a better life.

In absorbing the photographs and stories on the following pages, we take the first step in doing just that. ([Check out the slideshow in Spanish here / Echa un vistazo a la presentación de diapositivas.](#))



Photo: (C) Rick Nahmias/themigrantproject.com

Grape worker Guillermina Sanchez arrives at the vineyards in the dark and begins work as the moon sets. She is also member of Lideres Campesinas, a statewide grassroots organization of farm-working women who do outreach to their respective communities on issues of importance to the farmworker communities,

including pesticide danger, domestic abuse, and HIV. A recent survey revealed 60 percent of the surveyed farmworkers in the Coachella Valley—the first California region to harvest table grapes each year—reported they were required to “test the fruit” by eating unwashed grapes during the harvest to find out if they were sweet enough to be picked. This practice is not regulated under California pesticide law.



Photo: (C) Rick Nahmias/themigrantproject.com

Victor Hernandez, a 6-year-old boy from Coachella, takes some time on his summer break from school to visit the vineyards with his mother, a community worker.



Photo: (C) Rick Nahmias/themigrantproject.com

This eight-man migrant team from Texas earns \$10 per ton each of watermelon pitched. They estimate that on a good day they make \$80 each for six hours of work. This comes out to eight tons of melon tossed per man, per day, without the aid of back braces, gloves, or any other safety equipment.



Photo: (C) Rick Nahmias/themigrantproject.com

The green tomato harvest is done entirely by hand. Farmworkers pick the fruit as fast as possible, tossing it into two buckets, which they then run to trailers. These green or “fresh market” tomatoes are then treated with ethylene gas to bring about the bright red color. This is among the dirtiest types of fieldwork, and several layers of clothing are worn to keep workers both protected from the sun and dry from the mud they crawl through. Gloves are worn for quicker and easier handling of the fruit.



Photo: (C) Rick Nahmias/themigrantproject.com

Tomato workers are given one token for each pair of buckets they fill, with each pail weighing approximately 25 pounds. The value of the tokens fluctuates with the market price of the tomatoes. On this day, the tokens were worth \$0.95.

Rick Nahmias is a photographer, writer, and filmmaker who focuses on documenting the stories of invisible populations.

Youth Speaks turns 15

Catherine Bigelow

Wednesday, January 19, 2011



Youth Speaks student Obasi Davis (left) with program grad Ebony Donnley and Artistic Director Marc Bamuthi Joseph.

Photo: Catherine Bigelow / Special to The Chronicle

Channeling the ancient cry of the griot, student poets of Youth Speaks eloquently burst into oratory Thursday to kick off this youth arts organization's 15th anniversary.

Hosted by **Ken Fulk** (in absentia while traveling in India) at his snazzy SoMa design studio, the intimate evening for Youth Speaks supporters (including **Laurene Powell Jobs**, **Dave Eggers**, **Carla** and **David Crane**, **Randi Fisher**, **Laurie** and **Jeff Ubben**, **Penny Coulter**, and YS Artistic Director **Marc Bamuthi Joseph**) featured a delish **Paula LeDuc** supper and passionate poetry.

"At 15, we consider ourselves teenagers," said YS founder and Director **James Kass**. "We're looking forward to growing into adults."

Kass, himself an accomplished poet and author, founded the organization while studying for his creative writing master's degree at S.F. State.

"It was obvious that literacy was not being addressed in the public schools," explained Kass of his passion. "I saw this as an opportunity to use language to present your voice and effect social change."

YS provides four-year arts, education and activism scholarships. Its core group of students ranges from 13 to 19, and their performances can sell out the entire Opera House.

In addition to its annual Poetry Slam (May 20 at Davies Hall), the first such contest in the country, and program expansion into 53 U.S. cities, those student poets also filled the house at Herbst Theatre on Monday, where they performed "Bringing the Noise," a tribute to the Rev. **Martin Luther King Jr.**

Recalling the fledgling days in founding his 826 Valencia literary program for children, author Eggers called Kass his mentor.

"We had trouble getting our nonprofit status as we tried to explain the connection between an arts center and a pirate supply store," Eggers said, to great laughter.

Jobs, founder and president of the wildly successful College Track, knows a good youth education organization when she sees one.

"When we started looking for other youth development organizations to partner with," Jobs said, "I just fell in love with the passion and power of Youth Speaks."

She discovered that students who participated in both programs quickly gain a "full quiver" of tools that allows them to persevere and thrive during the often difficult teen years.

"The power of owning your own voice, speaking your truth, being heard and being taken seriously is a blessing for young people," Jobs said.

Ebony Donnley, 20, a Youth Speaks graduate who is studying English at UCLA, agreed.

"Because of Youth Speaks, I'm a better writer, artist and poet," she said. "Without those programs, which also provided a venue and a platform, it would be much more difficult to have my voice out there."

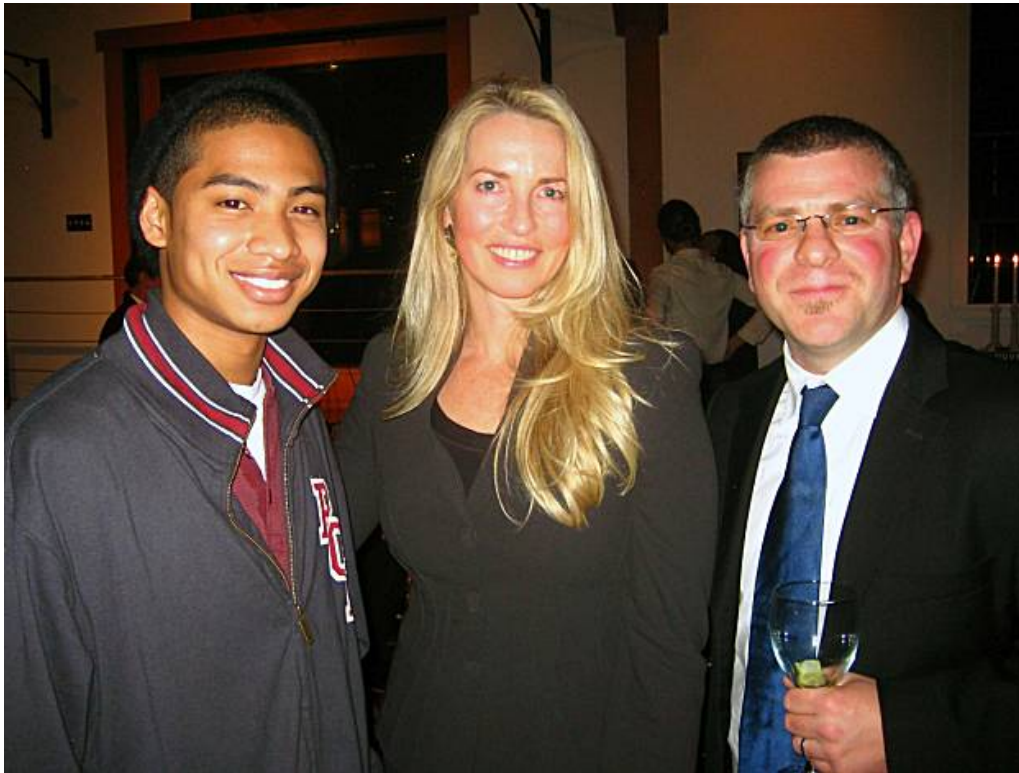
Big screen: Though you may not be packing your Ugg boots for Sundance, a talented clutch of San Franciscans head this week to Utah's Park City slopes and theaters.

Producer **Todd Traina's** latest, "Another Happy Day" - written by **Sam Levinson** and starring **Kate Bosworth, Ellen Barkin, Demi Moore, Thomas Haden Church** and **Ellen Burstyn** - premieres Sunday.

Also on the docket, the U.S. premiere of two documentaries supported by the female filmmaker incubator Chicken & Egg Pictures: "Connected: An Autobiography About Love, Death and Technology" by Webby Awards founder **Tiffany Shlain** lights up the screen Friday. The next day, "Women Art Revolution," a documentary on the history of Women Artists in Revolution (WAR) by San Francisco filmmaker and S.F. Art Institute Film Department chair **Lynn Hershman Leeson**.

Same date, but thankfully, different time: "Miss Representation," the documentary about the media's portrayal of women in society by filmmaker **Jennifer Siebel Newsom**, is one of 16 films (including her pal Shlain's) selected by Sundance for its prestigious U.S. Documentary competition.

When, not if, Siebel's doc finds a distributor, proceeds from "Miss Representation" will be donated to women's leadership organizations (including the International Museum of Women and Girls for a Change) as part of a social-change campaign to re-envision women as leaders in society.



Youth Speaks student Dominic Nicholas (left) with Laurene Powell Jobs of College Track and Youth Speaks Director James Kass.

Photo: Catherine Bigelow / Special to The Chronicle



Marketplace Money

Friday, January 21, 2011

Nonprofit center helps immigrants build business

[Click here to listen to story](#)

TEXT OF STORY

Tess Vigeland: The U.S. financial system can be dizzying and so time consuming for most of us. And it's even worse for immigrants who are trying to navigate it.

One solution for them can be found in California: it essentially serves as a "mall" of nonprofits. All of them are dedicated to providing financial education and assistance to Latinos. Marketplace's Jennifer Collins reports.

Jennifer Collins: I'm standing in the lobby of Plaza Adelante on a Monday afternoon. People are hustling through this three-story building in one of San Francisco's best known Latino neighborhoods.

Carmina Valdez: Quierres un chocolate?

Carmina Valdez owns a gift shop in a small market on the ground floor of the building.

Valdez: This business is like my baby. I have to nurture it, but I also have make sure it has a future.

This business might not be here today without the help of the nonprofit organizations that set up shop in this former furniture store and warehouse. Upstairs, a peer-lending organization helped Valdez get an interest-free loan. Down the hall, a small business specialist mentors her. And on the floor below, there's the computer center that loaned her a laptop so she can track her expenses and promote her shop on social networks.

Valdez: Here it is. The page in Facebook. It's called Wrap UR Dreams. I already have lots of friends.

Valdez is one of thousands of Latinos who've gotten help at this one-stop shop for financial services since it opened eight months ago.

Valdez: I feel like this whole building is my family. It's the first time that an organization has taken the time and wants to support us as Latinos.

The man who brought all these nonprofits together under one roof is Luis Granados. He's the executive director of the Mission Economic Development Agency. His organization paid more than \$9 million to buy the building and turn it into a financial resource center for Latino immigrants.

Luis Granados: I often hear them talk about, 'Is this space really for us? Really for us?' And they can't believe that such a nice space is actually dedicated to them.

Claudia Viek: When you walk into social service center, all you see is sort of failures around you.

Claudia Viek runs a statewide network of microlenders.

Viek: When you walk into Plaza Adelante, what you see is success around you.

The nonprofits at Plaza Adelante refer clients to each other. People don't have to run around town getting legal advice here or financial advice there -- they only need to climb a flight of stairs. And they can drop their kids at the day care on the way up.

Jessy Gonzalez: Location, location, location is everything.

Jessy Gonzalez is the executive director of Caminos, the computer center that loaned Carmina Valdez her laptop. He says the nonprofits at Plaza Adelante can save money by sharing expenses on everything from copy machines to accountants. They could also throw joint fundraisers.

Gonzalez: When someone has an event, it's an event for everyone. So everybody benefits.

The idea of bringing a variety of services under one roof isn't new. There are nearly 200 nonprofit centers in the U.S. But typically they bring together social service or community development organizations.

China Brotsky is managing director of Tides Shared Spaces, which sets up nonprofit centers. She says Plaza Adelante is one of a kind.

China Brotsky: I don't know of any others that do what they're doing.

Brotsky says Plaza Adelante has already inspired a group of day laborers in Denver to organize a similar center.

Brotsky: Especially in this economy, a building that's really focused on wealth creation and financial literacy for immigrant Latinos is just something that's incredibly needed and there aren't a lot of other options that these people have.

So it allows someone like Carmina Valdez to go in looking for a small business loan and come out with the small business itself.

Valdez: Without Plaza Adelante, there would not be this market and I wouldn't have this business.

She says someday she hopes her gift shop will help pay her way through business school.

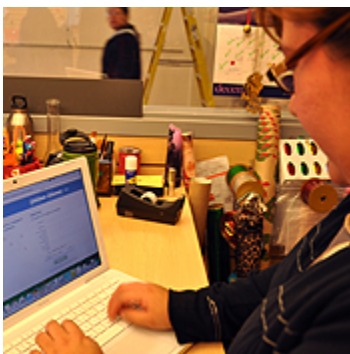
I'm Jennifer Collins for Marketplace Money.



Plaza Adelante in San Francisco has become a nonprofit hub that's helping the surrounding Latino neighborhood create and build their small businesses.
The lobby of Plaza Adelante. (Jennifer Collins/Marketplace)



Luis Granados, executive director of Mission Economic Development Agency, helped bring several nonprofits together under one roof at Plaza Adelante. (Jennifer Collins/Marketplace).



Carmina Valdez works on a laptop loaned to her by Caminos Pathways Learning Center -- a technology training nonprofit at Plaza Adelante. (Jennifer Collins/Marketplace).

'Legalize Democracy!' Demand Activists Rallying Nationwide to Overturn Lawless Citizens United Ruling

John Nichols | January 21, 2011

"The greatest political reform of our time will be to abolish the legal concept of 'corporate personhood' and the inherently anti-democratic equation of money with political speech," says Bill Moyer, the energetic founder and executive director of the [Backbone Campaign](#) [1], the grassroots movement to embolden Americans to push back against corporate power and political corruption.

Across the country Friday, that debate was opening up.

Pushing back against an activist US Supreme Court that has given corporations carte blanche to warp not just our politics but the republic itself, grassroots reformers and activists have used the one-year anniversary of the court's lawless decision in the [Citizens United v. FEC](#) [2] case to argue that democracy itself is endangered when corporations are allowed spend without limitation or accountability to influence elections.

The *Citizens United* ruling eliminated century-old restrictions on corporate spending to support favored candidates and to oppose those who might side with consumers, environmentalists, labor unions and communities.

The corporations recognized the opening given them by the hyper-partisan majority on the high court and seized it.

"The outrageous, misguided and illogical *Citizens United* decision has empowered corporations and endangered our democracy. Secretive corporate and billionaire donors exerted an outsized influence over Election 2010," explains [Public Citizen executive director Robert Weissman](#) [3]. "Their spending now casts a pall over all lawmaking, because any members of Congress who challenge corporate interests know they now risk facing a barrage of attack ads in the next election. And all parties agree that 2010 was just a warm-up for 2012. This is no way to run a democracy. That's why a growing movement is working for passage of a constitutional amendment to overturn *Citizens United*."

That movement was making itself heard Friday [in dozens of cities and towns across the country](#) [4], from a "Get Corporations Out of Politics" gathering on the village green in Hyannis, Massachusetts, to a "Rally to Legalize Democracy" in Kent, Washington, to a "Wake for Democracy" in Madison, Wisconsin -- where dozens of activists braved temperatures hovering around zero to cheer speakers on the steps of the State Capitol.

In Washington, a ["For the People" Summit](#) [5] coordinated by Moyer and supported by a cross-section of reform groups—including the Alliance for Democracy, American Independent Business Alliance, Backbone Campaign, Center for Media and Democracy, Changing the Game, Code Pink, Coffee Party USA, Common Cause, Democracy Matters, Democrats.com, Fix Congress First, Free Speech For People, MoveOn, Move to Amend, PeaceMajority Report, People for the American Way, Progressive Democrats of America, Public Citizen, and the Women's International League for Peace and Freedom—heard Harvard Law School professor [Lawrence Lessig](#) [6] and leaders of the movement to amend the Constitution in order to renew the founding faith that free speech is a human right that must be shouted down by corporate spending.

Annabel Park, of the Coffee Party (as opposed to the Tea Party) appeared to argue that the fight must be understood as more than just a struggle between Republicans and Democrats or liberals and conservatives. It goes, she suggested, to the heart of questions about the future of representative democracy. "It's very hard to make progress on any issue without addressing the problem of money in politics, because right now it takes a nearly impossible amount of effort for ordinary people to compete with the daily influence that entrenched lobbyists enjoy," she explained. "To succeed, we need to step outside the traditional left-right-center framework and find common cause across the political divide."

C-SPAN covered the event and has archived the video as: ["Impact of Citizens United v. Federal Election Commission."](#) [7]

John Bonifaz, co-founder and director of [Free Speech For People](#) [8] campaign, told activists: "Free speech and other constitutional rights are for people, not corporations. The Supreme Court's ruling in *Citizens United* will go down in history as contrary to the constitutional principles set forth by the Framers establishing a government of, for, and by the people. On this one-year anniversary of the ruling, we must renew our commitment to fighting for a 28th amendment to the Constitution that ensures that people, not corporations, govern in America."

That message was echoed by Lisa Graves, a former deputy Assistant Attorney General and top aide to the Senate Judiciary Committee.

"A year ago, we warned that the Roberts Court was wrong to 'celebrate' expanding the power of corporations in our elections and policymaking," says Graves, the executive director of the Center for Media and Democracy and a key player in the [Move to Amend campaign](#) [9]. "The unparalleled spending by Wall Street in this past election has proven the validity of our fears of the power of their money to spin the issues and distort our democracy and that's why nearly a million Americans have signed petitions against the Supreme Court's terrible decision and millions more will join us in this fight the coming years."

That broad grassroots support, in combination with the organizing that is going on nationwide, gives Moyer confidence that, despite the difficulty of amending the Constitution, and despite the even greater difficulty of holding corporations to account, this is a movement that—one year after the *Citizens United* ruling—is emerging as a powerful and effective force for change.

The task that lies ahead is, indeed, "monumental." But, says Moyer, "I believe...it can be achieved in the coming years built on a foundation of community-based battles to return power to the People."

Links:

- [1] <http://backbonecampaign.org/>
- [2] http://en.wikipedia.org/wiki/Citizens_United_v._Federal_Election_Commission
- [3] <http://www.citizen.org/Page.aspx?pid=183>
- [4] <http://movetoamend.org/calendar>
- [5] <http://www.movementforthepeople.org/>
- [6] <http://www.thenation.com/article/how-get-our-democracy-back>
- [7] <http://www.c-spanvideo.org/program/297647-1>
- [8] <http://freespeechforpeople.org/>
- [9] <http://movetoamend.org/>

THE RAW STORY

Group: Supreme Court justices ‘participated in political strategy sessions’ before Citizens United

By Daniel Tencer

Wednesday, January 19, 2011

On the first anniversary of the Supreme Court's ruling in *Citizens United*, which overturned nearly a century of restrictions on campaign spending, a progressive group has asked the Department of Justice to look into "conflicts of interest" two justices may have had when issuing the ruling.

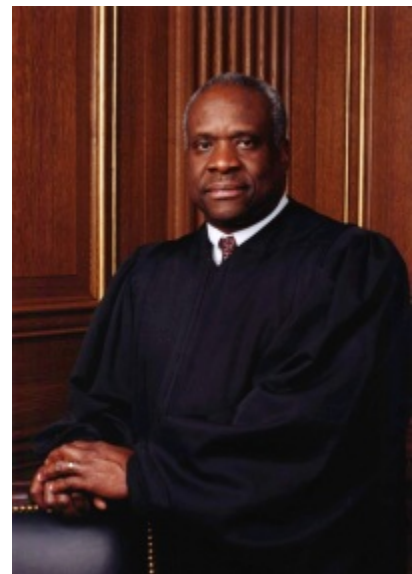
In a petition to be sent to the department this week, [Common Cause](#) will argue that Justices Antonin Scalia and Clarence Thomas should have recused themselves from the campaign finance decision because of their involvement with Koch Industries, a corporation run by two conservative activists who many say directly benefited from *Citizens United*.

“It appears both justices have participated in political strategy sessions, perhaps while the case was pending, with corporate leaders whose political aims were advanced by the decision,” the letter alleges, as [quoted at Politico](#).

The group will urge the department to disqualify Scalia and Thomas from the ruling. If that were to happen, the Supreme Court could vacate the ruling, effectively returning the campaign finance restrictions that existed until 2010. But, as Common Cause itself admits, the odds are against it.

At the center of the group's claims is a document from Koch Industries unearthed last fall by [ThinkProgress](#) and the [New York Times](#). In an invitation to a Palm Springs retreat to be held this month, Charles Koch boasted that previous events were attended by Scalia and Thomas.

If Scalia or Thomas attended a Koch event between 2008 and 2010, when the court was dealing with issues affecting *Citizens United*, “it would certainly raise serious issues of the appearance of impropriety and bias,” the Commons Cause petition states, as [quoted in the New York Times](#).



Since the *Citizens United* ruling, many critics have focused on the role of the Koch brothers in US politics, arguing that the oil-business billionaires have placed themselves at the nexus of big business and conservative politics.

The Koch brothers are generally believed to be behind Americans for Prosperity, a group that has been accused of distorting facts in campaigning against health care reform and climate change legislation. President Obama last fall referred to the group as an example of how *Citizens United* has allowed large corporations to use political groups to funnel unlimited amounts of money into campaigns.

“They don’t have to say who, exactly, Americans for Prosperity are,” Obama said. “You don’t know if it’s a foreign-controlled corporation [or even] a big oil company.”

Steven Gillers, a legal ethics professor at NYU, told the *Times* that Common Cause's campaign is "a steep uphill climb ... but not an insurmountable one." He suggested that even if the effort failed, it would still allow for a "public airing" of concerns surrounding the Supreme Court's impartiality.

But Rick Hasen, an election law expert at UC-Irvine, had far less faith in Common Cause's effort.

“I am a big critic of the *Citizens United* case. I would love to see it reversed,” Hasen told Politico. “But this approach seems both unlikely to yield the desired result of seeing the case overturned and appears to be an unwarranted attack on the ethics of the Justices.”

Hasen noted, “Justice Scalia has refused to recuse himself from cases involving a far closer relationship.”

Arn H. Pearson, a Common Cause vice president, made it clear that the group doesn't see its effort as an open-and-shut case.

“We’re treading in new territory here for us,” he told the *Times*. “But a situation like this raises fundamental questions about public confidence in the Supreme Court.”

January 20, 2011

Advocates Call for Reopening Campaign Finance Ruling

The first anniversary of the Supreme Court's decision to roll back longstanding bans on corporate campaign contributions has spawned calls to reopen the ruling.

A collection of campaign-finance reform advocates has organized events around the country to protest the high court's decision in *Citizens United vs. the Federal Election Commission*, which opened the spigots for corporate campaign contributions in the run-up to the 2010 midterms.

The most aggressive of these protests is from Common Cause, which [has asked](#) Attorney General **Eric Holder** to investigate whether two Supreme Court justices should have recused themselves from the case.

Common Cause says that Justices **Antonin Scalia** and **Clarence Thomas** have close ties to groups that directly benefited from the decision, and cite their attendance at fund-raising retreats organized by a pair of conservative activists who spent millions in the last election.

If the attorney general finds evidence that the justices were conflicted, Common Cause is asking Mr. Holder to petition Chief Justice **John Roberts** to vacate the *Citizens United* decision.

"We believe there is a potential conflict," Common Cause President **Bob Edgar** told reporters Thursday.

The high court didn't return calls seeking comment.

More typical protests will play out around Washington on Friday, the one-year anniversary of the decision. A new group organized by Ben & Jerry's founders **Ben Cohen** and **Jerry Greenfield** will hold an event Friday morning at the Washington office of Public Citizen to tout other businesses that want to revive the bans on corporate giving. There's a rally at the U.S. Capitol and another at the Supreme Court. And plenty of panel discussions for wonks.

Critics want the court to revisit its decision to let company's spend money from their general treasuries on political activity and close a pre-election window that once prevented corporations from spending money on television ads in the month before an election.

The Common Cause petition faces a steep uphill climb. Even if the Justice Department asks the Supreme Court to revisit the case, there are no requirements that the court do so; the separation of powers between branches of government means an executive agency, like the Justice Department, holds little sway over the judiciary. A spokesman said the Justice Department had no comment on the matter.

In its letter to the Justice Department, Common Cause wrote that both justices are conflicted because they failed to report their attendance at retreats organized by **Charles Koch**, chief executive officer of Koch Industries, one of the largest privately held companies in the U.S.

Mr. Koch organizes regular retreats to raise money from other wealthy Americans for conservative political organizations. The company's political arm spent more than \$2.5 million in the last election cycle, and groups funded, in part, by Mr. Koch and other family members reportedly spent millions more.

An invitation to the family's upcoming retreat later this month mentions that both Justices Scalia and Thomas have attended past events. Mr. Edgar, of Common Cause, said Justice Scalia attended an event in 2007, and Justice Thomas appeared the following year.

"The judges did not disclose the potential conflicts at the time" they were considering the Citizens United case, said Arn Pearson, a lawyer for Common Cause.

The anniversary of this decision has given critics of the judiciary another chance to make the case that judges are increasingly beholden to outside interests that have business before the court.

"I certainly don't think it's quixotic," said **Jonathan Turley**, a legal scholar at George Washington University law school. "If we take that approach, we leave these promises to the justices."

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THE INTERNET NEWSPAPER: NEWS BLOGS VIDEO COMMUNITY



Gideon Rosenblatt
Writer, Alchemy of Change

January 20, 2011

Citizens United v. United Citizens: Building a Movement to Drive Money Out of Politics

Friday, January 21st, marks the one-year anniversary of *Citizens United*, a Supreme Court case that dramatically accelerates the corruptive force of money in U.S. politics.

When money flows in our economy, it's a fuel that helps businesses flourish and people make a living. When money flows in our political system, however, it's a cancer that infects politicians and through them our institutions of democracy. With *Citizens United*, the cancer is now metastasizing, and as the corruption accelerates, it generates a downward political spiral that threatens the very future of our country.

While this problem is shared by all Americans, the progressive community is frequently at the frontline fighting money's influence in public policy. As a collection of separate issues, it has struggled for relevance in broader American society, but as leaders in the fight to drive money out of politics, progressives have an opportunity to redefine themselves as restorers of American democracy.

Increasing Money's Influence in Elections

Last year's landmark [Citizens United](#) Supreme Court case struck down previous limitations on "outside spending" -- the money channeled through organizations outside an official campaign, but which nonetheless run ads, make phone calls and do lots of other things to support a campaign. With *Citizens United*, the Supreme Court not only made it easier to fund this kind of electioneering, but also made it much harder for citizens to know who's actually behind it.

According to recent [analysis](#) done by New York Public Advocate Bill de Blasio, over one-third of all outside ad spending in the 2010 elections came from secret sources, made possible by *Citizens United*. The total funding it unleashed represented \$1 for every \$5 dollars spent by candidates, which translated to over \$85 million in U.S. Senate races alone.

All this spending has impact; take for example, the small network of hedge fund executives who [pumped a last-minute \\$10 million](#) into key races last year. One of the races they helped win was

a seat for the incoming chair of the House Financial Services subcommittee on capital markets - the legislative committee responsible for any future reforms of Wall Street.

This is remarkable impact, especially considering that the ruling had only been in effect for nine months prior to the election. Imagine what the impact will look like in 2012, once mega-contributors have digested what they learned in 2010 and have more time to fully prepare. I'll give you a hint; it's going to get bigger - much bigger.

Public Frustration is Rising

Stopping this runaway train won't be easy, and progressives couldn't do it alone even if they tried. Their best bet lies in building constructive outlets for the growing frustration and despair that plagues America today.

The American people aren't happy about the state of their government. A recent [Pew Research Center survey](#) sees a "perfect storm of conditions associated with distrust of government -- a dismal economy, an unhappy public, bitter partisan-based backlash, and epic discontent with Congress and elected officials." [Gallup](#) similarly confirms that trust in government, and our legislature in particular, is at a record low. Adding fuel to the flame is the [sense among many Americans](#) that government economic policies increasingly benefit big business at the expense of the American people.

People aren't just frustrated - they're angry. These same polls reflect a sharp uptick in anger towards the government, something the Tea Party is using very effectively to promote its ideas and candidates.

The Pew survey also found that over 80% of Americans on the left, right and center view the influence of "special interest money" as a major problem. Recent polls from [Washington Post/ABC News](#), [New York Times/CBS News](#) and [Angus Reid](#) all show that Americans are concerned about the *Citizens United* decision - at least in theory; the Angus Reid survey also showed that two thirds of respondents had either not followed the issue closely or not followed it at all - and that gets us to one of the most difficult aspects of getting money out of politics.

Campaign finance reform isn't something most people know or care that much about. More frustratingly, clean politics doesn't always translate into victories on election day. Despite the above mentioned concerns over *Citizens United*, a recent [Bloomberg poll](#) shows that less than half of Americans would be less likely to vote for a candidate who accepted the kind of funding made possible by the new ruling.

Strengthening this connection between people's stated desires for healthy democracy and their actual voting behavior is exactly where progressives need to now focus.

Investing in Democracy

Campaign finance reform is not just some issue that "civil society" groups work on. Getting money out of politics is not just an issue; democracy is not just an *issue*. If you're working on

social change, democracy is the medium in which you work. It is the air you breath, the ground on which you stand. You cannot outsource it to 'those other guys' who work *that issue*. Those other guys are you.

Here's the problem: everyone's too busy and money's too tight. But if you're on the board or staff of a social change organization, ask yourself honestly how much change you expect on your issue between now and 2012. With the shift in Congress and recession-induced budget squeezes making progress difficult at the federal, state and local levels, might *a portion* of your resources be better allocated right now to changing the rules of the game?

I'm not recommending organizations outright change their focus. There are legal and practical considerations to diverting nonprofit resources away from their charitable purpose, but what about investing 10% of resources into driving money out of politics? Here are a few ideas for what that might look like:

Awareness Building:

While most board and staff of progressive organizations are acutely aware of the current challenges to our democracy, many constituents are not. What if progressive organizations regularly devoted just 10% of their editorial space on websites, newsletters and other communications to helping constituents understand all the ways that money currently infects our political system and makes social change harder to achieve?

Helping to build this awareness doesn't have to be hard. [Common Cause](#), [The Brennan Center](#), [Public Citizen](#) and other organizations have excellent resources you can summarize or simply link to in your communications. As an expert on your issue, your value is helping your constituents see the link between a healthy democracy and a cause they care about.

Ten percent is not a lot individually, but collectively it could really add up. Just 2% of the 1.5 million nonprofits in this country would translate into 30,000 organizations lending their voices. When that many organizations begin talking about this problem on a regular basis across the country, it *will* shift awareness. The retweets and reposts of constituents will spread it even further.

Campaigning

Beyond awareness building is the harder challenge of picking a strategy that actually results in real change.

The [Fair Elections Now Act](#) seems like a good place to start. It's designed to help federal candidates more easily forego organized money as a route to office. That stops the flow of candidates beholden to big money - the first step in halting the cancer's spread. The act has an accompanying "[Voters First Pledge](#)" that commits candidates to supporting fair elections after they're elected. I'm not saying the act is likely to pass in advance of November 2012, but a campaign with broad progressive support could help focus voter frustration on big money in the run up to the election.

A vote on the Fair Elections Now Act would also put incumbents on record and the Voters First Pledge would do the same for challengers. With some work, that record could be developed into a more comprehensive "*democracy scorecard*," similar to the League of Conservation Voters' [Environmental Scorecard](#). Combining [Open Secrets](#) campaign contribution data with candidates' stated positions and actual voting record on specific legislation, could create a comprehensive scorecard for determining whether a politician is part of the cancer or part of the cure.

The key, of course, is translating that scorecard into actual votes, and the League of Conservation Voters does this through a PAC dedicated to electing candidates who score high on their environmental scorecard. The "democracy scorecard" would work the same way, but take things up a notch by establishing an "[independent expenditure-only committee](#)" or "Super PAC." This new entity is the offspring of *Citizens United*, and it could be used in this case to channel outside spending to democracy-friendly candidates, without directly contributing to their campaigns and jeopardizing their public funding status.

Yes, using a Super PAC to drive money out of politics is as hypocritical as using a group named "*Citizens United*" to drive money into politics. Now is not the time to play nice. Now is the time to push back, and *Citizens United* changed the available toolset. Still, there are ways to use a democracy Super PAC based on the principles for which it stands. For example, it could be used only to even the odds for candidates with publicly funded campaigns, and only in those cases when their opponent's campaign is not publicly funded.

Individual progressive organizations could plug into the above work through direct and grassroots lobbying to support The Fair Elections Now Act. Their campaigning will help raise awareness and help frame the 2012 elections. While these organizations can't directly participate in electoral campaigns themselves, they can be supportive of staff who want to take time off to work on the campaigns of clean candidates. Having a well-funded democracy Super PAC up and running in advance of the 2012 elections may be a lot to ask for, but even one that simply published the scorecard and provided a coordinating focus for campaign volunteers would be an important step.

With all that said, *Citizens United* completely changes our understanding of how elections work by removing campaign contribution caps on corporations and wealthy individuals. In 2012, money will flow at volumes never before seen. It will be difficult, if not impossible, for something like a "democracy Super PAC" to compete with this coming deluge, which is why tactics like this should never be confused with a long-term progressive strategy.

From Campaign to Movement

Community organizer, Saul Alinsky once famously noted that the only way to beat organized money is with organized people.

When nonprofit organizations compete with organized money by trying to organize money, it's like fighting fire with fire when you're holding a BIC lighter and your opponent has a flamethrower. The economics just don't work. Once the nonprofit achieves its policy objectives, its funders inevitably shift money to other pressing problems. But when big-monied interests

achieve their policy wins, that's when their money starts to really flow - in the form of regulatory loopholes, tax cuts and subsidies. That increased cash helps fund more lobbying and electioneering to ensure the changes stick and flourish over time.

If you're a nonprofit social change organization, the only way you win is by changing the game; you stop fighting organized money by organizing money, and start fighting it by organizing people.

Dissatisfaction with our political system runs much broader than the progressive community, and it would be a huge mistake to frame the current threat to American democracy as a progressive issue. Progressives have an opportunity to lead right now, but not by leading people with this or that particular progressive issue.

What's called for today is a different type of leadership, one that takes a chapter from Saul Alinsky and the great tradition of community organizing in this country. The best community organizers lead by working with community members to build their own ability to solve problems. Fixing democracy and evening people's odds against organized money is what that looks like today, and this is the leadership opportunity now before Progressives.

It will not be easy. It will require shifting some resources away from specific issues. There is no chain of command in the progressive community, so participation is voluntary and decentralized and needs to be designed to take advantage of that. Organizational leaders will need to be able to look beyond traditional institutional concerns, something we know is possible when they're truly inspired -- and fighting to restore democracy provides that kind of inspiration. It can be a unifying force, powerful enough to transform a progressive *community* into a progressive *movement*. "E pluribus unum" -- "out of many, one" -- these words symbolized a coming together of autonomous interests in the name of democracy and in shared opposition to an earlier form of tyranny. They are no less symbolic a reminder today for progressives and the broader community they serve.

Restoring democracy will benefit progressive issues, but it's important to remember that not all democracy is progressive. You may or may not agree with Tea Party values or issues, but if you doubt their passion for democracy, you misunderstand that movement. They have done a far better job than progressives so far in tapping the American people's heartbreak and frustration over what is happening in this country. Progressives can not allow the rage of the Tea Party to be this country's answer to our current problems.

This opportunity, this shift, now required of progressives is not some far off idea. The time for change is now. The massive infusion of *Citizens United* funding now swelling for the 2012 election makes nothing more urgent. The fragility of democracy, and our obligation to future generations, make nothing more important.

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Bob Edgar
President and CEO, Common Cause
January 20, 2011

A Supreme Conflict of Interest

Judges are like umpires, Chief Justice John Roberts famously declared during his confirmation hearing five years ago. "They make sure everybody plays by the rules."

But what would happen if some umpires showed up at swank resorts as featured attendees at one team's pregame meetings?

Even the hint of such favoritism would trigger a fan revolt and demands from Capitol Hill that the umpires involved be disqualified.

Americans are about to find out just how much baseball and our judicial system really are alike. Common Cause, which I'm privileged to lead, has [asked the Justice Department to investigate](#) whether Supreme Court Justices Antonin Scalia and Clarence Thomas should have recused themselves from the landmark *Citizens United* vs. *Federal Election Commission* case last year because they may have [attended secret retreats](#) where lobbying and political strategies were developed by some of the biggest players in the 2010 elections.

A year ago this week, Scalia and Thomas supplied critical votes in the 5-4 *Citizens United* decision that was of particular importance to two politically active billionaire brothers, Charles and David Koch. Charles Koch, president of Koch Industries, the nation's second largest privately-held firm, and brother David have spent tens and perhaps hundreds of millions of dollars over the years on conservative political activism. The Koch-sponsored group Americans for Prosperity has been critical to development of the Tea Party; it promised last year to spend \$45 million on the Congressional midterm elections.

The Koch Brothers regularly convene conservative business and thought leaders and elected officials to plot strategy around elections out of sight from the public and the press. According to a letter distributed by Koch Industries last September, Scalia and Thomas have been among the featured guests at these exclusive gatherings.

The "seminars," as Koch describes the meetings, focus on "threats to American free enterprise and prosperity" and "appropriate strategies to counter them."

The Kochs' next seminar is set for next weekend at a posh, Palm Springs, Ca. resort. Their last session, in June 2010, included discussions on "understanding this electorate" and "mobilizing citizens for November" in order to "change the balance of power in Congress." Attendees "committed to an unprecedented level of support," Charles Koch wrote in September.

That's where the Supreme Court, and Scalia and Thomas in particular, come in.

The two justices were among those who voted in *Citizens United* to lift a 63-year-old ban prohibiting corporations, trade associations and unions from spending unlimited amounts on political advocacy.

The ruling prompted a flood of corporate spending on the 2010 midterms, the "unprecedented level of support" celebrated in Charles Koch's letter. The non-partisan [Center for Responsive Politics](#) reports that corporations and other "independent" donors put nearly \$300 million into contests for the House and Senate; tens, perhaps hundreds of millions more went into races for governor and state legislatures.

More than \$135 million of this money came from organizations like the U.S. Chamber of Commerce that aren't required to disclose their donors. And the lion's share went to candidates who share the Kochs' distaste for government regulation of businesses.

Like every American, Justices Scalia and Thomas are entitled to their political views. But if they attended or took part in the kind of events described in the Koch letter while the *Citizens United* case was pending, then they had no business voting on *Citizens United*.

A longstanding federal law requires "any justice, judge or magistrate" to step aside in any case "in which his impartiality might reasonably be questioned;" the Supreme Court itself has insisted repeatedly that lower court judges disqualify, or recuse themselves from cases simply because of the appearance of a conflict of interests.

It's a reasonable standard. If the Justice Department, the public's law firm, finds evidence that Scalia and Thomas have violated that standard, it should ask the court to vacate *Citizens United*.



Justice Clarence Thomas Amends 20 Years of Disclosure Forms With Wife's Employers

Virginia Thomas' Place of Employment Had Been Omitted From Justice's Reports

By **ARIANE de VOGUE** and **DEVIN DWYER**

WASHINGTON, Jan. 24, 2011

Supreme Court Justice Clarence Thomas amended 20 years worth of financial disclosure forms today after a liberal watchdog group questioned the omission of his wife's place of employment.

"It has come to my attention that information regarding my spouse's employment required in Part III B of my financial disclosure report was inadvertently omitted due to a misunderstanding of the filing instructions," Thomas wrote in a letter to the committee that handles the reports.

The Ethics in Government Act of 1978 requires all federal judges to disclose their spouse's employer. They are not required to list the total income.

Thomas' formal recognition of the errors follows a complaint filed Friday by the group Common Cause that had expressed concern about the "apparent gaps" in his disclosures as required by law.

"Justice Thomas sits on the highest court of the land, is called upon daily to understand and interpret the most complicated legal issues of our day and makes decisions that affect millions," Common Cause president Bob Edgar said after viewing the amendment. "It is hard to see how he could have misunderstood the simple directions of a federal disclosure form. We find his excuse is implausible."

Thomas amended the reports today noting that his wife, [Virginia Thomas](#), drew income from the Heritage Foundation, a conservative think tank where she worked from 1998 to 2003. Thomas also noted that she worked at Hillsdale College for three months in 2008.

None of Thomas' forms, covering activities through Dec. 31, 2009, mention his wife's work at Liberty Central, a conservative political education group she co-founded in January 2009 in part to energize Tea Party activists.

But the group did not officially launch until May 2010, which will only be covered during in the next disclosure period.

"We also continue to be puzzled by omission of Liberty Central as Virginia Thomas's most recent employer," Edgar said.

Thomas had come under fire last year for an article posted on Liberty Central's website originally attributed to her that suggested the recently passed health care legislation was unconstitutional. Critics suggested that her comments compromised Justice Thomas' impartiality on an issue that will likely come before the Court in the future.

Liberty Central released a statement at the time saying it "assiduously avoids" taking positions on the "constitutionality" of issues. Virginia Thomas stepped down from the day-to-day operations of the group in December 2010.

January 24, 2011

Thomas Cites Failure to Disclose Wife's Job

By ERIC LICHTBLAU



Matthew Cavanaugh/European Pressphoto Agency
Justice Clarence Thomas and his wife, Virginia Thomas.

WASHINGTON — Under pressure from liberal critics, Justice Clarence Thomas of the Supreme Court acknowledged in filings released on Monday that he erred by not disclosing his wife's past employment as required by federal law.

Justice Thomas said that in his annual financial disclosure statements over the last six years, the employment of his wife, Virginia Thomas, was “inadvertently omitted due to a misunderstanding of the filing instructions.”

To rectify that situation, Justice Thomas filed seven pages of amended disclosures listing Mrs. Thomas's employment in that time with the Heritage Foundation, a conservative policy group, and Hillsdale College in Michigan, for which she ran a constitutional law center in Washington.

The justice came under criticism last week from Common Cause, a liberal advocacy group, for failing to disclose Mrs. Thomas's employment as required under the 1978 Ethics in Government Act. While justices are not required to say how much a spouse earns, Common Cause said its

review of Internal Revenue Service filings showed that the Heritage Foundation paid Mrs. Thomas \$686,589 from 2003 to 2007.

The group also asserted that Justice Thomas should have withdrawn from deciding last year's landmark Citizens United case on campaign finance because of both Mrs. Thomas's founding of another conservative political group in 2009 and Justice Thomas's own appearance at a private political retreat organized by Charles Koch, a prominent conservative financier.

Justices Thomas and Antonin Scalia said in a statement released by the court on Thursday that they had each spoken at dinners at the Koch retreat and that their expenses were paid by the Federalist Society, a conservative legal group.

The additional filings released by the court on Monday regarding Mrs. Thomas's employment put Justice Thomas in the odd position of issuing two formal statements in five days about his personal dealings.

Bob Edgar, president of Common Cause, said he found Justice Thomas's explanation about the omission to be "implausible."

As a Supreme Court justice who regularly hears complex legal cases, "it is hard to see how he could have misunderstood the simple directions of a federal disclosure form."

Deborah L. Rhode, a law professor at Stanford University who specializes in judicial ethics, said the recent episodes could do some harm to Justice Thomas's reputation. But she added that it was unlikely to have any lasting impact on him or on the disclosure requirements that give justices wide leeway to decide whether they have a financial conflict in hearing a case.

Professor Rhode noted, for instance, that it was still unknown who contributed a total of \$550,000 to Liberty Central, the conservative legal group that Mrs. Thomas founded in 2009 in opposition to President Obama's policies. The amended disclosures filed by Justice Thomas, which do not include income in 2010, do not mention Liberty Central, and no regulation requires the group or the Thomases to disclose the source of the group's financial support. Mrs. Thomas left the group in the fall.

"There's no formal mechanism for review of conflicts among Supreme Court justices," Professor Rhode said. "Personally, I think issues like this are somewhat scandalous for the court, but from what we've seen when these issues have come up before, I don't see that changing."



Koch Brothers Feel the Heat In DC, as Broad Coalition Readies Creative Action to Quarantine the Billionaires Gathering in California Desert

By Don Hazen, AlterNet
January 27, 2011

As the right-wing Koch brothers get ready for their billionaires' strategy session in Rancho Mirage, Calif. on Sunday, Jan. 30, big questions are being raised in Washington about the Kochs' relationship with radical conservative justices Antonin Scalia and Clarence Thomas.

Charges of conflict-of-interest -- particularly in the infamous *Citizens United* decision that opens the floodgates to anonymous corporate money in elections -- have been raised by Common Cause. Both Scalia and Thomas have admitted, according to a [newspaper in Palm Springs](#), to speaking at private dinners hosted by Kansas oil tycoon Charles Koch, who, along with his brother David, has funded a wide array of right-wing causes and spent many millions on behalf of right-wing candidates.

[Common Cause](#), led by former congressional member Bob Edgar, with the irrepressible Robert Reich as chair of the board, has taken a leadership role in a broad, unprecedented coalition organizing the gathering and rally in the desert on Sunday. ([Click here for information about the protest.](#)) In addition to Common Cause, groups working the event range from the California Courage Campaign and California Nurses Association to the more rambunctious CodePink and the Ruckus Society. The broad coalition is testament to the fact that the Koch brothers, via dozens of fake groups and money funnels, have poured millions into efforts to undermine and block many issues important to a wide array of constituencies, including aging people, union members, environmentalists, and those fighting against corruption and for good government principles that enhance democratic processes. Especially infuriating to many were efforts to undermine campaign finance laws and unleash unlimited corporate money in elections via the *Citizens United* decision.

Quarantine This Corporate Sickness

The protester network is using the metaphor of sickness spreading across America to explain the impact of the Koch brothers and their co-conspirators. According to their press materials, "Families are in crisis. Jobs are down, foreclosures are up and folks are struggling to make ends meet. The middle class is under attack. For the first time ever, families in America don't believe their children will have a better life than their parents. This infection of the body politic is driven by a handful of big corporations and greedy billionaires like the Koch brothers."

The activists urge people to be "Be part of the cure! Help us quarantine this corporate sickness and stop it from spreading further and deeper into our democracy."

"Our take is that Americans are suffering," said Mary Boyle of Common Cause. "They're out of jobs, losing their homes, unable to afford health care and worried about the future. Meanwhile, an elite few like the Kochs are taking tighter control of our government by tapping vast corporate profits to influence public policy."

What exactly is going to happen at Rancho Mirage is a closely held secret. There will of course be a public meeting with top talkers like Reich, Van Jones and DeAnn McKewan of the California Nurses Association. And there will be a peaceful march. But with creative activists like John Sellers of the [Ruckus Society](#), local officials, who by all accounts have been extremely cooperative, will be on their toes. (Sellers was once arrested and held for \$1 million bail in anticipation of protests at the 2000 Republican convention in Philadelphia.)

As reported by Clare O'Connor at [Forbes.com](#), "Part of Common Cause's agenda is pushing for campaign finance reform, so the Koch brothers and their ultra-rich peers can no longer get away with anonymous spending. Boyle cited the midterm elections, when the Kochs spent untold millions on right-wing candidates and causes. Publicly, only about \$3.9 million can be traced to the brothers, some of it via their oil conglomerate Koch Industries. However, they may have given far more: the advocacy group David founded, Americans for Prosperity, gave \$45 million toward Republican candidates and causes, but senate legislation means the group isn't required to disclose its donors. (David was at the opening of Congress earlier this month to witness the results of AFP's contributions.)"

O'Connor notes that "Common Cause's invitation for the rally refers to the Kochs' event as 'the Billionaires Caucus' and if the guest list from their last meeting is any indication, it will indeed be a Who's Who of Forbes 400 power players. According to a [letter Charles Koch sent out to invitees](#), the last summit was attended by Phil Anschutz, Blackstone's Steve Schwarzman, Amway's Rich DeVos, Citadel's Ken Griffin, and Ken Langone, Home Depot's original investment banker."

The Koch Industries dinner appears to be one of many secretive right-wing gatherings where conservative justices schmooze with corporate donors and Republican operatives. Lee Fang of the [Center for American Progress](#) has uncovered more events attended by conservative Supreme Court justices, including events at the Manhattan Institute, a conservative think-tank in New York that produces right-wing policy papers as well as sponsoring speeches for judges and Republican politicians. In 2008, Justice Thomas headlined the Manhattan Institute's Wriston Lecture; last October, Justice Alito was the headline speaker for the same event.

Don Hazen is the executive editor of AlterNet.

The billionaires are coming: Obama's richest enemies to hold summit

Koch brothers to host rightwing politicians and business leaders at California resort to discuss how to influence politics

By Ed Pilkington in New York
Friday, 28 January 2011



Rightwingers, Wall Street chiefs and industrial magnates will discuss Barack Obama's 'anti-business' stance at Rancho Mirage, California.

Photograph: Alamy

Amid great secrecy, about 200 of America's wealthiest and most powerful individuals from the worlds of finance, big business and rightwing politics are expected to come together on Sunday in the sun-drenched California desert near Palm Springs for what has been billed as a gathering of the billionaires. They will have the chance to enjoy the Rancho Mirage resort's many pools, spa treatments and tennis courts, as well as walk in its 240 acres away from the prying eyes of TV cameras.

But the organisers have made clear that the two-day event is not just "fun in the sun". This will be a meeting of "doers", men and women willing to fight the Obama administration and its perceived attack on US free enterprise and unfettered wealth.

As the invitation says: "Our goal must be to beat back the unrelenting attacks and hold elected leaders accountable."

The reference to the accountability of America's elected leaders is ironic, bearing in mind that the gathering has been convened by two brothers who have never been elected to public office and are among the most unaccountable and secretive political players in the country.

David and Charles Koch enjoy a combined fortune of \$35bn (£22bn), run the second largest private company in the US, Koch Industries, and are increasingly using their fabulous riches to push their special interests within America's political process. Nobody knows precisely how much they spend on influencing elections and lobbying Congress, but it is thought to be scores of millions of dollars.

By similar vein, the guestlist for their gathering on Sunday is unknown. Past attendees at the twice-yearly event include supreme court judges, rightwing media celebrities such as Glenn Beck and Rush Limbaugh, prominent governors of southern states such as Bobby Jindal (Louisiana) and Haley Barbour (Mississippi), as well as leading figures from Wall Street and energy companies, and titans of industry.

The format of the gathering will be similar to previous Koch events, the last of which was held in Aspen, Colorado, in June. The assembled tycoons will talk about some of the Koch brothers' pet horrors – the growth of government and state regulations, what they call climate change "alarmism" and "socialised" healthcare.

Then they will share ideas about how to tighten their grip on politics and the judiciary by shaping election campaigns.

But this year's reception will differ in one important regard: it will have an opposition. For the first time, a coalition of progressive and liberal groups has formed to try to counter the power of the Koch brothers.

The anti-Koch gathering will be staged down the road from the Rancho Mirage. It will hold its own – open, as opposed to secretive – panel discussion and a rally designed to highlight what its organisers see as the pernicious impact of the Kochs on the democratic process.

"We want to raise public awareness of the harmful influence of corporate money. The Koch gathering embodies all that we consider damaging to our democracy," said Mary Boyle, of Common Cause, a campaign group that has spearheaded the opposition.

Among the panel speakers will be Robert Reich, the labour secretary under Bill Clinton. He believes the Kochs represent what he calls a perfect storm that is battering American democracy. "This is the worst I've seen it in my lifetime. In the late 19th century, robber barons would deposit bags of silver and gold on the desks of legislators. We've progressed significantly since then, but once again big business is engaging in politics."

The reach of corporate agitators personified by the Kochs has been greatly extended by Citizens United, a landmark ruling by the supreme court in January 2010 that opened the door to corporate spending on political campaigns for the first time since 1947. The ruling led to a

splurge of secret outside funding in the 2010 midterm elections in which about \$300m was spent, a threefold increase on 2006.

The Koch brothers made good use of the ruling. Again, how much they invested in the elections is not known, but Americans for Prosperity, the Tea Party-aligned movement founded and funded by the Kochs, has put its own spending at \$45m.

Common Cause this week called on the US attorney general to investigate a possible conflict of interest. The group pointed out that two supreme court judges – Clarence Thomas and Antonin Scalia – had taken part in strategy sessions in a previous Koch gathering. Both ruled in favour of lifting the ban on corporate political spending, a move that directly forwarded the Koch brothers' political aspirations.

"What we are seeing is a form of legalised bribery," said Rick Jacobs, founder of the Courage Campaign that is participating in Sunday's counter-gathering. "Here are the Koch brothers with their unbridled wealth, using it to shape society as they see fit. It's our obligation to do everything we can to stop them."

Critics of the brothers point out that many of the ways they seek to influence politics serves their own personal and corporate interests. They lobby for lower personal and corporate taxes, which doubly benefits them as individual taxpayers and as owners of a company with an annual turnover of about \$100bn.

Since 2006, the Kochs have been the largest political funders of any energy company in the US. They have backed thinktanks and campaigns that have spread doubts about climate change, which suits their purposes as oil and coal magnates who have been named among the top 10 air polluters in the country.

Their sustained fight through the Tea Party movements against government regulations also benefits their multiple concerns, that range from oil pipelines to paper cups, wood, carpets and Lycra.

"I don't want to demonise the Koch brothers personally," Reich said. "But they demonstrate how vast wealth is now being funnelled into the political process in secret, undermining our democracy."

Attendees of past Koch gatherings

Justice Clarence Thomas: A member of the US supreme court since 1991, he tends to vote with the majority conservative wing of America's highest judicial panel. His wife, Virginia Thomas, is a lawyer active in rightwing politics, having founded and led until the end of last year [Liberty Central](#), a group that opposes what it sees as the "tyranny" of the Obama administration.

Glenn Beck: The notorious Fox News commentator is also a hugely successful businessman, earning \$32m last year from his empire of TV and radio shows and books. This week he was the

subject of an [open letter from 400 rabbis](#) who protested against his persistent references to Nazis and the Holocaust as terms of abuse against leftwing opponents.

Senator Jim DeMint: The senator for South Carolina is one of the most consistently rightwing members of the Senate and a darling of the Tea Party movement. David Koch has personally singled out DeMint for praise after the politician vowed to destroy Obama's healthcare reforms.

Fred Malek: A former aide to George Bush, Malek was one of the top fundraisers for the \$56m attack ad campaign that senior Bush adviser Karl Rove unleashed in the 2010 midterm elections, directed against Democratic candidates.

Steve and Betty Bechtel: Some of the many industrialists who have attended past Koch events, they own the largest engineering company in the US, the Bechtel Group.

David Chavern: No 2 at the US Chamber of Commerce, a business coalition that spent up to \$75m on launching attack ads largely against Democrats in the 2010 midterm elections – twice the amount it spent on the 2008 elections.



'Secret' weekend meeting fires up debate over \$\$\$, politics & influence

January 28, 2011

By CNN Political Producer Shannon Travis



David Koch at an event in New York.

Washington (CNN) - This weekend, at a posh resort near Palm Springs, California, two billionaire corporate titans will convene a semi-annual meeting of a politically well-connected set. It will include wealthy donors and powerful Republicans, including House Majority Leader Eric Cantor.

At David and Charles Koch's meeting, attendees will discuss items like how best to promote free markets and how to help elect conservatives. Donors are expected to be asked to donate to conservative causes.

It will be conducted virtually in secret, with no press or public allowed and many attendees keeping event details on the hush.

That's fueled criticism that this gathering is a sort of secret cabal - a "Billionaires Caucus," critics

say. Robert Reich, former Labor Secretary in the Clinton administration, even said that the Koch brothers' meeting represents "a threat to our democracy."

Those and other criticisms were leveled during a Thursday telephone press conference for reporters organized by the liberal-oriented, nonprofit group, Common Cause. On Sunday, the group will hold events to counter the Koch's weekend conference: hosting a panel discussion titled, "Uncloaking the Kochs" and spearheading a protest rally, both near the Rancho las Palmas resort, the site of the Koch meeting.

A central issue inflaming this debate: the role of corporate money in politics, especially after last year's landmark Supreme Court campaign finance ruling. That decision, in *Citizens United v. Federal Election Commission*, found that the "government may not suppress political speech on the basis of the speaker's corporate identity."

During the telephone press conference, Reich said that decision "opens the floodgates to any amount of money by corporations and rich individuals" to be used in the political system - echoing the sentiment of many others. And many of them, Common Cause included, accuse the Koch brothers of funding a conservative political network to advance their corporate interests and political beliefs.

Koch Industries is the second largest privately-held company in the United States. It's based in Wichita, Kansas, and is involved in industry areas such as energy, fibers, and chemicals, among others.

Koch Industries spokeswoman Nancy Pfotenhauer responded specifically to criticism of the weekend meeting.

"Those that are attending the conference believe that everyone benefits from the prosperity that emerges from free societies," Pfotenhauer said. "This gathering is meant to discuss strategies for promoting policies that will help grow our economy, foster free enterprise and create American jobs."

The Koch Foundation is one of many donors to The Heritage Foundation. Rory Cooper, director of communications for Heritage, reacted to the criticism of the Koch meeting - though he explained his group has nothing to do with it.

"I don't understand the criticism of people getting together and talking about politics and governance," Cooper said. "I think a lot of the people who I've seen, making those statements, so far, have been people who are not transparent in their own regards. So I think that there's certainly a great deal of hypocrisy here."

This issue of transparency - of who's disclosing what - also enflames the debate.

Common Cause's effort to "Uncloak the Kochs" stems from their claim that the brothers are secretly funneling money into efforts that will, eventually, advance their interests. Van Jones, senior fellow at the Center for American Progress, partly put it this way: "They are the King

Kong and Godzilla of bad policy, trampling through our democracy. And they must be exposed and they must be stopped."

Koch Industries' website denies charges like these.

"For more than 40 years, these brothers have been open and steadfast proponents of individual and economic freedom," it states. "Through their personal involvement and private foundations, they have lawfully supported activities and causes consistent with their beliefs."

Meanwhile, the Center for American Progress also faces questions about its political ties and level of donor transparency. Its president and chief executive officer is John Podesta, former chief of staff for President Bill Clinton and an ally to the Obama White House.

As for donors, there are questions about who donates to the Center for American Progress - some accusing the group of keeping its donor list secret.

When pressed on this point by CNN, the group would only reiterate its "concern with the Kochs."

Common Cause, which faces the same question, responds differently.

"We are revealing our donors," Bob Edgar said. "If you contact us, you can have access to that. We have strict policies of sharing that information. You just need to contact us."

Meanwhile, as liberal or Democratic-aligned groups play up the Koch brothers' ties to conservative groups - others say it's not much different from what progressive organizations do.

Conservative critics often cite wealthy donors, like billionaire George Soros, who help fund liberal groups, like the Democracy Alliance. And they say what Soros and liberals are doing is not much different than what the Kochs and other conservatives are doing: promoting their political beliefs.

Participants in Thursday's telephone conference call vehemently outlined what they see as differences.

Edgar of Common Cause said: "It's not millions of dollars, it's billions of dollars available to them. It's the size of their reach. A few years ago, there was an analysis done of how much the radical right has invested in trying to shape policy versus all of the progressive, liberal organizations. The difference in volume and amounts of resources is very different."

February 14, 2011

Common Cause Asks Court About Thomas Speech

By ERIC LICHTBLAU

Published: February 14, 2011

WASHINGTON — Discrepancies in reports about an appearance by Justice Clarence Thomas at a political retreat for wealthy conservatives three years ago have prompted new questions to the Supreme Court from a group that advocates changing campaign finance laws.



Alex Wong/Getty Images
Justice Clarence Thomas appeared at a political retreat in 2008.



Eric Thayer for The New York Times
Protesters showed up at another assembly last month in Palm Springs, Calif.

When questions were first raised about the retreat last month, a court spokeswoman said Justice Thomas had made a “brief drop-by” at the event in Palm Springs, Calif., in January 2008 and had given a talk.

In his financial disclosure report for that year, however, Justice Thomas reported that the Federalist Society, a prominent conservative legal group, had reimbursed him an undisclosed amount for four days of “transportation, meals and accommodations” over the weekend of the retreat. The event is organized by Charles and David Koch, brothers who have used millions of dollars from the energy conglomerate they run in Wichita, Kan., to finance conservative causes.

Arn Pearson, a vice president at the advocacy group Common Cause, said the two statements appeared at odds. His group sent a letter to the Supreme Court on Monday asking for “further clarification” as to whether the justice spent four days at the retreat for the entire event or was there only briefly.

“I don’t think the explanation they’ve given is credible,” Mr. Pearson said in an interview. He said that if Justice Thomas’s visit was a “four-day, all-expenses paid trip in sunny Palm Springs,” it should have been reported as a gift under federal law.

The Supreme Court had no comment on the issue Monday. Nor did officials at the Federalist Society or at Koch Industries.

Common Cause maintains that Justice Thomas should have disqualified himself from last year’s landmark campaign finance ruling in the Citizens United case, partly because of his ties to the Koch brothers.

In a petition filed with the Justice Department last month, the advocacy group said past appearances at the Koch brothers’ retreat by Justice Thomas and Justice Antonin Scalia, along with the conservative political work of Justice Thomas’s wife, had created a possible perception of bias in hearing the case.

The Citizens United decision, with Justice Thomas’s support, freed corporations to engage in direct political spending with little public disclosure. The Koch brothers have been among the main beneficiaries, political analysts say.

Accolade Competition Deadline: August 26, 2010

Best of Show Winners

Athena Productions LLC, *Silent Shame*, feature documentary, is about the journey of a Japanese-born filmmaker to confront the darkest memories of her country's involvement in war crimes during WWII and the impact on today's society. Well crafted, powerful film by the very talented filmmaker Akiko Izumitani. www.silentshamedocumentary.com

Razor Films UK (United Kingdom), *The Honey Killer*, feature film, is about a beautiful femme fatale who kills her boyfriends for money. This highly original and stylish comedy was shot in 23 days and in 16 different locations, has colorful characters and entertaining script. www.thehoneykiller.com

Salem Produções (Brazil), *Vento*, short film, in which a small isolated town in Brazil becomes windless. The adults act strange with no hope and no optimism. In the middle of all this, a young boy wants to change his life and pursue his dreams. Unique style and masterful direction. www.youtube.com/watch?v=X-Xd4NdJiWA

Tower 17 Productions, *Twentysixmiles*, miniseries, is an independently produced, six episode television series set on California's beautiful Catalina island. It has quirky characters and upbeat, positive messages for families and teens. www.twentysixmiles.com

Award of Excellence Winners

9MM Production (France), *Beneath the Surface*, short film

Curio Film Productions Ltd (United Kingdom), *Curio*, feature film

David Krupicz (Canada), *Archon Defender*, animation

Dori Media Group (Israel), *Split - Second Season*, drama program/series

EXERO HDTV (Australia), *13 Strings*, feature film

Frantic Films (Canada), *'Til Debt Do Us Part - Blended Family Blues – episode 8100*, on-camera talent (host: Gail Vaz-Oxlade)

Ginzberg Video Productions, *Sowing the Seeds of Justice*, feature documentary

Greg Watkins, *This is Hamlet*, educational video

High Wire Films (Australia), *Lowdown*, comedy program and leading actor (Alex)

Horizon Films Pvt Ltd (Australia), *Riwayat*, feature film

Jamie Moniz & Genie Willett, *Stalker Chronicles*, podcasts/webcasts/webinars

Joshua Records, LLC, *Keiko: The Untold Story*, feature documentary

Karolyn Szot, *Message Received*, viewer impact: content/message delivery

Kemper Kommunikation GmbH (Germany), *Cayenne Emotrailer "Against all odds"*, sales/branding/product demonstration

Kevin Chan (Singapore), *Yours Truly*, editing

Liaoning TV Station/LIC (China), *Chinese Merganser - Love Birds From the Ice Ages*, short documentary

Lost Art Films (Australia), *El Monstro del Mar!*, feature film

Maitely Inc., *Mother Eve's Secret Garden of Sensual Sisterhood*, webisode

Mark Hagerling, *Magic in the Forest*, original score

Milo Productions, LLC, *Ridin' The Dog!*, feature documentary

Ophir Production (Italy), *Deu Ci Sia*, short film

Push it to the Limit Pictures (Australia), *Chick Flick*, feature film

Radio Television Hong Kong (China), *Cadenza - Colours for the Aged*, direction

RIT SportsZone, *SportsZone Live RIT vs. Air Force Hockey*, live TV events

RNG Films, *Life! Camera Action...*, feature film

Roy Khalil (Lebanon), *All Birds Whistle*, short film

RTÉ (Ireland), *Single-Handed 3: The Drowning Man*, drama program/series

Snagbuddy Productions, *Grown Folks*, music video
Stephen Schioppo, *A Safe House*, feature film
Steven Cowan, *Priceless*, short documentary
Tolerance Through Knowledge, *The Desperate*, short film
Trost Moving Pictures, *A Christmas Snow*, feature film
Turner Studios - Original Productions, *Grady Health System Foundation "Helping Hand"*, viewer impact motivational/inspirational and use of film/video to enhance website
University of Southern California, *Signal*, short film
Wedmoments (Greece), *The Butterfly Effect*, weddings and dramatic impact

Award of Merit Winners

1,001 Ways Productions, LLC, *1,001 Ways to Enjoy the Missionary Position*, feature film
322 Films, *Pleasures*, leading actor (Robert Factor)
904 Productions, *The 904*, feature documentary
Allusion Pictures, *The Gypsy*, short film
Almost Free, *The Obsession*, feature film
Andrew Carlberg, *Til My Voice is Gone*, music video
Appleseed Entertainment, *Ellipse*, short film
ArbatFilm, *Take Off One Ear!*, short documentary
Arcata Arts, *Sensual Massage Made Simple*, educational/instructional
Atlas Productions LLC, *Citizen Mayor*, feature documentary
Blue Moon Films LLC, *Hamlin Pond*, feature film
Brian Luke Seaward, *Earth Songs: Mountains, Water and the Healing Power of Nature*, short documentary
Brian Lynch (Canada), *Indelible*, short film
Bruce Hyer, *Tamassee: The Place of the Sunlight of God*, nonprofit/fundraising
Carnegie Mellon University, *Ready-girls*, health/medicine/science
Chiara Cavallazzi (Italy), *Changement l'Histoire à travers les yeux des guinéiens*, feature documentary
CIESC, *Public Schools Work*, contemporary issues/awareness raising
Cinema do Polvo (Brazil), *Claudia*, feature documentary
City of Titusville FL, *A Max Brewer Bridge Replacement and Enhancement Project*, public service programming
ClearMetrics, *TWINLAB Meat Muscles*, commercial/infomercial and creativity/originality
Cooley Productions, Inc., *Unaware*, feature film
Cristaldi Pictures (Italy), *Rita*, short film
Darren Horne (United Kingdom), *The Maniac Project*, feature film
David Kinskey-Lebrada, *1 Year for 2 Minutes*, college/university/government
Denkmal-Film (Germany), *Scientists Under Attack - Genetic Engineering and the Magnetic Field of Money*, feature documentary
Derek Meyer, *The Hatter's Apprentice*, short film
Diverboy Films (Canada), *The Last Stop*, short film
Dream Balloon Animation Studios, *The Whisper Home*, feature film; and *We Are the Head Chefs*, music video
DreamStreet Pictures, *Positive*, short film
DVW Films, *Controlled Burn*, short film
Edmund Fargher (United Kingdom), *Manning the Baton*, short documentary
Eman Pictures (Canada), *Inner Quest*, feature film
Emotive Films (Canada), *Determined*, short film
ETPNEW, *The Hidden Homeless*, documentary program
Eye Goddess Films, *Pink Smoke Over The Vatican*, feature documentary, editing and voice-over talent (Jules Hart)
Fall Risk Films, *By Love and Art Scarred*, feature film
Feldsott Entertainment, LLC, *Under-Tow*, short film

Felix de la Concha, *La Historia Más Larga de Bilbao Jamás Pintada*, short documentary
Fernando Ortigas (Philippines), *Reality Check!*, short film
Film 38 (United Kingdom), *Inbetween*, leading actor (Slavko Stanic: Branko Tomovic)
Film Fatale & Mad-G Productions, *Player Hating: A Love Story*, feature documentary
Final Cut Productions, *Renaissance of the Dead*, feature film
Five Strangers Films Ltd (Canada), *Poker Face*, commercial/infomercial and humorist
Fox Learning Systems, *Caring For Those Who Cared For Us: Dementia*, health/medicine/science
Frank Raffel (Germany), *The Dark Warrior*, feature film
Frantic Films (Canada), *'Til Debt Do Us Part - Blended Family Blues – episode 8100*, reality programming
Fund for Sustainable Tomorrows, *Scarred Lands & Wounded Lives - The Environmental Footprint of War*, feature documentary and viewer impact: content/message delivery
Gideon Emery, *Sex Drive*, tube length video
Grellman Film, *Whiskey Blue*, feature film
Hawkeye Productions, *Patchwork*, short documentary
HAS III Inc., *Barbarossa and the Towers of Italy*, short documentary
High Wire Films (Australia), *Lowdown*, direction
Humble Productions, *Humble Beauty: Skid Row Artists*, feature documentary
In A Minute Productions, *Convergences*, experimental film
Jeeperz Crow Productions (Canada), *One Night Only*, short documentary
Jeremy Newman, *The Persistence of Forgetting*, video remixes/mashups
Jester Pictures, *We'll Be Alright*, music video
Jigsaw Films, *Adam Blank Gets A Vasectomy*, short documentary
Jodi Wu, *Arpaio's America*, short documentary
Jonathan Coleman, *I'll Call You*, short film
Jordan Mohr, *Hollywood Mouth*, feature film
Joseph Jolton, *Winter's Discontent*, short film
Josephine Mackerras (France), *Prayer*, short film
JPNT Films, *Jimmy Traynor's "Second Chance"*, actor supporting (Rick: Tom Lyle)
Judith Levine, *Midlife*, short film
Julian Dobrev (United Kingdom), *A Spirit To Guide*, short film and direction
Karolyn Szot, *Message Received*, special purpose film
Kat Coiro, *Idiots*, short film
Katrina Frederick, *Imaginary*, short film
Kemper Kommunikation GmbH (Germany), *MHP Image Film "It works"*, industrial/technical/business
Kevin Chan (Singapore), *Yours Truly*, short film and sound editing/mixing
Klaus Schrefler (Austria), *Intiñahui*, experimental film
Law and Order SVU, *Mozambique*, short documentary
LolitaMoon Productions & and Korry Productions, *Of Yesterday and Tomorrow*, short film
Loyola Marymount University, *Marvin*, short film
madnessfilms, *A Day in the Life*, short film
Meeting the Challenge, Inc., *Invisible Voices*, use of film/video for social change
Melinda Prisco (Spain), *Play Mates*, television pilot program
Michael Gorrie, *Nothing Personal*, feature film
Midnight Blue Films, *Two Fireflies*, feature film
Milo Productions, LLC, *Ridin' The Dog!*, original song (Roll on Home: Opening Song by Alan M. Whitney and Bill Bairley) and viewer impact: entertainment value
Mindflow Media, *We Shall Not Be Moved*, history/biographical/travel
Miro Digital Arts, *Enter The Dark*, short film
Miss T, *Kitty*, short film
Monelli Films, *The Grave*, short film
Monumental Pictures, *The Death of Hollywood*, feature film
Moonshadow Productions, *Love You to Death*, contemporary issues/awareness raising
Mundo Loco Films, *The Cycle*, short film

Nathan Ruegger, *Another Life*, short film
Native Sun Teleworks, LLC, *"Stubborn As A Mule!"*, short documentary
Niko Hronopoulos, *The Eater*, short film
Ocular Nutrition (Canada), *Apocalypse Story*, short film
One of Each Productions, LLC, *The Learning Curves*, television pilot
Phwoar, LLC, *Stealing*, short film
Picture Trail Productions (Australia), *Sent Beyond*, short film
Potion Pictures, *Up&Down*, feature film
Praatiek Dodeja, *Mission Rajasthan*, short film and direction
President Street Promotions, *That Show with Michael Rakosi*, interview/talk show
Productions Forever (France), *Teenagers*, feature film
Quagmire Productions (Australia), *The Toll*, feature film
Radio Television Hong Kong (China), *Cadenza - Colours for the Aged*, cinematography and leading actress' and *Do Not Gamble Campaign - Don't Gamble Your Family Away*, public service programming
Real World Productions, *Backpack the Grand Canyon*, educational/instructional
Reality's Illusion Productions, *To Have & Have More*, feature film
Ricardo Manavello, *The Dive*, short film
RIT SportsZone, *SportsZone Season 8 - Episode 1 – 106*, sports/fitness and post-production overall
RNG Films, *Life! Camera Action...*, cinematography, direction and dramatic impact
Robert Bruce (Canada), *Songs of Human and Divine Love – I*, short documentary
Roman Pictures, *Mismatch*, television pilot program
Ross Bark (Australia), *Best Enemies*, short film
RTÉ (Ireland), *Seamus Heaney: Out of the Marvellous*, feature documentary
Scrap and Taffy Productions, LLC, *Sniff, the dog movie*, feature documentary
Semplice Pictures & Brink Tank Productions, *Live My Life*, music video
Sergio Camacho, *Paradise*, short film
Severe Enterprises, *Ipon!*, animation
Shalamar Records/Three Alexander Music, *A journey from the N-Side: an unscripted profile of a jazz/poet*, short documentary
Shams Charania, *Life of a Cabbie*, short documentary
Sheldon Pearson (Canada), *Bike Trails: Regaining Balance*, short documentary
Snowball's Chance Productions, *Sweet Sweet Baby*, short film, dramatic impact and editing
Sonia Eye Documentary, Inc. (Canada), *We Can't See You Beating Us*, short documentary and viewer impact: motivational/inspirational
Stephen Rota (Malta), *Il-Hajja (Life Cycle)*, short film
Steve Ly, *Fighter*, animation
Tara von Baron, *The Samurai of Strongsville, Ohio*, short film
Tatvam Productions, *In That Moment*, short film
The Light Millennium/LMTV, *Francis Bacon: "Humans Are Violent"*, arts/cultural/performance/plays
The Money Shot (Australia), *Northcote (So Hungover)*, music video
The Walkabout Company, *Detective*, commercial/infomercial
Tirtza Even, *All Day*, experimental
Tonya Lehman, *3 Days 2 Buildings 100 People*, short documentary
Towson University, *Hope: Then & Now*, short documentary
Traquitana Filmes (Brazil), *Na Madrugada*, short film
Tucker Kloetzke, *The Dead Body*, short film
Turner Studios - Original Productions, *Grady Health System Foundation "What If?" PSA*, PSA
Union College, *Detour*, feature film
University of Southern California, *Vicissitude*, short film
V-Shaw Productions (Canada), *Rev: A Buried Treasure*, short film
Videoview (Greece), *Eutuxis & Eleni*, weddings
White Lotus Film LLC, *The Name is Rogells (Rugg-ells)*, feature film
WMCD, LLC, *White Men Can't Dance*, feature film

Wordwise Productions, *Dying Wish*, health/medicine/science
Z.N. Enterprises, *Burning Away*, short film

Priceless, The Movie

Oct. 19, 2010

By Steve Cowan of Portland, Oregon. *Steve is the executive director of [Habitat Media](#) and the director and producer of Priceless. (Free sneak-preview movie premiere tonight, October 19, 7pm at Ecotrust -- 721 NW 9th Avenue in Portland (Pearl District). Snacks, beer and wine provided.)*

Why did I make Priceless, a new non-partisan film about America's electoral system?

In short, I wanted to follow the money. My crew and I followed the money in the American political system from big industry campaign coffers to K Street to Capitol Hill, through two major American policies (farm & energy), and right back into the pockets of the same industries that planted the money in the first place. Along the way, we met citizens who feel the everyday impact of big-lobby policies, and who've decided to do something about it.

The idea for the film came after I realized that many of the environmental and social issues I typically makes films get their start in one place: the policy realm. My crew and I decided to travel to "the headwaters" of two policies, farm and energy, because policies in these areas seem to change little despite growing signs of serious issues. Each year, farm and energy policies direct billions of taxpayer dollars (as subsidies) to the industries that also happen to contribute generous campaign cash to lawmakers. To average citizens and even the third-grade civics students who are in the film, this business-as-usual approach to policymaking looks suspicious. The filmmakers set out to learn if the problem is one of perception-only or actually a case of institutionalized corruption.

In Salem, Oregon, we met with a group of Iraq war veterans on a cross-country bus tour to advocate a cleaner energy path, former soldiers who've come to believe that our nation's reliance on dwindling fossil fuel resources plays leads to climate changes and plays a strong role in shaping foreign policy. Along the way, those veterans meet a clean energy entrepreneur who explains that clean energy technology and infrastructure develop at a glacial pace because most government subsidies still go to oil, coal and gas.

We traveled to vast farmlands in California and Iowa where precious freshwater resources are being contaminated with pesticides and chemical fertilizer. We met farmers compelled to grow chemical-intensive commodity crops in order to receive direct subsidy payments from the government. Many of these farmers would like to switch to organic but feel, "trapped on a subsidy treadmill."

During filming, I was surprised go to Washington DC and hear the same talking points from both lobbyists and members of powerful Congressional committees. Those talking points include arguments that the world would starve without chemical agriculture, that wind and solar technologies are "way off in the future," and that climate change is, after all, an unproven science. When we asked about the possible influence of campaign contributions in making these policies, most members of Congress said there is none, but they readily admit that they spend about a third of their time fundraising and that lobbyists and industry PACs help raise their money... and therefore get more of their time.

Want to see lawmakers explain how they hate fundraising, and discuss how they'd like the option of a public campaign fund similar to what is available in Arizona, Maine and Portland, Oregon? Please join us at tonight's sneak-preview premiere at 7:00 p.m. at Ecotrust in the Billy Frank Room (721 NW 9th Avenue Portland in the Pearl District). I hope to see you there.



The Curious Constituent: Three budget propositions you haven't head of - and why they matter

KALWNews.org

By Mitzi Mock



Suspending climate control, legalizing pot, career politicians vs. CEO candidates-these are the contentious issues that have dominated California's election season.

But there are a few propositions on our state ballot with which you may be less familiar. So here's a quick rundown of some of the lesser known measures that put billions of dollars at stake.

[Prop 24](#)

California recently passed three [new laws for taxing businesses](#), all of which go into effect in 2011. Prop 24 would toss those laws out.

If Prop 24 *doesn't* pass, California businesses will now be able to:

- Carry back losses (e.g. If you make a profit in 2009 but have net losses in 2011, you can deduct your 2011 losses against your 2009 income).
- Share tax credits with joint businesses (e.g. Let's say a company gets a research and development tax credit for coming up new technology. Well, that credit can be shared with other businesses operating under the same corporation).
- Choose between two formulas to determine state taxes each year (only for multi-state companies).

Prop 24 supporters see these laws as major tax loopholes that eliminate billions in potential state revenue. That's why [major unions](#), including teachers and state workers, are supporting efforts to squelch them before they start.

But business leaders say the new tax laws are just what our economy needs: they'll [attract businesses to California](#) and encourage the research and development we need to spur industries, and [one study shows](#) that these tax breaks could lead to 144,000 new jobs.

Check out who is supporting the campaigns for and against Prop 24-and how much they've contributed to those causes-at MapLight's [Prop 24 page](#).

Prop 25

For 19 out of the last 25 years, California has started the new fiscal year [without a budget](#). But this trend could switch direction if Prop 25 passes.

Prop 25 would change the legislative vote requirement to pass a budget from two-thirds to a simple majority. It also adds pressure to legislators by nixing their salary for every day the budget decision goes over deadline.

Supporters says Prop 25 will save our state money. This year's budget gridlock cost our state [\\$52 million per day](#). It will also help ensure that the state's private contractors, who provide essential services such as health and child care, won't be [left without payments for months](#) as they have been in the past.

Opponents worry that the change could enable reckless spending decisions. They also argue that fees or levies built into the budget could amount to new taxes slipping through with a simple majority vote.

However, the state [court of appeals](#) found nothing in the proposition that would allow the Legislature to circumvent the two-thirds rule for creating or hiking new taxes.

Want to hear more about Prop 25 from both sides of the issue? Check out yesterday's Prop 25 debate on [Your Call](#).

Prop 26

Assemblyman Mark Leno and SF County Supervisor David Chiu call this the "[most dangerous proposition you haven't heard of](#)." So what's the deal?

Well, right now the state imposes fees on industries to offset costs related to public safety, health care, the environment etc. For example, to help cover the costs of environmental monitoring, the state imposes fees on polluters. To support health care costs, the state requires fees from alcohol companies. If Prop 26 passes, it would simply change California's constitution to require a two-thirds majority vote to impose regulatory fees like the ones above.

Sounds harmless, right? Depends on who you ask.

Opponents fear Prop 26 could put funding for public safety, health care and environmental protection at risk. The [Legislative Analyst](#) estimates a possible loss of \$1 billion in annual revenue.

On the other hand, supporters of Prop 26 say this issues is about transparency and fairness. Regulatory fees can add up to billions that consumers and small businesses absorb in the long run. Plus, the proposition isn't getting rid of fees; it's just requiring a higher threshold to pass them. Even a former general counsel for the California Environmental Protection Agency has [said Prop 26 wouldn't undermine environmental protection efforts](#).

Check out who is supporting the campaigns for and against Prop 26-and how much they've contributed to those causes--at MapLight's [Prop 26 page](#).

White House Opposes GOP Attack On Public Financing, But Obama Makes Flawed Advocate

01/25/11



WASHINGTON -- The Obama administration on Tuesday released a policy statement formally opposing a House Republican bill to end the public-financing system of presidential elections.

The statement, released by the Office of Management and Budget, urged that public financing be "fixed rather than dismantled" and argued that, absent some form of taxpayer money, candidates would be completely dependent on "corporations and special interests" and forced into an "endless cycle of fundraising at the expense of engagement with voters."

On Monday, White House Press Secretary Robert Gibbs offered similar sentiments, telling The Huffington Post during his daily press briefing that "ensuring that we have a fair campaign system is something that we all support."

The two statements add up to a relatively rare show of force from the Obama White House, which often prefers not to publicly argue for particular legislative action. Campaign-finance reform advocates welcomed the show of support, coming just ahead of the House debate over H.R. 359, a Republican bill that would eliminate public funds for presidential elections.

"The current system is very clearly broken - reformers and President Obama agree on this," Nick Nyhart, president and CEO of Public Campaign, wrote in an email to The Huffington Post. "It's just as clear that the White House and Congress should now work together to fix the outdated system, not repeal it, by giving more clout to small contributors."

But it's hard to see Obama as the ideal spokesman for public financing. He was, after all, the [first presidential candidate](#) since Watergate to opt out of the public system, freeing his campaign to raise hundreds of millions of dollars.

Despite insistence that he favors strengthening campaign-finance laws, there is no indication that Obama will use the public system in his 2012 reelection campaign, and his aides have done little to tamp down talk that it might be the first billion-dollar election.

As a result, the president has become a symbol for Republicans to exploit, not just as a means of rallying their base behind H.R. 359, but to argue that public financing is a hopeless, wasteful and antiquated endeavor.

"Congress must prioritize the way that taxpayer dollars are spent," Brad Dayspring, a spokesman for House Majority Leader Eric Cantor (R-Va.), told The Huffington Post. "The reality is that political campaigns operate entirely differently today than they did in the 1970s. Technological advancements have fundamentally altered modern elections so that all candidates have the opportunity to communicate to broad audiences and secure the resources needed to run a successful campaign, a fact that was proven by President Obama and his team."

THE HUFFINGTON POST

THE INTERNET NEWSPAPER: NEWS BLOGS VIDEO COMMUNITY



David Donnelly

National campaigns director, Public Campaign Action Fund

January 25, 2011

Which Side Are They On?

Amid the fanfare of the State of the Union address tonight, the House Republican leadership is [pushing legislation](#) this week to kill the presidential system of financing elections. Let's understand this for what it is: House Speaker John Boehner (R-Ohio) and the Republican leadership want to place elections even more squarely into the hands of corporate interests, their political action committees, and their lobbyists.

That's not what Americans want. Americans want Congress to focus on jobs and the economy, not partisan and political agendas. But when it comes to changing election laws, we don't want Congress to make it easier for wealthy special interests to influence our government. We want elections of, by, and for the people, not paid for and bought by corporations.

In the wake of the one-year anniversary of *Citizens United v. the Federal Election Commission* -- the decision that gave corporations the right to directly influence elections with their own spending -- it is incredibly tone-deaf for the Republican leadership in the House to pursue an anti-reform, pro-special interest measure.

Sure, they'll cast it as a cost-saving bill to do away with a broken campaign finance law. After all, President Barack Obama avoided it in 2008, and no viable presidential candidate would use it as is in 2012. Well, then it ought to be fixed, not nixed.

But what about that cost-savings? [Public Campaign Action Fund research](#) found that the original eight GOP members of Congress sponsoring this legislation have secured more in earmarks over the past few years than what cutting this system would save. Just eight members on their own. What was that line Speaker Boehner had about getting their own house in order first?

One of the members who signed on to the measure, Rep. Rob Bishop (R-Utah), was called the "king of earmarks" by the [Deseret News](#) last year for requesting \$6.5 billion in earmarks, 95 percent of which were connected to political donors. Another, Rep. John Campbell (R) of California, [pushed an amendment](#) on consumer protection legislation to exempt car dealers. Rep. Campbell also derives hundreds of thousands in rental income... from car dealerships. And he has taken \$280,000 from the automotive industry. Can you spell C-O-N-F-L-I-C-T?

These are the people the Republicans are following when it comes to placing elections in the hands of everyday Americans?

And there's more. The bill's lead sponsor, Rep. Tom Cole of Oklahoma, [was hand-picked](#) for the House Ethics Committee in 2005 as a special assignment to defend Tom DeLay. DeLay, you may recall, is the former House Majority Leader sentenced recently to three years in prison on a felony conspiracy conviction related to raising and spending corporate money in politics. Rep. Cole had also donated \$5,000 to DeLay's defense.

What will the Democrats do in response to this? They'll likely acknowledge the presidential system's deficiencies, in detail, and defend the goals of the presidential system. They'll point to its storied past funding such unlikely insurgent candidates like Ronald Reagan (because he's not praised enough).

But what they ought to do instead is go on offense. The House Republicans pursuing it want elections and public policy to be bought and sold like stocks on Wall Street. They don't seem to care about jobs and the economy as long as corporations continue to call the shots in Washington and as long as special interests continue to pour money into their campaign accounts.

Like the repeal of health care, this vote will likely pass in the House. But it shouldn't pass quietly -- it is an opportunity to brand the House GOP leadership as on the side of big corporate donors, and not on the side of everyday Americans who are increasingly shut out of the political process, which like today's economy, continues to reward the few at expense of the many.



Prop. 8 legal battle has implications for all ballot measures

By Greg Moran
Sunday, January 9, 2011

The legal battle over same-sex marriage in California pivoted back last week to the state Supreme Court to answer a legal question that will affect not only gays and lesbians who want to marry.

The 9th U.S. Circuit Court of Appeals issued an order Tuesday asking the state high court to decide if state law allows proponents of a proposition to defend it in court when state officials refuse that role.

The question is key to the court's decision on Proposition 8, the voter-approved measure that limits marriage to heterosexual couples and that has been declared unconstitutional by a federal judge.

A ruling that gives initiative proponents the legal right to defend measures they sponsor in court could reverberate in other litigation over controversial, hot-button ballot measures.

“What the court does ultimately could impact future litigation because we know just about everything put on the ballot and passed by voters ends up before a judge,” said David McCuan, a political science professor at Sonoma State University who studies the state ballot measure process.

If the state Supreme Court takes up the matter — most legal observers expect it will — a ruling could take as long as a year to be issued. And some election law experts cautioned not to draw broad conclusions from the Proposition 8 case, because it is highly unusual to see state officials abandon any defense of a state law.

When same-sex marriage advocates challenged Proposition 8 in federal court after voters approved the measure in 2008, neither Gov. Arnold Schwarzenegger nor Attorney General Jerry Brown, who now is governor, would defend the law.

With no state officials willing to defend it, U.S. District Judge Vaughn Walker allowed Proposition 8 proponents to do so in a trial last year. Walker struck down the proposition, and then questioned whether the proponents have the legal right — known as standing — to pursue an appeal.

A three-judge panel of the federal appeals court wondered the same thing during a widely watched Dec. 6 hearing on the measure. If the proponents of Proposition 8 do not have the legal

eligibility to defend the measure, then the case could end and Walker's ruling in favor of same-sex marriage would stand.

So, in effect, if a governor and attorney general were unwilling to defend an initiative approved at the ballot box, as in the case of Proposition 8, those two elected officials could veto the measure with their inaction.

Andrew Pugno, general counsel for the Proposition 8 Legal Defense Fund, said such a scenario would affect "any other issue decided by initiative, as well as the integrity of the initiative process itself."

Rick Hasen, an elections law specialist and visiting professor at the University of California Irvine School of Law, cautioned against making sweeping conclusions based on the "atypical" nature of the Proposition 8 case. But he said it does raise an important point.

"One of the underlying reasons for the initiative process is to allow voters to bypass the Legislature when the state Legislature is not willing to do what a majority of people want," Hasen said. "It seems to undermine the initiative process to not give the official proponents the opportunity to defend the law when the state decides it doesn't want to do so."

The state Supreme Court does not have to agree to take up the Proposition 8 standing issue, formally known as a certified question of law. These procedures typically occur when a federal court has a case that turns on the interpretation of a state's law, and instead of deciding what that state's law means, the federal court asks the state judges to render an opinion.

The California Supreme Court is expected to say yes, but it has occasionally rejected such requests. That is what happened last year in a San Diego case involving a lawsuit over leases by the city of San Diego to the Boy Scouts for land in Balboa Park and Mission Bay.

The court declined a request to answer if the leases amount to aid to a religious group under the state constitution.

But Shaun Martin, a constitutional law professor at the University of San Diego School of Law said that is unlikely to happen with the Proposition 8 case.

"Most of the time they will take these up, even on boring cases," Martin said. "On an important, high-profile case like this, I can't imagine they will say no."

Jennifer Pizer, a lawyer with the gay and lesbian rights advocacy group Lambda Legal, said she hopes the court takes up the matter because state law is unclear and because "so much lawmaking is done by popular vote at the ballot box."

Pizer added that the group does not believe state law allows proponents a seat in court battles.

Martin, who was a law clerk at the 9th Circuit, said that if the state Supreme Court does rule on the standing issue, the federal court would be bound to follow it.

Marriage Equality in 2011: Opportunities and Risks

By Dana Rudolph on January 18, 2011



Jennifer Pizer

After a 2010 with few marriage equality measures contested outside the courtroom, 2011 will likely see a number of battles state by state across the country.

Three states are facing the prospect of losing marriage equality, an additional seven states could start the process of amending their state constitutions to ban marriage equality, and five could gain marriage equality. Here are the key states to watch.

States that could lose marriage equality:

New Hampshire: LGBT advocates have considered New Hampshire—with a new, veto-proof Republican majority—one of this year’s most serious battlegrounds. But House Majority Leader Rep. D.J. Bettencourt (R-Salem) said January 13 that repealing the state’s year-old marriage equality law is not a Republican priority in 2011. The party wants, instead, to focus on jobs and the economy.

But Bettencourt refused to say he would discourage the introduction of repeal bills. And gay marriage opponents Kevin Smith, executive director of the far-right group Cornerstone Action, and State Rep. David Bates (R-Windham), told the *Associated Press* they still plan to pursue a repeal.

The executive director of New Hampshire Freedom to Marry, Mo Baxley, said in a statement that she was “pleased” the repeal is not a priority for Republicans but added that her organization is continuing its planned efforts to preserve the existing law.

Iowa: Republicans in the legislature plan to introduce a bill to pursue a state constitutional ban on same-sex marriage, in response to a 2009 ruling by the Iowa Supreme Court that made marriage legal for same-sex couples. The change must be approved by two successive legislatures and then ratified by voters. Republicans control the House 60-40, but Democrats have a 26-24 edge in the Senate, and Senate Majority Leader Mike Gronstal (D-Council Bluffs) has said he would block a vote on such a bill.

Several Republican legislators also want to begin impeachment proceedings against the remaining four of the seven justices who joined in the unanimous marriage ruling. The other three justices lost retention elections last November, after right-wing groups campaigned to oust them.

Impeachment would require a simple majority in the House and a two-thirds majority in the Senate, but the judges would be removed immediately if impeached by the House and could be reinstated only if found not guilty after a Senate trial. House Minority Leader Kevin McCarthy told *The Cedar Rapids Gazette* that Democrats would “shut the place down” if necessary to block an impeachment effort.

Washington, D.C.: A coalition of local anti-gay activists led by Bishop Harry Jackson of Hope Christian Church in Maryland had been pushing for a referendum on the district’s year-old marriage equality law. D.C. courts and the district’s Board of Election ruled last year that this would violate a district prohibition on referenda related to the city’s Human Rights Act—which bans discrimination based on sexual orientation. Jackson asked the Supreme Court to consider the case, but on January 18, the high court refused to hear it.

States that could win marriage equality:

Rhode Island: Newly elected Governor Lincoln Chafee (I) expressed his support for marriage equality during his inauguration speech January 4. Legislators introduced marriage equality bills in both the House and Senate on January 6. Democrats hold large majorities in both chambers, and House Speaker Gordon Fox (D), who is openly gay, is a cosponsor of the bill. The bill may face a bigger struggle in the Senate, where Senate President M. Teresa Paiva Weed opposes marriage equality.

Maryland: Marriage equality bills are pending in both houses of the legislature, and supporters now form majorities on the key judicial committees that must first approve them.

State Senate Minority Leader Allan H. Kittleman, however, said he will introduce a bill to allow civil unions for both same- and opposite-sex couples.

New York: Although Republicans have a two-seat majority in the State Senate, Empire State Pride Agenda Executive Director Ross D. Levi said in a press release that LGBT advocates have

“picked up at least two ‘yes’ votes.” Democratic Governor Andrew Cuomo has said he would sign a marriage equality bill if it reaches his desk.

All three of the above states already recognize marriages of same-sex couples from other jurisdictions.

New Jersey: The state Supreme Court last June refused to hear a case that claimed the state’s civil union law did not provide full equality. It said the case must first go through the trial court process. Jennifer Pizer, National Marriage Project Director for Lambda Legal Defense and Education Fund, said a trial court attempt is “a sensible next step for us to consider.”

Lambda Legal and state LGBT rights group Garden State Equality are also working on another round of marriage equality legislation, although Pizer could not yet share any details.

California: The case to overturn Proposition 8, the state ban on same-sex marriage, is in a rather unusual spot. It is awaiting a decision from the 9th Circuit U.S. Court of Appeals, but the appeals panel said January 4 that it could not render a decision on the constitutionality of Proposition 8 until the California Supreme Court rules that there is some state law or authority to justify giving the Yes on 8 proponents of the initiative legal standing to appeal the case in federal court on behalf of California voters.

Pizer said that a 9th Circuit decision against Proposition 8 would have “a massive positive effect nationwide” as marriage equality became a reality on both coasts.

She also noted there are “serious efforts underway now” for potential ballot measures in 2012 to secure marriage equality in **Maine, Oregon, and Washington.**

States that could win civil unions:

Hawaii: Acting House Majority Leader Blake Oshiro, who is openly gay, told KITV January 10 that he wants to pass a civil union bill early in the session. The Hawaii legislature is almost the same as the one that passed such a civil union bill last year only to see it vetoed by outgoing Republican Governor Linda Lingle. Current Governor Neil Abercrombie, a Democrat and long-time supporter of equal rights for gays, has said he would support a new bill.

Montana: Montana bans same-sex marriage under the state constitution, but the American Civil Liberties Union (ACLU) has filed a case on behalf of six couples to try and gain the protection of domestic partnerships.

Colorado, and Delaware will also likely see civil union bills introduced.

States that could ban marriage equality:

Indiana, Minnesota, New Mexico, North Carolina, Pennsylvania, South Dakota, West Virginia, and Wyoming have statutes that prevent same-sex couples from obtaining marriage licenses, but efforts to protect those bans from legal challenges are expected through proposed

constitutional amendments. Lambda's Pizer noted that anti-gay groups may wait until 2012 to seek introduction of such measures in hopes of using them to rally conservative voters to turnout during a presidential election year.

This year, though, Wyoming State Rep. Cathy Connolly (D), the only openly gay member of the legislature, plans to introduce a bill for full marriage equality and one for civil unions.

And New Mexico Attorney General Gary King issued a non-binding opinion January 4 stating that same-sex marriages performed in other jurisdictions would likely be recognized in the state.

Evan Wolfson, executive director of Freedom to Marry, said that this year, "we have the chance to really make some important strides in key states." He stressed that wins in the states will help sway public opinion and move marriage equality forward on a federal level as well.

Bill introduced to allow public to vote on same-sex marriage

January 19, 2011 | by Jason Clayworth

House Republicans today introduced a joint resolution that would begin the process to allow Iowans to vote on a constitutional amendment to ban same-sex marriage.

House Joint Resolution 6 would not only ban same-sex marriage in Iowa, but also prohibit the recognition of civil unions and domestic partnerships.

The move is clear evidence of an anti-gay agenda, said Ben Stone, executive director of the American Civil Liberties Union of Iowa.

“The ACLU now recognizes the explicit anti-gay agenda behind the so-called marriage amendment movement by going beyond marriage to civil unions,” Stone said. “This is quite clearly and quite simply an anti-gay measure. The ACLU Of Iowa and its allies will fight it.”

Fifty-six of the 60 Republicans in the Iowa House are listed as sponsors of the bill. No Democrats have signed onto the bill as a sponsor.

Rep. Dwayne Alons, R-Hull, is leading the resolution and said he offered it to all Republicans to sign as sponsors as well as some Democrats. Democrats and the four Republicans declined to sign this version, he said.

The four Republicans who declined to sign are Reps Steve Lukan of New Vienna, Peter Cownie of West Des Moines, Scott Raecker of Urbandale and David Tjepkes of Gowrie.

Cownie said he declined to sign as a sponsor of the bill at the request of some constituents in his district. However, he said that he would support the bill when it is voted on by the full House.

“I don’t treat it any differently than any other bills I don’t sponsor,” Cownie said. “It’s just my top priorities this year is the State Government committee as well as cutting the budget and putting Iowans back to work.”

The resolution says: “Marriage between one man and one woman shall be the only legal union valid or recognized in this state.”

If passed through the Legislature in two consecutive General Assemblies (each of which is two years), the resolution could be on the ballot as soon as 2013.

“This bill intends to forever strip basic protections from loving and committed gay couples,” said Carolyn Jenison, executive director of One Iowa, the state’s largest civil rights group focused on gay and lesbians. “It goes against Iowa’s cherished tradition of protecting equal rights for all. Now is the time for Iowans to come together and send a clear message to their legislators that discrimination has no place in Iowa’s Constitution. Our legislators should continue to uphold Iowa’s long-held value of equal rights for all.”



Gay marriage could move forward in some U.S. states

By Chris Michaud

NEW YORK | Sat Jan 22, 2011

NEW YORK (Reuters) - A handful of U.S. states are poised to take up the issue of gay marriage afresh, due largely to incoming lawmakers who may tip the balance in favor of the controversial measure.

In Maryland, New York and Rhode Island in particular, the legalization of same-sex marriages is moving ahead, organizers and supporters say.

"We have the numbers," said Maryland state Sen. Richard Madaleno Jr. "We've never been in a better position."

The November 2010 election brought a "significant shift," especially in the Senate, said Madaleno, one of Maryland's seven openly gay legislators, three of whom are newly elected.

Even more important, Maryland's Senate Judicial Proceedings committee, which has prevented gay marriage bills from reaching a floor vote, has several new, sympathetic members, said Morgan Meneses-Sheets of Equality Maryland, an advocacy group.

Majority leaders of both houses plan to co-sponsor gay marriage measures. Gov. Martin O'Malley, whose opponent was against gay marriage, has pledged to sign such a bill,

Nationwide, after the Congressional vote to repeal the "Don't ask, don't tell" policy which expelled thousands of gay people from the U.S. military, gay rights advocates are pushing ahead on marriage.

"The work of persuasion, of personal conversations, of talking to lawmakers and mobilizing against a well-funded anti-gay opposition" are among the primary tasks for the lobbying group Freedom to Marry, said founder Evan Wolfson.

"With the freedom to marry within reach this year in states such as New York, Maryland and Rhode Island, now is the time to have those conversations and move marriage forward," he said.

Nearly half of the states have amended their constitutions, however, to prohibit marriage between same-sex partners or defining marriage as the union of one man and one woman, rendering gay marriage beyond reach any time soon.

In New York, where newly-inaugurated Gov. Andrew Cuomo strongly supports gay marriage, lawmakers remain divided but advocates say the prospects are improved with the popular governor's backing.

"Its chances only get better," said Democratic Sen. Thomas Duane, the state's only openly gay senator, who has said he would introduce a gay marriage bill and push for a vote by summer. "Public support grows every time the issue is debated."

Although not a supporter, Dean Skelos, leader of the majority Republicans in the Senate, has said he would not block such a bill coming to the Senate floor for a vote so legislators can make their positions known, according to rights group Empire State Pride Agenda.

Put to a so-called conscience vote, gay marriage has a better chance this year than it did in 2009, said Democratic Sen. Malcolm Smith of New York City, when the Assembly approved it but the Senate did not.

"It is premature to make predictions or attempt head counts based solely on prior votes, but there is reason to be confident," said Ross Levi of Empire State Pride Agenda.

One of the most vocal opponents, Bronx Democrat Sen. Ruben Diaz, would not comment on prospects for passage. "There are more pressing issues facing the state," such as the budget and overhauling ethics laws, Diaz said.

Gay marriage is legal in Massachusetts, Vermont, Connecticut, New Hampshire, Iowa and the District of Columbia, although a bill to revoke it was introduced in Iowa recently.

In California and New Jersey civil unions, which mimic but do not provide all the legal benefits of marriage, are being challenged in court.

The other West coast states, Hawaii and Illinois have broad domestic partnership or civil union provisions. Several states, including Pennsylvania, Minnesota, North Carolina and Indiana do not deal with the issue, neither granting nor denying it.

The fresh battles come with passionate opposition.

In Maryland, Republican Sen. Allan Kittleman said he would introduce a bill legalizing civil unions, drawing heat from fellow Republicans.

Maryland Delegate Don Dwyer, who opposes civil unions and gay marriage, said he "can't wait for the debate."

Should gay marriage pass, he said he is confident of a referendum which "will drive the conservatives to the polls," where he predicted it would be defeated.

Marriage bills were introduced this month in the House and Senate in Rhode Island, a heavily Roman Catholic but relatively liberal state, where polls show a majority of residents favor what advocates call "marriage freedom."

Newly elected Gov. Lincoln Chafee, whose predecessor vowed to veto gay marriage, voiced support at his inauguration, stressing the potential economic benefits.

But the Senate in Rhode Island is presided over by Sen. Teresa Paiva Weed, a gay marriage opponent.

Gay marriage supported by record number of New York voters: 56% according to new poll

BY GLENN BLAIN
DAILY NEWS ALBANY BUREAU
Thursday, January 27, 2011



Curt Garman (l.) and Richard Looke look for a spot to hold their wedding at...
(Sanchez/AP)

New York — ALBANY - A record number of New York voters want gay marriage legalized, a new poll found.

Fifty-six percent of Empire State voters favor same-sex nuptials, up from the previous best of 51% in 2009, according to the Quinnipiac University survey.

"Gov. Cuomo didn't make a big issue of same-sex marriage in his State of the State speech, but he said he was for it and so are most New Yorkers," said Quinnipiac poll director Maurice Carroll.

Empire State Pride Agenda boss Ross Levi hailed the results, saying it's time "loving same-sex couples in New York can finally protect each other and their children just like any other family."

Support split along party lines, with 69% of Democrats and 55% of independent voters onboard, while the majority of Republicans are opposed.

In the city, 55% of voters want gay marriage.

The poll was released as gay marriage backers gained a new ally - environmentalist Robert Kennedy Jr.

"This is the last vestige of institutionalized bigotry that's left in this country and we need to get rid of it," Kennedy said in a video released by the Human Rights Campaign.

Cuomo, whose poll popularity and political capital have been soaring, has promised to push for legalizing gay marriage.

Quinn to sign historic civil unions legislation

KAREN HAWKINS, Associated Press

Monday, January 31, 2011

CHICAGO (AP) — A capacity crowd at a historic downtown Chicago venue? No, it isn't a concert or even the big game — it's to watch civil unions become legal in Illinois.

When Gov. Pat Quinn signs the historic legislation Monday afternoon, he'll be joined by up to 900 members of the gay community and their supporters, many of whom have been waiting years for this moment to arrive.

Free tickets to the bill-signing event were long gone by late last week, and the governor's office planned to set aside a portion of the space at the Chicago Cultural Center as standing-room only.

After Quinn signs the measure sent to him by legislators in December, gay and lesbian couples will be afforded official recognition from the state and gain many of the rights that accompany marriage — for instance, the power to decide medical treatment for an ailing partner and the right to inherit a partner's property. But Illinois law will continue to limit marriage to one man and one woman, and civil unions still are not recognized by the federal government.

Supporters presented the civil unions legislation as a matter of basic fairness for all Illinois residents, but opponents argued that it moves Illinois closer to legalizing same-sex marriages and could impose unwanted requirements on religious institutions and their programs. Among the opponents were Catholic leaders and conservative groups.

The legislation passed 61-52 in the Illinois House and 32-24 in the Senate.

Quinn has repeatedly said the new law will help the Illinois economy by making the state more hospitable to businesses and convention organizers looking for a place to spend their dollars.

"I think they look for a state that is a welcoming, accepting, hospitable place and that's what we are in Illinois. We have everybody in and nobody left out," Quinn said last month.

Dalila Fridi, board member for gay rights group Equality Illinois, said she's excited to see civil unions become a reality after years of traveling to Springfield to lobby legislators. She said the bill is important to her because her immigration to America from Algeria "was all about rights."

"When I found out that people here don't have that right, I was like, 'What do you mean? It's America,'" she said.

Five states already allow civil unions or their equivalent, according to the Human Rights Campaign. Five other states and Washington, D.C., let gay couples marry outright, as do countries including Canada, South Africa and the Netherlands.

Some hope civil unions will be a step toward full marriage. That includes longtime community activist Vernita Gray, who says she'll accept civil unions — for now.

"That's the crumbs," she said. "I want the whole pie."



Geoff Kors, Equality California executive director, announces 2011 departure

SDGLN staff
December 3, 2010



Geoff Kors

SAN FRANCISCO -- Geoff Kors, Equality California's executive director, today announced that he will step down from his position on March 31, 2011, at the conclusion of his ninth year with the organization.

Kors has served as executive director since April 1, 2002.

Kors' decision was communicated to the organization's board of directors this morning as they prepare for the final 2010 board meeting and 2011 planning discussions at the annual retreat starting tomorrow.

"It has been a true honor and privilege to serve as executive director of Equality California and to work with California's lesbian, gay, bisexual and transgender community," Kors said.

"I am incredibly grateful to the elected officials, coalition partners, dedicated staff, board and especially to our members who have done so much to advance equality here in California."

Cary Davidson, Equality California board chair, and Cathy Schwamberger, Equality California Institute board chair, said the board will focus on finding a successor, starting this weekend.

Kors has not yet decided on his next career opportunity. Instead, he plans to work on helping staff and board members to achieve a smooth and successful transition over the next several months.

"I am committed to working with the board to ensure a smooth transition so that the organization can continue to thrive and achieve our mission," Kors said.

"We have made unprecedented progress over the past nine years. Yet, there is still much work ahead in order to achieve full equality for our community.

"I'm glad that Equality California is on solid financial footing as I prepare to depart and that we are adding additional staff in Sacramento to take advantage of the expanded opportunities the new administration presents us. As we move forward, Equality California today is without question closer to achieving our goals, especially with the election of a governor and attorney general who are true champions for our community."

State political leaders expressed their thoughts on Kors' departure:

"I want to personally extend my gratitude to Equality California and to Geoff Kors who has done so much to advance equality and justice in our state and who was instrumental in mobilizing LGBT Californians to support my candidacy for governor," Governor-elect Jerry Brown said.

"When I take office, I look forward to continuing my partnership with Equality California as I work to meet the many challenges our state faces."

"I thank Equality California for its ardent support and Geoff Kors who is an outstanding leader and who will be greatly missed," said Kamala Harris, who recently won a closely contested race for state attorney general.

"As our state's next attorney general, I am looking forward to working with Equality California to ensure that every Californian is treated with dignity and equality under the law."

"I have truly enjoyed working with Geoff both in San Francisco and in Sacramento to advance LGBT equality," said Sen. Mark Leno, D-San Francisco.

"His razor-sharp strategy skills and sheer commitment to civil rights have often helped propel legislation forward in some of the toughest debates and battles we have waged together. He will be missed."

Equality California discussed the progress the organization has made under Kors' leadership: "California has been dramatically transformed into a state with the most sweeping and substantive rights and protections for LGBT community members in the nation.

"Equality California, working in partnership with the LGBT legislative caucus, allied legislators and coalition partners has helped enact 71 pieces of pro-LGBT legislation, more than any other organization of its kind in the country," the statement said.

During Kors' tenure, California became the first state in the nation to pass comprehensive domestic partnership legislation without court order in 2003 and the first in the nation to pass marriage legislation for same-sex couples in 2005 and 2007 when the state legislature twice passed bills that would have allowed same-sex couples to marry.

Kors also led the successful fight to pass the broadest transgender protections in the nation and make California the only state in the country to prohibit insurance discrimination based on sexual orientation or gender identity, requiring insurance equality for the entire LGBT community. Equality California also sponsored numerous ground breaking bills protecting LGBT youth and seniors.

In addition, Equality California was the sole organizational plaintiff in the *In Re: Marriages* case in which the California Supreme Court legalized marriage for same-sex couples in 2008.

Equality California experienced significant growth during Kors' tenure. When Kors joined Equality California in 2002, there were just two staffers without a single office, just 50,000 members and a minimal budget. The organization now has offices across the state and 20 staff members working for equality. Membership has grown to more than 700,000 today, and in 2010, Equality California has raised \$6 million so far with more than \$1.5 million in net assets.

The boards of Equality California and Equality California Institute have grown to 50 members, including such notable leaders as Dolores Huerta, co-founder of the United Farm Workers of America; Shannon Minter, Legal Director for the National Center for Lesbian Rights; Katherine Spillar, the Executive Vice President of the Feminist Majority Foundation and Feminist Majority and Stuart Milk, longtime LGBT advocate and nephew of Harvey Milk.

Kors also oversaw the creation and growing influence of Equality California Political Action Committee, which advocates for candidates who support full equality for LGBT Californians. In the November elections, Equality California endorsed candidates swept the polls, including candidates for governor and attorney general, and the California LGBT Caucus now boasts the highest number of openly LGBT elected officials in the history of our state and our nation. Prior to taking the helm of Equality California, Kors was a partner in a California civil rights law firm.

Kors served on the executive board of the Harvey Milk LGBT Democratic Club where he originated the idea for and helped orchestrate passage of San Francisco's landmark Equal Benefits Ordinance, which is credited with a dramatic shift in the number of companies that offer equal benefits for employees in same-sex relationships. Kors has served as director of both the Gay and Lesbian Rights Project and the AIDS and Civil Liberties Project of the Roger Baldwin Foundation of the American Civil Liberties Union (ACLU) of Illinois.

"Speaking for our board of directors, Equality California is deeply grateful to Geoff for his years of steadfast service to the LGBT community and to our mission," Davidson said.

“Geoff took the organization from infancy to maturity with his trailblazing leadership and tireless commitment, which have helped make California a leader in the fight for LGBT equality in America. We know his shoes are tough to fill.”

Breaking: Prop 8 case sent back to CA Supreme Court

by Matthew S. Bajko

01/06/2011



Senior Circuit Judge Michael Daly Hawkins, left, Circuit Judge Stephen R. Reinhardt, center, and Circuit Judge N. Randy Smith hear arguments during a hearing in the 9th Circuit Court of Appeals last month in San Francisco. Photo: Associated Press pool

A panel of federal appellate judges has asked California's Supreme Court to advise it on whether the group behind the state's same-sex marriage ban Proposition 8 can defend the anti-gay law in the federal courts.

The issue of whether Protectmarriage.com, the backers of Prop 8, have standing in the federal lawsuit has been a key issue in the case since both former Governor Arnold Schwarzenegger and Governor Jerry Brown, serving as the state's attorney general, refused to defend Prop 8 before the 9th U.S. Circuit Court of Appeals when the three-judge panel heard oral arguments last month.

Kamala Harris, who was sworn in as the state's attorney general Monday, has said she does not intend to switch course. Because neither of the state's top law enforcement officers are willing to defend Prop 8, the anti-gay group has sought to do so in the federal lawsuit known as *Perry vs. Schwarzenegger*.

The issue of standing is key, as should it be determined that Protectmarriage.com has no right to intervene, then a ruling last summer by U.S. Chief District Court Judge Vaughn Walker that Prop 8 is unconstitutional would stand. It will likely be up to the U.S. Supreme Court to decide the matter, though, as the losing side in the case is expected to appeal the appellate court's ruling.

During a conference call with reporters, Theodore Olson, one of the attorneys representing the two plaintiff couples in the case, said he expected the California justices to "expeditiously" answer the federal panel's questions and that ultimately, Prop 8 would be overturned.

"It is imperative this law be stricken down, as the district court held, as soon as possible and equality and decency be restored to all California citizens as soon as possible," said Olson. "I would think the California Supreme Court would want to render its decision as promptly as possible so the merits of the decision can be rendered expeditiously."

In its order issued today (Tuesday, January 4), the appellate panel said it needed guidance from California's top court due to the fact that there is no state precedent for determining the legal question of whether the backers of a voter-approved initiative can step in to defend it when the state's elected officials refuse to do so.

"It is critical that we be advised of the rights under California law of the official proponents of an initiative measure to defend the constitutionality of that measure upon its adoption by the people when the state officers charged with the laws' enforcement, including the attorney general, refuse to provide such a defense or appeal a judgment declaring the measure unconstitutional. As we are aware of no controlling state precedent on this precise question, we respectfully ask the Supreme Court of California to exercise its discretion to accept and decide the certified question below," wrote the justices in their order.

The panel also dismissed a request made by a deputy clerk from Imperial County in southern California near the Mexico border to intervene in the case. It affirmed the lower court's ruling that the clerk has no standing to defend Prop 8.

The panel members are Senior Circuit Judge Michael Daly Hawkins, a Clinton appointee; Circuit Judge Stephen R. Reinhardt, a Carter appointee; and Circuit Judge N. Randy Smith, appointed by President George W. Bush. Their decision comes nearly a month after they heard oral arguments in the case on Monday, December 6.

During the more than two-hour long hearing, the justices had signaled that they were unwilling to dismiss the case outright due to the standing question and had suggested they would ask the state court for guidance on the issue.

For now, the case is withdrawn from submission and further proceedings before the 9th Circuit are stayed pending final action by the state Supreme Court. The state court can either accept or reject the federal court's entreaty for it to become involved in the lawsuit. No matter what it decides to do, the appellate panel noted that it retains jurisdiction over further proceedings in the case.

It will be the first gay rights issue to be taken up by the state Supreme Court's new chief justice, Tani Cantil-Sakauye, who took her oath of office Monday following the retirement of Chief Justice Ronald George.

Under George's leadership, the state Supreme Court had ruled in 2009 that voters had a right to pass Prop 8 because they did not rescind rights from same-sex couples but merely restricted their relationships from being called marriages by the state. The court also ruled that the 18,000 same-sex nuptials that had taken place between June 16, 2008, when it tossed out the state's anti-gay marriage statutes, and November 4, 2008, when voters adopted Prop 8 by a slim majority, would remain valid.

In its ruling Tuesday, the appellate court did not give the state Supreme Court a deadline to respond to its order.

Should the state justices determine that Protectmarriage.com has no standing in the case, then the appeal would likely be dropped and Prop 8 would be overturned. Same-sex marriages would once again be legal in California, as the case would have no impact outside the Golden State, though the backers of Prop 8 could appeal the standing issue to the United States Supreme Court.

"All officials in the state of California would have to adhere to the order," said Olson.

In an additional ruling regarding the case, Reinhardt further explained why he refused to recuse himself from hearing the appeal. Prop 8's backers had requested he step down from the panel because his wife, Ramona Ripston, is the executive director of the American Civil Liberties Union of Southern California.

She has held the position for 38 years, during 20 of which she has been married to the judge, and will retire next month. Because Ripston and the ACLU support marriage rights for same-sex couples, Prop 8's backers claimed Reinhardt had a conflict of interest and should not hear the case.

But Reinhardt dismissed those arguments, writing in a separate ruling issued Tuesday that his wife's views on matters raised in the lawsuit "are of no consequence."

He added that, "In 2011, my wife and I share many fundamental interests by virtue of our marriage, but her views regarding issues of public significance are her own, and cannot be imputed to me, no matter how prominently she expresses them."

LGBT rights groups hailed the court's decisions. Equality California, the statewide LGBT advocacy group, was especially pleased to see the panel deny Imperial County standing in the case, as it was the only group to file an amicus brief arguing such a point.

In addition, out of the more than 25 amicus briefs submitted in the case, the panel chose to send the California Supreme Court EQCA's second amicus brief arguing that Prop. 8's proponents also lack legal standing to appeal.

"We are optimistic that the case will be dismissed, marriage equality restored and that same-sex couples and their families will finally enjoy equality and dignity under the law," stated EQCA Executive Director Geoff Kors in a statement.

Jennifer C. Pizer, National Marriage Project Director for Lambda Legal, called the panel's order "entirely reasonable" and urged the California justices to take up the procedural question about who can defend voter initiatives in court.

"In California, so much lawmaking is done these days by popular vote at the ballot box. The public needs to know what processes exist for testing measures enacted by voters at the ballot box," stated Pizer. "The stakes are especially high for vulnerable minorities in this state, including the lesbian, gay and bisexual people targeted and made unequal by Proposition 8. The state high court's decision to allow the initiative power to be used in this unprecedented way - to strip a vulnerable minority of a fundamental constitutional right - essentially read all the equality guarantees out of the California Constitution, and left all of us vulnerable to the whims of an anxious or disgruntled populace."

At the same time, Pizer argued that there is nothing within state law that grants Prop 8's backers the ability to defend the antigay law in the federal courts.

"We do not believe California law does or should allow initiative proponents special power to drive litigation about measures they have supported. Prop 8's proponents are not personally affected by that initiative as none of them wants to marry a same-sex partner," stated Pizer. "And state law up to this point has never authorized political activists to usurp the role of the state's chief executive and top lawyer if the activists disagree with those duly elected officials' decision not to prolong litigation of a particular court case."



Sen. Christine Kehoe bill would boost equal benefits law for LGBT workers

SDGLN Staff
January 20, 2011

SACRAMENTO – Sen. Christine Kehoe, D-San Diego, today introduced Senate Bill 117, which would strengthen the state’s current equal benefits law.

Sponsored by Equality California, the bill adds a provision barring the state from entering into contracts with businesses and other entities that do not provide equal benefits to same-sex spouses of employees.

In 2003, the state Legislature passed a bill authored by then-Assemblymember Kehoe and sponsored by Equality California that prohibited discrimination in benefits between employees with spouses and employees with registered domestic partners.

“We must strengthen our current equal benefits law because thousands of same-sex couples have legally married since 2003, and it is vital that they are protected under this law,” said Geoff Kors, Equality California executive director.

“This legislation would ensure fairness and equality for workers and could mean the difference between having access to vital benefits such as health insurance or not.”

Beginning in 1996 in San Francisco, Equality California leadership has been working with city councils and the California legislature to pass equal benefits ordinances. Since then, Los Angeles, Sacramento, Oakland, Berkeley, San Mateo County and San Diego have adopted such ordinances, as did the State of California in 2003 when Equality California sponsored a bill introduced by then-Assemblymember Kehoe. Other cities with similar ordinances include Atlanta, Salt Lake City, Seattle, Minneapolis and Miami Beach.

“SB117 is in keeping with California’s long tradition of providing equal benefits for all,” Kehoe said. “It levels the playing field for companies that do business with the state. The bill ensures that employees who work for businesses that contract with the state are not discriminated against because they are married to a same-sex spouse.”

It is estimated that thousands of businesses and other entities now offer equal benefits as a direct result of these laws, including automobile companies, most airlines and many Fortune 500 companies and small businesses.

SB 117 is expected to have its first policy committee hearing in March or April.

Martin Luther King, Jr. Keynote Address – Evan Wolfson
University of Michigan Law School – January 17, 2011

Is the Freedom to Marry Inevitable?

It is an honor to be here with you as we gather to celebrate the inspiration of one of my personal heroes, Martin Luther King, Jr. — an icon to us all — and to acknowledge the inheritance given to us through the commitment, work, sacrifice, and hard-won gains of Dr. King and many others who came before us.

Because the best way to honor that legacy left to all of us is to do our part to add to those gains, our part to lighten the burdens of those with whom we share our precious time on this planet and those who come after us, our part to hold America to its promise, our part to mend the world, we must not just come together to celebrate the past, but commit to working in the present to change the future.

Dr. King’s vision and mission, after all, were not just about addressing the immediate – and enormous – injustices of his moment. He wrote:

Eventually the civil rights movement will have contributed infinitely more to the nation than the eradication of racial injustice. It will have enlarged the concept of brotherhood to a vision of total interrelatedness.¹

At the same time, Dr. King knew he had to do his part to change the injustices of his moment. In our campaigns and actions to tackle the immediate and specific, we step toward, and contribute to, the eternal and universal.

[As a law student](#)², inspired by America’s civil rights movements, I wrote my thesis on the importance of ending gay people’s exclusion from marriage. Since that was back in 1983, I suppose it’s now fair to call this a mission.

I argued then that gay people have the same mix of reasons for wanting the freedom to marry as non-gay people: reasons that are emotional as well as economic, personal as well as practical, social as well as spiritual – and reasons that resonate in love as they do in law.

I wrote that to be denied the freedom to marry is to be excluded from a powerful vocabulary of love and commitment and what the Vermont Supreme Court later called “our common humanity.”³ To be denied marriage is to be deprived of an important safety-net that touches every area of life, from birth to death, with taxes in between.

¹ King Jr., Martin Luther. “Why We Can’t Wait.” First Signet Classic Print, New York. 1964. 142

² <http://www.freedomtomarry.org/pages/staff#ewolfson>

³ Amestoy, Jeffrey L. Vermont Supreme Court. http://www.religioustolerance.org/hom_mar8f.htm

I believed that ending the denial of the freedom to marry is preeminently a question of justice – of treating others as you would want to be treated; of fulfilling America’s promise that everyone has the right to be both equal and different, and that no one should have to give up her or his difference in order to be treated as equal. And ending the exclusion from marriage raises a question of love – helping secure for all our common birthright, the pursuit of happiness; removing barriers and lifting burdens, making it easier for everyone to take care of their loved ones, particularly in tough economic times and through times of crisis, as well as life’s ordinary ups and downs.

And I concluded that you can’t say you are for equality and yet acquiesce in exclusion from the central social and legal institution of this and virtually every society.

All prejudice, all discrimination, is painful and wrong, but as Dr. King knew⁴, the worst kind of discrimination, the most intolerable, is discrimination by the government itself against any group of us. The denial of the freedom to marry is state-sponsored discrimination against gay people, and we must end it.

As a young attorney at Lambda Legal, I began work in earnest on ending marriage discrimination. One of the very first tasks I set myself was to make people believe we could and would win, that triumph was inevitable.

Young as I was, I was taking a page from another inspiration, women’s struggle for equality. I was heeding the words of a fighter for women’s right to vote back in the 1800’s, Hubertine Auclert – the woman who coined the word “feminism” – who wrote, “If you would obtain a right, first you must proclaim it.”⁵

I remember, back in the 1990’s, being in my office as my non-gay co-counsel, Dan Foley, and I were litigating the Hawaii case that launched this ongoing global movement for the freedom to marry. I remember clipping newspapers and putting articles in binders – *that’s how long ago it was* – any time I could get the media to report anything about gay people’s freedom to marry. I remember considering it a good day if even one mention, let alone action, got recorded somewhere by someone.

As the historic Hawaii case proceeded, it put forward the life stories of the three couples denied marriage licenses, highlighting their love and commitment. It prompted Americans to, in Lincoln’s words, “think anew”⁶ about the reality and diversity of gay people’s lives, and how the denial of marriage actually harms families while helping no one. It invited non-gay people to push past their discomfort and rise to fairness. And it witnessed a ferocious and sustained assault by the anti-gay opponents of equality.⁷

⁴ King, Jr., Martin Luther. “Give us the Ballot.” Prayer Pilgrimage for Freedom, Washington D.C. 17 May 1957.

⁵ Wolfson, Evan. “Why Marriage Matters: America, Equality, and Gay People’s Right to Marry.” Simon and Schuster, New York. 2004. 180.

⁶ Lincoln, Abraham. “The Collected Works of Abraham Lincoln,” ed. Roy P. Basler. Rutgers University Press, 1953. Vol. 5, 537.

⁷ “[T]here is really no white backlash, because that gives the impression that the nation had decided it was going to solve this problem and then there was a step back because of developments in the civil rights

With the struggle joined, hearts and minds began to change, and by the end of the 1990's, polls reported that 2/3's of Americans had come to believe that gay people would win the freedom to marry in our lifetime – something they had for the most part never even considered just a decade before.

In the succeeding decade, the 2000's, we, of course, went on to win the freedom to marry – first in Massachusetts, the cradle of liberty, and, as of today, in five states and the District of Columbia, our Nation's Capital. 42% of Americans, over 129 million of us, [now live in states](#)⁸ that provide some form of family recognition, from marriage to civil union/partnership to respecting out-of-state marriages – up from virtually zero a decade ago. Same-sex couples can now [marry in 12 countries](#)⁹ on 4 continents – up from zero a decade ago.

This year, Freedom to Marry, the national campaign to win marriage nationwide, [hopes to make more big gains](#).¹⁰ And quite honestly, the biggest problem we face is that too many of those who are with us in support of marriage – as of last year, a majority nationwide – airily say that winning the freedom to marry is inevitable, thereby excusing themselves from having to work to make it so.

(The second biggest problem we face is that the opposition – the well-funded anti-gay machine of Freedom to Marry's counterpart, NOM, the self-styled "National Organization for Marriage," those who fund it, and others – is not going away, but rather continues to funnel money and energy into attack campaigns that serve partisan purposes as well as ideological aims. [They know they've lost the argument](#),¹¹ but they've still got power and money and poisonous rhetoric, and they are still wielding them against gay families, policymakers and judges, and the Constitution itself.¹²).

So is the freedom to marry inevitable? There are at least three major reasons to answer yes.

First, generational momentum.

Earlier I described the global decade of progress on marriage and gay inclusion: the trends are clearly with those who favor the freedom to marry.

movement. Now, the fact is that America has been backslashing on the civil rights question for centuries now.... [T]he backlash is merely the surfacing of prejudices, of hostilities, of hatreds and fears that already existed and they are just now starting to open." King, Jr., Martin Luther. "Seventh Annual Gandhi Memorial Lecture." Howard University, Washington, D.C. 6 Nov. 1966.

⁸ <http://www.freedomtomarry.org/states/>

⁹ <http://www.freedomtomarry.org/landscape/entry/c/international>

¹⁰ <http://www.freedomtomarry.org/blog/entry/freedom-to-marry-announces-expansion-plans>

¹¹ http://www.huffingtonpost.com/evan-wolfson/losing-the-argument-over_b_544040.html

¹² http://www.huffingtonpost.com/evan-wolfson/losing-the-argument-over_b_544040.html

In 2009, *New York Times* polling guru Nate Silver put forward a model that used factors such as the year an anti-gay measure such as California's Prop 8 is on the ballot and the percentage of white evangelicals in the state. Silver found¹³:

Unsurprisingly, there is a very strong correspondence between the religiosity of a state and its propensity to ban gay marriage, with a particular "bonus" effect depending on the number of white evangelicals in the state.

Marriage bans, however, are losing ground at a rate of slightly less than 2 points per year. So, for example, we'd project that a state in which a marriage ban passed with 60 percent of the vote last year would only have 58 percent of its voters approve the ban this year.

All of the other variables that I looked at -- race, education levels, party registration, etc. -- either did not appear to matter at all, or became redundant once we accounted for religiosity. Nor does it appear to make a significant difference whether the ban affected marriage only, or both marriage and civil unions.

Silver went on to rank the progression of public opinion in every state, and concluded that by 2016, "only a handful of states in the Deep South would vote to ban gay marriage, with Mississippi being the last one to come around in 2024." He pegged Michigan for 2013. All assuming local conversations and continued engagement.

The other encouraging evidence on generational momentum is, of course, the fact that young people in virtually every demographic –including evangelicals, including those who went to parochial schools and religiously affiliated colleges, including Republicans – support the freedom to marry.

Young people have grown up knowing gay people, not just stereotypes; hearing the weakness of the arguments against marriage equality and watching them crumble; and seeing gay people married, happiness increased, and the sky not falling.

Generational momentum – in its starkest terms, generational *replacement* – clearly favors the freedom to marry.

Second, historical momentum.

In my book, *Why Marriage Matters*, I describe how marriage has always been a battleground for larger questions of what kind of country this will be, including the balance between government and the individual in making important decisions about our lives and our pursuit of happiness, and who should get to make those decisions; the roles of men and women, and whether they should be equal and equally free to choose those roles; and the boundaries between church and state, and the difference between *r-i-t-e-s* of marriage and the legal *r-i-g-h-t to marry*.

¹³ <http://www.fivethirtyeight.com/2009/04/will-iowans-uphold-gay-marriage.html>

In *Why Marriage Matters*, I discuss the history of marriage: a history of struggle, a history of claims of gloom and doom made against those who sought inclusion and fairness within marriage, a history of change.

These themes were taken up recently by a historian of marriage, Stephanie Coontz, in a *Washington Post* piece titled, "[Gay marriage isn't revolutionary. It's just the next step in marriage's evolution](#)"¹⁴.

Professor Coontz's analysis begins:

Opponents of same-sex marriage worry that allowing two men or two women to wed would radically transform a time-honored institution. But they're way too late on that front. Marriage has already been radically transformed - in a way that makes gay marriage not only inevitable, as Vice President Biden described it in an interview late last year, but also quite logical.

Professor Coontz traces that history of marriage – the shift from marriage as a property or dynastic arrangement to a union based on love and choice of a partner, and the discarding of “traditional” gender roles and the subordination of women – and concludes:

Today, as ... noted in [the] decision striking down California's Proposition 8, ... 'gender no longer forms an essential part of marriage; marriage under law is a union of equals.' If gay marriage is legally recognized in this country, it will have little impact on the institution of marriage. In fact, the growing acceptance of same-sex marriage - an indication that it's not just [the president's views that are \[as President Obama put it recently\]](#) 'evolving'¹⁵ - is a symptom, rather than a cause, of the profound revolutions in marriage that have already taken place.

Historical changes in marriage, our understanding of what liberty, equality, and the pursuit of happiness mean and who should be able to share in them, all support the freedom to marry.

Third, in favor of the inevitability of the freedom to marry there is moral momentum.

During last year's federal trial challenging Proposition 8, which stripped away gay couples' freedom to marry in California, Chief Judge Vaughn Walker [asked Charles Cooper](#)¹⁶, the attorney defending Prop 8, "What would be the harm of permitting gay men and lesbians to marry?" Cooper replied, "Your Honor, my answer is: I don't know ... I don't know."¹⁷

¹⁴ <http://www.washingtonpost.com/wp-dyn/content/article/2011/01/07/AR2011010706502.html>

¹⁵ <http://www.washingtonpost.com/wp-dyn/content/article/2010/12/23/AR2010122301859.html>

¹⁶ <http://www.economist.com/debate/days/view/633>

¹⁷ Wolfson, Evan. "Single-Sex Marriage: The Proposer's Opening Remarks," *The Economist*. Jan. 3, 2011.

That pivotal exchange, and indeed the whole trial, showed that opponents of the freedom to marry are not able to defend their opposition on the merits. As in our freedom to marry trial in Hawaii in 1996, the opponents came into court with no evidence, made no coherent and non-tautological arguments, and have nothing to back up their scare-tactic rhetoric.

When I was in law school, they taught us: If the law is against you, argue the facts. If the facts are against you, argue the law. If neither's on your side, [pound the table](#)¹⁸.

A "pound the table" strategy is exactly what opponents have opted for in court cases, in waves of ballot-measure attacks, and in the dust they throw up through the media. Check this out – *The Economist* magazine hosted an extended debate between NOM's Maggie Gallagher and me last week.¹⁹ Go and read the [back and forth on The Economist website](#)²⁰ and you will see why she and other opponents of gay people's freedom to marry have shifted to a succession of distractions: stoking fears about kids, making false claims about infringement on religious freedom, drumming up allegations of harassment and violence, and concocting contorted arguments about how we must deny gay couples the freedom to marry in order to fight "accidental procreation" by heterosexuals.

Distractions are all they've got left – that, and the power and money to pound the table and the gays.

As we've seen now in places from Massachusetts to Iowa, Canada to Mexico, Israel to Argentina, when marriage discrimination ends, the world does not. Gays do not use up the marriage licenses. Families are helped, and no one is hurt.

Gay people, of course, are not the first to fight against discrimination, and not even the first to have to fight exclusion and discrimination on the human rights battleground that, as *Why Marriage Matters* shows, marriage has always been. Race restrictions on who could marry whom, like women's subordination in marriage, were ferociously defended by churches, the law, and even public opinion; were viewed as natural, necessary, and part of the "definition" of marriage; and only ended with a struggle.²¹

Another civil rights icon, John Lewis, quoted Dr. King when Congressman Lewis fought against the federal anti-marriage law, the so-called "Defense of Marriage Act" back in 1996:

Dr. Martin Luther King, Jr., used to say when people talked about interracial marriage, and I quote, "Races do not fall in love and get married. Individuals fall in love and get married."²²

¹⁸ http://www.huffingtonpost.com/evan-wolfson/losing-the-argument-over_b_544040.html

¹⁹ <http://www.economist.com/debate/overview/191>

²⁰ <http://www.economist.com/debate/days/view/633>

²¹ *Why Marriage Matters*, 2004, 60.

²² Lewis, John. Defense of Marriage Act. *Congressional Record*, 11 July 1996.

The first court to strike down race restrictions on marriage put it this way: “the essence of the right to marry is freedom to join in marriage with the person of one's choice.” Each person seeking a license to marry the “wrong” kind of person, the justices said, “finds himself barred by law from marrying the person of his choice and that person to him may be irreplaceable. Human beings are bereft of worth and dignity by a doctrine that would make them as interchangeable as trains.”²³

Because of these powerful moral truths about why marriage matters, and the powerful moral claim to fairness they entail, Coretta Scott King was an early supporter of the freedom to marry. She declared:

My husband, Martin Luther, King, Jr., understood that all forms of discrimination and persecution were unjust and unacceptable for a great democracy. He believed that none of us could be free until all of us were free, that a person of conscience had no alternative but to defend the human rights of all people.... The civil rights movement that I believe in thrives on unity and inclusion, not division and exclusion. All of us who oppose discrimination and support equal rights should stand together to resist every attempt to restrict civil rights in this country.²⁴

So is there moral momentum for the freedom to marry?

Well, [Bill Clinton](#),²⁵ the president who signed so-called “DOMA” into law back in 1996, has now joined Freedom to Marry in calling for DOMA’s overturning and now supports marriage equality, as do [Laura Bush](#) and even, God help us, [Glenn Beck](#).²⁶ When we were doing the Hawaii case and battling over DOMA in the 1990’s, polls showed 26% of Americans favored the freedom to marry. Last year, not one [but two national polls](#)²⁷ reported that now 52% of Americans – a majority nationwide – now are with us, and those who oppose equality and inclusion for gay people are in the minority.

As Dr. King put it [most movingly](#), “Truth crushed to earth will rise again.... The arc of the moral universe is long but it bends toward justice.”²⁸

So is the freedom to marry inevitable?

Again, we turn to Dr. King. He cautioned us:

²³ Perez v. Sharp. California Supreme Court. Oct. 1, 1948. 32 Cal.2d 711, 198.

²⁴ Speaking at a Lambda Legal event in 2002, Mrs. King repeated her strong commitment to inclusion and belief that gay rights are part of civil rights: “I still hear people say that I should not be talking about the rights of lesbian and gay people and I should stick to the issue of racial justice... But I hasten to remind them that Martin Luther King Jr. said, ‘Injustice anywhere is a threat to justice everywhere.’” “A Seat at the Table: Struggles for Equality in America,” New York: Oxford University Press, 2001. 138

²⁵ <http://www.freedomtomarry.org/blog/entry/voice-for-equality-bill-clinton>

²⁶ <http://www.freedomtomarry.org/blog/entry/voice-for-equality-glenn-beck>

²⁷ <http://www.freedomtomarry.org/resources/entry/marriage-polling>

²⁸ http://freemarry.3cdn.net/cbc09f6fdcf8f77f5f_2wm6boi63.pdf

Human progress is neither automatic nor inevitable... Every step toward the goal of justice requires sacrifice, suffering, and struggle; the tireless exertions and passionate concern of dedicated individuals.²⁹

And in his *Letter from a Birmingham Jail*, Dr. King wrote:

Human progress never rolls in on wheels of inevitability; it comes through the tireless efforts of men willing to be co-workers with God, and without this hard work, time itself becomes an ally of the forces of social stagnation.³⁰

It was complacency and faith in inevitability that allowed the anti-gay forces to prevail in the Prop 8 battle in California. Too many non-gay people – indeed, too many gay people – just assumed that we were going to win, that making the case was superfluous because the truth is so obvious, that rights could not be stripped away, and that momentum and time would take care of needed change.

In Argentina, the most recent – and, to many, most surprising – country to end marriage discrimination, President Cristina Kirchner knew that the change was necessary not just as a matter of fairness and dignity for gay people, but as an essential step in the maturation and securing of constitutional democracy itself. [She said, in 2010](#)³¹:

The opponents are portraying this as a religious moral issue and as a threat to ‘the natural order,’ when what we are really doing is looking at a reality that is already there....It would be a terrible distortion of democracy if they denied minorities their rights.

Prime Minister Jose Zapatero said something very similar when he hailed the advent of the freedom to marry in [Spain in 2005](#):³²

It is true that [gay people] are only a minority, but their triumph is everyone's triumph. It is also the triumph of those who oppose this law, even though they do not know this yet: because it is the triumph of Liberty. Their victory makes all of us (even those who oppose the law) better people, it makes our society better.

But in Spain, in Argentina, in South Africa, and other places that have led in our movement for the freedom to marry, leaders and advocates know from their history and their struggles that democracy, human rights, constitutional guarantees of law and equality, and progress itself are not handed to anyone, and do not defend themselves. They must be fought for and tended and guarded, and, as Frederick Douglass wrote:

²⁹ Phillips, Donald Thomas. “Martin Luther King Jr. On Leadership: Inspiration and Wisdom for Challenging Times.” New York: Warner Books, 2001. Part II.(King, Martin Luther, Jr. 1959)

³⁰ "Letter from Birmingham Jail." *Encyclopædia Britannica*. *Encyclopædia Britannica Online*. Encyclopædia Britannica, 2011. Web. 18 Jan. 2011.
<<http://www.britannica.com/EBchecked/topic/337425/Letter-from-Birmingham-Jail>>.

³¹ <http://www.politicalnews.com/argentina-passes-gay-marriage-law/>

³² <http://www.freedomtomarry.org/resources/entry/spains-prime-minister-zapatero-defends-equality-and-freedom-for-all>

Those who profess to favor freedom and yet depreciate agitation, are people who want crops without plowing the ground; they want rain without thunder and lightning; they want the ocean without the roar of its many waters. Power concedes nothing without a demand; it never has and it never will.³³

Just fifteen years ago, in the midst of our Hawaii freedom to marry case and the battles in Congress over so-called “DOMA,” many people, gay and non-gay, believed, and loudly asserted, that the idea of what they wrongly labeled “gay marriage” was impossible. Now, most believe it inevitable.

We’ve gone in a historical eye-blink from Impossibility to Inevitability – and somehow skipped over the part where we must do the work.

Is the freedom to marry inevitable? The answer, yes or no, hinges on the difference between, say, 5 years and 50 years. If the question is will the cumulative effect of other people’s actions, other people’s coming of age, other forces, and the very flow of time itself waft us to justice eventually, without us having to work for it ... yes, maybe – if you want it in 50 years.

But if the question is, can we make it happen now, in 5 years, the answer is, yes –if we each make a *personal* commitment and join the *collective* effort to do the work, to have the conversations, to make the case. There is no marriage without *engagement* – not in the United States, not in Michigan.

Freedom to Marry is the national campaign to win, and has put forward its Roadmap to Victory. Read it on our website. It’s up to us to march it, not wait to be carried or watch change waft along.

As Dr. King told us in that same *Letter from a Birmingham Jail*, “We must use time creatively, in the knowledge that the time is always ripe to do right.”^{34 35}

Civil rights leader Dorothy Height, whom we lost last year, told us, “If the time is not ripe, we have to ripen the time.”^{36 37}

Is the freedom to marry inevitable? The answer is, that is up to us. This is our time.

In the name of those who came before us, in the name of those we love, in the name of those to whom we seek to leave a better country and world, let’s make it so.

³³ Douglass, Fredrick. “An Address on West India Emancipation.” Aug. 4, 1857.

³⁴ Emphasis added.

³⁵ “Letter from Birmingham Jail.”

³⁶ Emphasis added.

³⁷ “Dorothy Height, Female Civil Rights Leader, Dies” *The Associated Press*. Retrieved from <http://cbsnews.com>

DOJ says DOMA is justified to prevent 'inequities'

by Lisa Keen

01/20/2011



Mary Bonauto, civil rights director of Gays and Lesbians Advocates and Defenders.

Photo: Rick Gerharter

The U.S. Department of Justice filed its brief January 13 with a federal appeals court that will hear the government's appeal of two district court decisions that found the Defense of Marriage Act unconstitutional.

The cases are *Nancy Gill v. Office of Personnel Management*, brought by Gay and Lesbian Advocates and Defenders, and *Massachusetts v. Department of Health and Human Services*, brought by the state.

DOJ, led by Assistant Attorney General Tony West, argued that U.S. District Court Judge Joseph Tauro in Boston erred last year in finding one section of DOMA unconstitutional.

The department also argued that "back-and-forth changes" such as those experienced by California concerning the recognition of same-sex marriages "have the potential to cause inequities in the operation of federal programs, and could result in administrative difficulties across a variety of federal programs."

"Should [a federal] agency begin awarding benefits in response to court decisions that might later be overturned?" asks the brief. "How should the agency treat a couple who is married, then moves to a state where that marriage is not recognized? These questions highlight the administrative difficulties that federal agencies might face if federal law were automatically tied to state law in an area subject to substantial and sometimes rapid change."

Mary Bonauto, civil rights director at GLAD, said the "touchstone is whether the marriage is valid under state law."

"Even if a state reversed itself on marriage licensing for same-sex couples by passing an amendment, as happened in California," said Bonauto, "that change does not affect the validity of the existing marriages."

In response to the concern about same-sex couples moving from one state to another, Bonauto said, "The general rule is that if a couple is considered married in the state of their residence at the time they apply for a federal marital benefit, then they are married for purposes of that benefit even if they later move to a state that disrespects their marriage."

Last July, Tauro ruled, in *Gill*, that DOMA violates the equal protection and due process rights in the U.S. Constitution, and, in *Massachusetts*, that DOMA violates the 10th Amendment right to exercise control of certain state issues.

Evan Wolfson, head of the national Freedom to Marry group, said he "regrets" DOJ "continues to defend a law that President Obama has repeatedly said is discriminatory."

"Also disappointing is that the Justice Department is urging the court to give this discriminatory law a presumption of constitutionality," said Wolfson. "... The Justice Department should be asking the courts to examine DOMA with skeptical eyes, not rubberstamp discrimination."

DOJ's brief argues that the appeals court should use only the most minimal standard – rational basis – in scrutinizing the reasons the government gives to justify DOMA's ban on recognition of married same-sex couples when it comes to having access to federal benefits made available to married straight couples. It then claims that the rational justifications behind DOMA are: to preserve a national status quo at the federal level regarding marriage; to ensure "uniform application" of federal law regarding marriage benefits, and; to show respect for each state's sovereignty in developing its own policy concerning marriage.

The latter justification will probably make for an interesting discussion before a three-judge panel of the 1st Circuit U.S. Court of Appeals later this year. The 1st Circuit is located in Boston, which famously became the first state to honor its state constitutional mandate of equal protection with regards to the issuance of marriage licenses.

The Massachusetts Attorney General's office argued, in its district court brief, that DOMA is not showing respect for the sovereignty of Massachusetts.

"Instead, Congress chose to force Massachusetts (and other states) to violate the equal protection rights of its citizens or risk federal funding," argued Massachusetts' brief. "That is not neutrality; rather, it significantly burdens the ability of states to adopt any definition of marriage that does not match the federal one. ..."

But while arguing that Congress needs to show respect for each state's sovereignty, DOJ also argues Congress "could" reasonably conclude that a "uniform federal definition for the purposes of federal law would most consistently address variations between states that permit same-sex marriage and those that do not."

"Without DOMA," said DOJ, "federal benefits would vary for same-sex couples from state to state."

Of course, that's true for heterosexual couples, too. Only those straight couples who are married are eligible to receive federal marriage benefits. But DOJ added that "while it may be preferable as a policy matter for Congress to have provided the same benefits to all married couples, the uniform path that Congress chose was permissible."

DOMA was introduced by then-Representative Bob Barr (R-Georgia) and signed into law in 1996 by Democratic President Bill Clinton. Wolfson noted that both have since "repudiated" the law.

GLAD and the Massachusetts Attorney General's office both filed lawsuits challenging DOMA's Section 3, which limits the definition of marriage for federal purposes to one man and one woman.

There are three other cases challenging DOMA now in the federal courts. GLAD and the ACLU also filed two other lawsuits challenging DOMA – *Pederson v. OPM* in a Connecticut federal district court and *Windsor v. U.S.* in a New York federal district court. Both of these cases, if appealed, will come before the 2nd District U.S. Court of Appeals.

Lambda Legal Defense and Education Fund argued its case, *Karen Golinski v. OPM*, in federal district court in San Francisco last month. In that case, Lambda's marriage project director Jennifer Pizer is arguing that 9th Circuit court employee Golinski should be able to obtain health coverage for her same-sex spouse the same as other federal court employees can obtain for their spouses. OPM, headed by openly gay appointee John Berry, instructed the 9th Circuit's employee insurance carrier not to enroll Golinski's same-sex spouse for coverage. The case is awaiting a decision from U.S. District Court Judge Jeffrey White, an appointee of President George W. Bush.

Obama Hospital Visitation Rights For Gay Couples Goes In Effect

By On Top Magazine Staff
Published: January 20, 2011



A memo signed in April by President Obama that bans hospitals from discriminating against gay men and lesbians went into effect on Tuesday.

The order prohibits hospitals that accept federal funding from Medicare and Medicaid, the government's elderly and poor health care programs, from discriminating on the basis of a variety of characteristics, including sexual orientation and gender identity. It also prevents hospitals from denying visitation rights to the partners of gay men and lesbians, and requires officials to honor patients' wishes of who can make medical decisions on their behalf.

Gay rights groups have called the new rules a small but significant contribution towards equality in the absence of the legal right to marry in most jurisdictions.

“The president's directive is a small, but welcome step forward,” Evan Wolfson, executive director of Freedom to Marry, said in a statement. “It addresses one of the many ways same-sex couples and their loved ones are made vulnerable and harmed by the denial of marriage and the safety-net of protections marriage brings – in this case, the assurance that a spouse can be by a loved one's hospital bedside and participate in medical decision-making at a time of great need.”

“Without marriage equality, this memo is absolutely critical for ensuring that the federal government is protecting the medical rights of all families and not discriminating against certain classes of citizens,” New York Representative Jerrold Nadler said in a statement.

“LGBT families need and deserve the same civil rights as other American families, and I applaud this progress in that long struggle,” he added.

January 27, 2011

RFK Jr. for N.Y. Marriage Equality

By Julie Bolcer



Robert F. Kennedy, Jr. joined the fight for marriage equality in a video released Thursday for the Human Rights Campaign's New Yorkers for Marriage Equality series.

In the [video](#), the son of the late senator from New York and member of the prominent American political family compares the marriage equality campaign to his father's battle against the Jim Crow laws.

"This is the last vestige of institutionalized bigotry that's left in this country and we need to get rid of it," he says.

The video is the latest in a series featuring prominent New Yorkers for marriage equality, including Whoopi Goldberg, Daphne Rubin-Vega, Kyra Sedgwick and Kevin Bacon, Fran Drescher, Moby, Mayor Michael Bloomberg, Jeanne Moutoussamy-Ashe, Julianne Moore, and Kenneth Cole. More ads are scheduled to be run online, with possible placement elsewhere, in the coming weeks and months as the battle for marriage equality heats up in the New York state senate.

Also on Thursday, a new [Quinnipiac poll](#) showed that New Yorkers support marriage equality by 56% to 37%, the largest margin ever. Crucially, 54% of upstate voters approve, which matches the percentage of support from people living downstate in heavily Democratic New York City.

"The most recent polling today shows a record number of New Yorkers from across the political spectrum supporting marriage equality," said Brian Ellner, senior strategist for HRC's Campaign for New York Marriage. "This support continues to grow with our campaign highlighting New Yorkers from all walks of life who support basic fairness for everyone."

The findings follow a Siena Research Institute poll earlier this month that showed 57% of New Yorkers support marriage equality.

Evan Wolfson, founder and executive director of Freedom to Marry, said the new poll indicates that it is time for the Republican-controlled senate to pass a marriage equality bill, which Gov. Andrew Cuomo is eager to sign.

"Today's poll is yet another confirmation that a strong majority of New Yorkers believe that loving and committed same-sex couples should share in the freedom to marry," he said. "New Yorkers, like all Americans, are looking at their gay neighbors, coworkers, and family members and realizing that they deserve the same fairness, the same treatment, and the same respect under the law as everyone else. The assembly has passed a freedom to marry bill three times. Governor Cuomo has urged and promised action to end this exclusion. It is indeed time to act. Both chambers should swiftly sent a marriage bill to the governor's desk so that New York can move forward, as New Yorkers want and deserve."

Gay marriage issue resurfaces in flurry of debate

Wednesday, February 9, 2011



FILE - In this Feb. 17, 2010 file photo, New Hampshire Rep. Tara Sad casts her vote on the proposed constitutional amendment that defines marriage as between a man and a woman at the State House in Concord, N.H., just weeks after the gay marriage was legalized in the state. A year later, a flurry of activity nationwide has activists on both sides of the gay marriage debate encouraged that 2011 will be a year of gains for them. Photo: Cheryl Senter / AP

Lawmakers in Rhode Island and Maryland are taking up bills to legalize gay marriage, advocates in New York are making a renewed push, and opponents are fighting for constitutional bans in Indiana and Wyoming and to re-impose bans in Iowa and New Hampshire.

The flurry of activity nationwide has activists on both sides of the gay marriage debate encouraged that 2011 will be a year of gains for them.

"There is so much happening that it is a challenge even for the most ardent marriage-equality supporters to keep track of," said Molly McKay, media director of Marriage Equality, a national group that favors same-sex marriage. "This is a national fight being fought out on various local grounds. Rhode Island, New York, those are states right now where all eyes are looking."

In New York City, the advocacy group Freedom to Marry on Wednesday announced the launch of what it described as the largest-ever national public education campaign aimed at increasing popular support for same-sex marriage.

The group said it hopes to raise and spend \$10 million over the next three years to run ads featuring gay and straight couples talking about the importance of marriage. The first ad is scheduled to run nationally on CNN on Valentine's Day, the group said.

McKay said that with more people open about their sexual orientation, and with gay marriages legal in Massachusetts since 2004, there is a growing acceptance among the public that allowing two men or two women to marry is not a big deal.

"People are realizing, 'Oh, this isn't just a theoretical issue. That's our nice neighbors down the street,'" she said. "You can't put the toothpaste back into the tube once it's squeezed."

Gay marriage is legal in a handful of states besides Massachusetts: Connecticut, Vermont, New Hampshire and Iowa, as well as in the District of Columbia. In California, supporters of gay marriage are mounting a challenge in the 9th U.S. Circuit Court of Appeals to Proposition 8, which banned gay marriage there after voters approved it in 2008.

On the other side, 30 states have constitutional amendments banning gay marriages.

Maggie Gallagher, chairwoman of National Organization for Marriage, which opposes same-sex marriage, said her group is working to increase that number by adding Indiana, Wyoming and possibly North Carolina, the only state in the South that does not have such an amendment. In Wyoming, the proposed amendment is heading to the full House after clearing a committee on Tuesday. It has already passed the Senate.

Gallagher said the group hopes it can block legislative efforts to legalize same-sex marriage in Maryland and Rhode Island, as well as in New York, where a similar measure could emerge this year. She said that she doesn't believe there are enough votes in New York to pass potential legislation, and that she's especially hopeful in Maryland, which has a voter referendum process similar to the one in Maine. Voters in that state repealed same-sex marriage in 2009 after legislators approved it.

If the bill is approved, Gallagher said, "the people of Maryland will, like the people of Maine, reverse their legislators' decision."

In Maryland, supporters say they are "cautiously optimistic" that a same-sex marriage bill will pass the Senate. Maryland's House speaker, a Democrat, has said he will wait on action from the Senate before advancing the debate in his chamber.

In Rhode Island, activists believe that after years of trying, this year represents their best chance yet of legalizing gay marriage. New Gov. Lincoln Chafee, an independent, has been a longtime supporter of legalizing gay marriage, and Democratic House Speaker Gordon Fox, who took his post last year and is gay, is co-sponsoring a bill that drew hundreds of people to a key House committee Wednesday for testimony. Democratic Senate President Teresa Paiva Weed, however, opposes same-sex marriage.

Lise Iwon, a lawyer who is gay, testified she works with many same-sex couples who must have legal papers drawn up to make sure they have protections similar to heterosexual married couples.

"We are the same as you without the same rights," she said.

Joe Cavanaugh, a lawyer and member of the Rhode Island chapter of the National Organization for Marriage, told the committee the point of marriage was to create children.

"I think families and kids are what we're talking about here," he said. "Let's think of ways to give benefits, but do not change marriage."

The Rhode Island chapter of the National Organization for Marriage has aired TV and radio ads targeting Chafee, while advocates held a Statehouse rally Wednesday afternoon in support of the bill.

McKay said activists see Rhode Island as key.

"What happens in Rhode Island will advance the cause of equality nationwide," she said.



FILE - In this Feb. 17, 2011 file photo, Michael Jacobsen of Manchester, N.H., holds his 23-month-old granddaughter Lily Neil-Jacobsen as his husband, Rep. Robert Thompson speaks on the proposed constitutional amendment that would define marriage as between one man and one woman at the State House in Concord, N.H. A year later, a flurry of activity nationwide has activists on both sides of the gay marriage debate encouraged that 2011 will be a year of gains for them.

Photo: Cheryl Senter / AP



Gay Love, Equality Examined in Nationwide Valentine's Day Campaign

By **DEVIN DWYER**

Feb. 14, 2011

Advocates for same-sex marriage marked Valentine's Day with a nationwide campaign to tout the merits of gay love and urge greater legal protections for it.

From California to Texas to Illinois, activists are organizing trips to courthouses and county clerks' offices to request marriage licenses, despite laws in those states and 42 others that forbid gay couples to wed.

"We're going to ask for our marriage license and get denied," Rex Fender, 22, said outside a San Diego courthouse.

She wants to marry her partner of two years, Rudi Redman, 23.

"Our love is just as legitimate as everyone else's, and we want that to be recognized," she said. "On this day of love, we want people to see we're proud about our love."

Organizers from GetEQUAL and Marriage Equality USA, two gay rights groups coordinating the campaign, said 37 events were scheduled to take place in 13 states, with most taking place in California and Texas. "People across the country have decided that enough is enough, and have committed to organizing in their own communities in order to draw attention to their desire to marry the person they love," said GetEQUAL director Robin McGehee.

Meanwhile, New York City-based advocacy group Freedom to Marry launched what it called the largest-ever national TV ad campaign aimed at educating the public on gay love and why marriage rights matter to same-sex couples.

"No one should be treated differently for any reason. We're all human," Keith, an African-American man who said he has been married to his wife, Antoinette, for 31 years, [says in the video ad](#).

The ad was slated to run for the first time on CNN today. The group said it would raise and spend \$10 million in the next three years to support same-sex marriage.

"As Americans see their gay and lesbian friends, families and coworkers in loving and committed relationships, they realize there is no good reason to withhold the protections and

support that only come with marriage," Freedom to Marry spokeswoman Thalia Zepatos said. "It is as simple as the Golden Rule."

Polls show Americans narrowly divided on legalization of gay marriage, with 47 percent in favor and roughly 50 percent opposed, according to the most recent [ABC News-Washington Post poll](#). But the numbers in the past decade have continued to move in same-sex marriage supporters' favor.

The Valentine's Day campaign comes as lawmakers in several states weigh [new legislation](#) to expand marriage rights, or impose new restrictions, related to same-sex couples.

State legislators in Maryland and Rhode Island will consider bills this week that would legalize gay marriage, while supporters in New York are trying to revive a measure that was narrowly defeated about a year ago.

Meanwhile, bills pending in Indiana and Wyoming would impose constitutional bans on the gay unions, while proposed legislation in [Iowa](#) and New Hampshire would repeal existing marriage rights for gay couples and reimpose a ban.

"Marriage is the union of husband and wife for a reason: These are the only unions that can make new life and connect children in love to their mom and dad," National Organization for Marriage chairwoman Maggie Gallagher told Maryland lawmakers last week. Extending marriage rights to same-sex couples "doesn't just add more people to marriage, it changes marriage."

[Click here to watch Freedom to Marry's video ad.](#)



Obama drops defense of Defense of Marriage Act

By Carolyn Lochhead | February 23 2011

The Department of Justice has just announced that it will cease defending the 1996 [Defense of Marriage Act](#). The administration has determined that the act is unconstitutional. The move is a huge step for the gay and lesbian civil rights movement. The law is the last major federal statute that openly discriminates against gays and lesbians, following the repeal late last year of the Don't Ask, Don't Tell ban on gays in the military. Both laws were signed by former President Bill Clinton and crafted by a GOP-led Congress during the culture wars of the 1990s. They survived through the Bush administration, a chapter in history that the Obama administration is now starting to close.

The move has immediate consequences only in the District of Columbia and five states that allow same-sex marriage: Massachusetts, Iowa, New Hampshire, Vermont and Connecticut, and to the roughly 18,000 couples whose legal marriages in California were grandfathered in before the Prop. 8 voter initiative took effect in 2008 to ban same-sex marriage.

"It's a development -- a momentous and historic development -- that the Justice Department will no longer defend the statute," said Fred Sainz, spokesman for the Human Rights Campaign. "But there is still a very long road ahead of us to make these lawsuits successful and eventually get the statute off the books."

Attorney General Eric Holder sent a letter to Congressional leadership informing them of the decision not to defend the statute in two lawsuits, *Pedersen v. OPM* and *Windsor v. United States*, challenging Section 3 of DOMA, which defines marriage for federal purposes as only between a man and a woman.

The letter notifies Congress that it will be up to the House and Senate to decide whether to hire attorneys to defend the statute. The **Windsor case deals with estate taxes -- a GOP favorite**; Edith Windsor was with her late spouse, Thea Spyer, for 44 years, according to the ACLU, which helped file the suit. The IRS refused to acknowledge the marriage and imposed \$350,000

tax on Spyer's estate when she died, which not have been levied had their marriage been recognized by the feds.

"The single most important point is that the President of the United States and the Attorney General have said that sexual orientation discrimination must be presumed to be unconstitutional," said Evan Wolfson, founder and president of Freedom to Marry.

Here is Holder's statement in full:

"In the two years since this administration took office, the Department of Justice has defended Section 3 of the Defense of Marriage Act on several occasions in federal court. Each of those cases evaluating Section 3 was considered in jurisdictions in which binding circuit court precedents hold that laws singling out people based on sexual orientation, as DOMA does, are constitutional if there is a rational basis for their enactment. While the President opposes DOMA and believes it should be repealed, the Department has defended it in court because we were able to advance reasonable arguments under that rational basis standard.

"Section 3 of DOMA has now been challenged in the Second Circuit, however, which has no established or binding standard for how laws concerning sexual orientation should be treated. In these cases, the Administration faces for the first time the question of whether laws regarding sexual orientation are subject to the more permissive standard of review or whether a more rigorous standard, under which laws targeting minority groups with a history of discrimination are viewed with suspicion by the courts, should apply.

"After careful consideration, including a review of my recommendation, the president has concluded that given a number of factors, including a documented history of discrimination, classifications based on sexual orientation should be subject to a more heightened standard of scrutiny. The president has also concluded that Section 3 of DOMA, as applied to legally married same-sex couples, fails to meet that standard and is therefore unconstitutional. Given that conclusion, the president has instructed the Department not to defend the statute in such cases. I fully concur with the President's determination.

"Consequently, the department will not defend the constitutionality of Section 3 of DOMA as applied to same-sex married couples in the two cases filed in the Second Circuit. We will, however, remain parties to the cases and continue to represent the interests of the United States throughout the litigation. I have informed members of Congress of this decision, so members who wish to defend the statute may pursue that option. The department will also work closely with the courts to ensure that Congress has a full and fair opportunity to participate in pending litigation.

"Furthermore, pursuant to the president's instructions, and upon further notification to Congress, I will instruct Department attorneys to advise courts in other pending DOMA litigation of the President's and my conclusions that a heightened standard should apply, that Section 3 is unconstitutional under that standard and that the Department will cease defense of Section 3.

"The department has a longstanding practice of defending the constitutionality of duly-enacted statutes if reasonable arguments can be made in their defense. At the same time, the department in the past has declined to defend statutes despite the availability of professionally responsible arguments, in part because -- as here -- the department does not consider every such argument to be a 'reasonable' one. Moreover, the department has declined to defend a statute in cases, like this one, where the president has concluded that the statute is unconstitutional.

"Much of the legal landscape has changed in the 15 years since Congress passed DOMA. The Supreme Court has ruled that laws criminalizing homosexual conduct are unconstitutional. Congress has repealed the military's Don't Ask, Don't Tell policy. Several lower courts have ruled DOMA itself to be unconstitutional. Section 3 of DOMA will continue to remain in effect unless Congress repeals it or there is a final judicial finding that strikes it down, and the president has informed me that the executive branch will continue to enforce the law. But while both the wisdom and the legality of Section 3 of DOMA will continue to be the subject of both extensive litigation and public debate, this administration will no longer assert its constitutionality in court."

Find **the original tally of final passage on DOMA** [in the House here](#) and [the Senate here](#).

Prop 8 appeals recap – judges seem likely to rule in favor of same-sex marriage

By Eric Ross

December 6, 2010



Rally outside the 9th District Court House

Photo: Urvi Nagrani

Last August, U.S. District Court Judge Vaughn Walker ruled that Proposition 8, the 2008 ballot measure that revoked marriage rights from same-sex couples in California, violated the U.S. Constitution. Today, a three-judge panel on the Ninth Circuit Court of Appeals in San Francisco heard oral arguments in [*Perry v. Schwarzenegger*](#), the federal court challenge to Proposition 8.

The first hour of the hearing was dedicated to the question of “standing,” or whether Prop 8 proponents have a legal right to appeal the case. David Boies argued for the plaintiffs by explaining that the proponents do not have standing because California law does not permit private parties to represent the state in court when the [attorney general and governor have decided not to appeal a court decision](#). Additionally, Boies claimed that the proponents of Prop 8 are not harmed in any way by permitting same-sex couples to marry. However, Smith noted that voters approved Proposition 8 in 2008, but both [Gov. Arnold Schwarzenegger and Attorney General Jerry Brown have refused to defend the state law on appeal](#), actions that seemed to trouble Smith and Judge Stephen Reinhardt.

"What we have here is the attorney general and governor with no ability to nullify the acts of the people, and then by not appealing, they do it," Smith told Boies.

It's unclear as to whether or not the judges will rule that the defendants of Prop 8 have standing. It did seem obvious, though, that the judges were skeptical of Imperial County's argument that it could step in and lead the appeal.

In the second hour, the attorneys addressed the constitutionality of Prop 8. The judges seemed extremely critical of Proposition 8 lawyer, Charles Cooper's argument. When Cooper argued that society has a "vital interest" in limiting marriage to heterosexual couples because it encourages procreation and increases the prospect that children will be raised by both their mothers and fathers, Judge Reinhardt quickly jumped in by saying, "That sounds like a good argument for prohibiting divorce."

The judges also seemed concerned with the fact that the people of California voted to take away rights from a minority, the same rights which the courts previously awarded. Judge Hawkins compared the situation to racial protections and asked whether voters could choose to reinstate segregation in schools. Cooper insisted the situations were different legal issues.

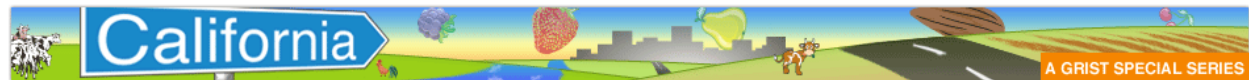
Towards the end of the hearing, Theodore Olson, a lawyer for the plaintiffs, also provided his arguments on the constitutionality of Prop 8. Olson argued that [the measure is unconstitutional under both the equal protection clause and the due process clause](#), as a denial of the fundamental right to marry, and that Prop 8 lacks any rational basis. Olsen kept his composure through the grilling from the judges and he quickly responded to the critical questions with logical arguments.

Experts believe today's hearing favored the repeal of Proposition 8.

"Today, we were witnesses to history," said Kate Kendell, the Executive Director of the National Center for Lesbian Rights. "The arguments for striking down Prop 8 were powerful and persuasive, but the true animating feature of the fight to invalidate Prop 8 are the lives of the couples, their families, their children, and all who support a nation where the promise of our constitution applies to all. This morning, while many of us sat riveted to the argument over Prop 8, LGBT headed-households all over the state went about their business, taking kids to school or dentist appointments, planning what to cook for dinner, rushing to catch the bus, or get to work. The future and fortunes of many of these very real families hang in the balance over the outcome of this morning's hearing. We remain hopeful that Walker's ruling will be upheld and Prop 8 invalidated by the Ninth Circuit."

There is no timetable for the 9th Circuit to rule. Regardless of the outcome, both sides have said they will appeal to the U.S. Supreme Court if they lose.

The hearing itself lasted over two hours. The video can be seen [here](#).



Farmworkers are climbing up the organic food chain



by Heather Smith
28 Jan 2011



Rigoberto Bucio, 25, selling his own organic produce at the North Oakland, Calif. farmer markets.
Photos: Bart Nagel

The strawberries, purchased in November, in a rainy parking lot behind a community clinic, feel like they've traveled in time from summer to here. Out of season, strawberries usually taste like rainwater. These have a taste that is sharp and unexpected.

The [North Oakland farmers market](#) is almost deserted -- it's a new one, just getting off the ground. The people here selling their wares look soggy and wan and not especially thrilled to be here. Nor does the wet goat that a couple in rainproof anoraks are trying to coax onto a milking platform.

But Rigoberto Bucio, arms folded, flanked by an army of beets, carrots, chilies, chard, kale, and baskets of the surprisingly sweet strawberries, surveys the scene with equanimity. He's encountered all kinds of weather working in the fields. At least here he's standing under a white plastic tent and selling what he grew himself, at Bucio Farm.

Bucio got into farming out of a certain pragmatism. "It's the best thing that I know how to do," he says. "And I don't want to work in a closed space. And I love it when people tell me my produce is very good."

Although he looks older, until he cracks one of his shy smiles, he is just 25 years old -- astonishingly young compared to the average age of U.S. farmers, which is 55. He is also in a distinct minority: not only does he farm organically, but only 2.5 percent of all U.S. farm operators are Latino (or Hispanic, as the USDA's 2007 Census of Agriculture records it [[PDF](#)]).

Bucio is one of a growing number of young migrant workers who, thanks in part to changes in the [Farm Bill](#) that freed up funding to train and otherwise assist beginning farmers, are no longer making pennies per bucket picked but working for themselves, running CSAs, and introducing new blood into American farming.

Bucio is still getting used to the changes that this occupational switch involves. As a farmworker, he was part of a class of people that is culturally invisible in America -- abstract because to think of it too closely makes people feel uncomfortable. Organic farm work is arguably healthier than conventional farm work, but it's still work that [not many people fantasize about doing](#). Now, he's something else, the Farmer -- that archetype revered by many Americans. More so than a politician or a lawyer or a plumber or an executive director of marketing, the small-time farmer is America as America would like to see itself.

Pick your poison

California supplies more than half of the country's produce, and unlike corn and soy, fruits and vegetables have proved [one of the most difficult crops to mechanize](#).

The Salinas Valley produces a lot of cool-season, high-value crops like strawberries, and these attract a largely low-skilled and low-paid labor force. Over a quarter of the population of the surrounding county works in agriculture or processing, but the area itself is a food desert -- food is shipped out as soon as it is picked or processed, and is often too expensive for the people who work farming it. (Look for the next story in the California series, on the food desert in the middle of the Central Valley.)



Rigoberto Bucio.

Bucio dropped out of middle school in Mexico to come to the States and work in the strawberry fields of California. Americans eat 75 percent more strawberries than they did 20 years ago, but the plant itself has remained stubbornly resistant to attempts to mechanize its production. It wants to be picked by actual people. The closest thing to industrialization the crop has seen is the conveyor-belt system that radiates out from the center of the field to the edge, so that workers don't have to carry the full flats of berries to the trucks parked nearby.

As a farmworker, Bucio only worked on organic farms. "Because I like to eat the strawberries as I harvest them" is what he says, but it's also well known by farmworkers that the people most at risk from pesticides are not people buying their produce at the supermarket, but the person working in a recently sprayed field.

In the last 10 years, Bucio has learned a lot about strawberry plants, and almost nothing of English. He hasn't really needed to -- in California, the language of farming is Spanish. As the number of overall farms in Monterey County, the area around Salinas, has dropped due to consolidation and development, the number of Latino farmers has increased by 70 percent since the late '90s, according to the USDA census.

Bucio would seem like an unlikely candidate for the [tangle of regulatory obligation, self-promotion, and epic paperwork](#) that is modern organic farming. But he's ambitious, and he was lucky enough to get help from [Agriculture and Land-Based Training Association](#) (ALBA), a business incubator that works with people -- mostly Latino, mostly low-income -- to set them up as independent organic farmers. ALBA is funded by the EPA, the USDA, a patchwork of nonprofits and corporations, and through the sale of the produce grown by its members, under the name ALBA Organics. Four out of five students enrolled in ALBA's free six-month training program make \$32,000 or less in yearly income.

To get into ALBA's program, Bucio had to fill out a five-page application that asked, in English and Spanish, questions such as "Can you operate a tractor? Can you weld? Can you read and write? What would you plant if you could plant anything?" Classes at ALBA cover not only farming, but how to navigate the business culture around it: How to start up a CSA. How to sell to restaurants. How a certain kind of customer is more likely to buy produce if it's displayed in little wicker baskets.

"There's a whole spectrum of knowledge," says Gary Peterson, deputy director of ALBA. "There's harvest. Post-harvest handling and packing. When should you harvest that bok choy? In the morning? In the afternoon? If you're packing a box for the wholesale market, what is it supposed to look like? Is it going to make a person at a market take the box, or just reject it outright?"

During the course, each student has to write a business plan, and present it before a panel of farmers in what Peterson describes as "*American Idol* for small-time farmers."

The land that Bucio farms is part of an 110-acre spread that is shared by about 40 ALBA farmers -- a parcel bought originally from a local judge for a program that was part of Lyndon Johnson's [War on Poverty](#), defunded during the Reagan administration, and ultimately taken over by the organization that became ALBA.

Seen from the air, the ALBA parcel looks quirky. Surrounded by a plain of flat, monotonous rectangles, the land is a patchwork of more than 50 crops flanked by hedgerows -- a technique that most farmers don't use anymore, because they take up farming real estate, but which provide habitat for insects that can boost pollination.

Managing an area farmed by novices is complex. It's a tricky business to keep them from accidentally flooding each others' land and up to date on the paperwork for the 11-plus different regulatory agencies they need to be in compliance with -- including (but not limited to) the water board, the agricultural commissioner, and the California department of food and agriculture.

Paperwork, it's emphasized, is critical. Not all of the farmers can read and write, in Spanish or English, but paperwork still needs to get done, even if through an intermediary. Once, a farmer who couldn't produce the paper trail to prove that his stakes weren't treated with pesticide had to pull them all up. One of the first homework assignments is to go down to the Monterey County office and register as a farmer.



Maria Catalan (right) is one of ALBA's success stories. She sells at 13 farmers markets.

Ground breaker

Maria Catalan, one of ALBA's greatest success stories, once started like Bucio, at a few farmers markets. Now Catalan Farms cultivates 14 acres and sells at 13 farmers markets as well as to high-end restaurants in San Francisco.

A few times, Catalan has been invited to dinner at these restaurants. "It's sometimes very luxurious and it's free, but at one of the restaurants they gave me a small tortilla -- very small. And it had zucchini and it was so small and I thought, 'This is zucchini?' In my house, when I make zucchini, I make a huge pot of them," she tells me, through a translator. "The only thing that I like about the restaurants is the wine."

When she crossed the border into the United States 22 years ago, she became a third-generation migrant farmworker -- an occupation that began when her grandparents first crossed the border to pick vegetables in Texas.

Catalan has the air of toughness you might expect from someone who once worked for as many as 12 different companies in a single year, cultivating broccoli, spinach, parsley, and anything else that needed cultivating.



Maria Catalan.

"When you start working as an immigrant, you become a number instead of a person," she says. It is [an exponentially more difficult job for women](#), too.

These days, when someone accidentally calls Catalan a farmworker, she corrects them kindly but firmly. A farmworker, in her opinion, is someone who doesn't have control over their own life. She wants to make it perfectly clear that she is not that person anymore.

The people on her farm, she says, work without supervisors. This management style owes something to her years of being supervised, but it also has more than a little to do with the fact that most of her staff is related to her. The attrition rate at ALBA can be high at times -- the training may be free, but farm work doesn't pay well, and often people who would be taking classes are financially supporting other family members.

Several people in Catalan's family, including all of her siblings, wanted to become farmers themselves but dropped out before the six months of classes were finished. Catalan had a boyfriend while she was in the program who was helping her with the bills, though he left in a fit of pique after he realized that the classes were making her less inclined to listen to his farming advice.

Catalan's farming style is a mixture of what she learned at ALBA, and her family's own folklore and hard-won knowledge about how to make plants grow. She grows varieties of corn that are mostly grown in Mexico. But she also grows kale, which she'd never seen before she came to California. She decides when to plant by following the phases of the moon, because that's the way that her family has always done it, and because, in her opinion, it makes the crops grow better.

Catalan grows organically because that's how her grandfather, who once owned a farm in Guerrero, Mexico, grew his peanuts, corn, cotton, beans, chilies, and sesame seeds. Everyone in Mexico did back then.

"Organic," Catalan says, "That's our farming. We know how to do that already."

Loan rangers

It's been said that 90 percent of being a farmer is figuring out how to get your crops to the people that eat them without going completely broke. Catalan credits her success to working, relentlessly, to get a spot at the Berkeley farmers market. Bucio believes it's about working hard, but isn't sure if he's going to be a success.

ALBA's funding has increased, and beginning and low-income farmers now have access to a few loans and benefits like conservation incentives that were previously only available only to large farmers. Loans, such as they are, exist in very low amounts. In some ways, this is just as well, says Peterson, as micro-loans prevent beginning farmers from getting into more debt than they can handle.

It's unlikely that any of these farmers will ever own their own land. For all of our image of farmers as rugged, property-owning American individualists, [over 40 percent of American farmland is rented](#) [PDF]. And California has some of the most expensive farmland in the world -- the going rate to rent an acre near where Bucio farms ranges from \$1,300 to \$2,000 for an acre, for a year. Since this is his first year, Bucio is paying \$250 per acre, per year, to ALBA. Each year, that rent will increase slightly.

Ana and Eleazar Juarez, who graduated from the program seven years ago, are now paying full rent on the land for their farm -- Rio De Parras Organic. They're counted as one of the program's successes -- Eleazar now farms full-time and Ana, who worked full-time as the stock-room manager at the Salinas Target while she was taking classes at ALBA, now only works at Target during the winters.

Seeding the Salinas Valley with small farmers is another one of ALBA's eventual goals. Most organic farmers don't look like Bucio and Catalan, and organic food, rightly or wrongly, is seen as unaffordable by agricultural workers in the valley. Would those workers buy more fruits and vegetables if the farmers looked like them? Could those people who farm on the 110 acres make a good living selling to the people in their own community?

They'd like to. ALBA just carried out a strategic planning process with the farmers that it has been training. Ana Juarez was one of the people at the table. How, ALBA wanted to know, would its success be measured? When you're training people for one of the hardest, least well-paying gigs in America, what does success look like?

The answer was this. The farmers got together and decided that they would know they were successful when they had enough to give away -- to the food bank, to the community. Once they're able to give back to Salinas, they'll know that they've arrived.



Wading into Deep Waters: On California Water Stewardship with Dave Runsten

October 11, 2010 By Haven Bourque



Last week while savoring the last of the stone fruit and the first crisp apples here in California, I worried about water. If you eat fruits and vegetables, you, too, should be very worried about water. This is because California, the state that supplies vast quantities of our nation's produce, is running out. The culprit? Urban development gone wild, climate change, and generations of water transfer in a state with a high percentage land in the desert.

Reading excellent coverage of the farmers vs. fisherman water issue [here](#) on Civil Eats piqued my interest. Then, last week I heard a roomful of water experts discuss how our water issues impact food and farming. Presented by [Sustainable Agriculture Education](#) (SAGE), and [Community Alliance with Family Farmers](#) (CAFF), along with San Francisco Professional Food Society and Les Dames des Escoffier, the panel discussion made me more nervous and confused. What was true? After the panel I caught up with Dave Runsten, who heads up CAFF's work with the [California Agricultural Water Stewardship Initiative](#), to seek clarification. Runsten's July 2010 report *Why Water Stewardship for Agriculture* was published July 2010 and outlines some relevant points of the debate on water issues facing the state's urban dwellers, farmers and the food system.

Dave, I'm swimming in the murky waters of this debate. Please review the main issues facing agricultural water management as you see them.

It's a complicated topic even for experts. Here's the big picture: California agriculture is essential to the food security of the United States. But we built a water system over many decades, starting back in the 19th century, which relies on lot of transfer of water from one basin to another. San Francisco gets water from Yosemite Valley, Los Angeles gets water from the Colorado river and from Northern California, etcetera. Today the LA region has a population of 20 million. If LA had to survive on its own water resources, it could support only one million people. Much of the land in California is desert. This land is worth nothing without access to water. So we transport water to desert areas to make land worthwhile for farming and real estate. It's expensive, it's politically controversial, and there isn't enough water to go around.

How much of a crisis is this?

Today, we are 5 million [acre feet](#) short of the water the state needs for families and for farming. This shortage is only going to get worse. Climate change is reducing size of the snow pack, it will create extreme rain with flash flooding and runoff challenges, and means more drought. Almost 40 million people live in California so we need to change everyone's habits.

We can't have lawns and lush landscaping. 40-50 percent of our water is used outdoors. The State Water Board says three million feet of water can be saved if people simply conserve. For example, Los Angeles has mandated low-flow toilets and shower heads.

What's our goal for water conservation?

Our conservation goal is 20 percent urban water reduction per capita by the end of 2020 in all of California's urban areas. Legislation was passed in 2009 to require this commitment. But conservation alone won't solve the problem. We need to store water by capturing it. Farmers in particular can do this by adapting a variety of technologies and practices. Some examples of this are building organic matter into the soil through cover cropping, minimum tillage and amendments, using drip or micro sprinklers, soil monitoring, and many other ways. Conservation must also take place at the irrigation district level, or the watershed level, improving distribution efficiency and working on local infrastructure rather than relying on central water infrastructure with dams.

In your July 2010 publication you say it is argued that farmers 'waste' water. Who argues this and why?

Los Angeles wants more water allocation to water lawns and cars. As a farmer, this offends me. I'm growing food for those people to eat. [Meanwhile] people have a concept that flood irrigation is a waste of water. Really it's the way groundwater is being recharged. Water finds its way back into the Sacramento River after its flood irrigated, so it's a natural recycling/reclamation system. Certain crops would be very difficult to grow with drip or sprinkler type irrigation. These types of systems are expensive to manufacture, purchase and

install, they require electricity to operate, and they must be maintained, so they are far from a simple solution.

How much do farmers pay for water?

Farmers pay the cost of getting water to them depending on their location. Along the Sacramento River, farmers pay \$5 per acre per year. On east side of San Joaquin valley the cost is \$20/\$30 an acre, and West of San Joaquin water costs \$200/\$300 an acre. In San Diego, farmers pay \$2,000 an acre. That reflects the reality of what it costs to transport water there. To be truthful, anyone paying \$5 per acre doesn't have a much incentive to conserve.

What are the top controversies re: water for food, farming and families as you see them?

When Mark Reisner wrote [Cadillac Desert](#) about land development and water policy in the West back in the 80's, he said rice growers were wasting water. Not about to take that one lying down, the rice farmers invited him to visit. He worked with them to create a water fowl habitat, timing of flooding the field to work with migration which vastly increased the number of water fowl flying through. To me this is a terrific illustration of how it is possible to have agriculture conducted in harmony with nature.

What about the [Delta Smelt](#)?

For sure the Delta has crashed. We pump more and more water out of it, especially in last 10-15 years. We've been destroying the environment of the Delta for a long time and these indicator species along with it. But here's the rub: if we leave more water in the delta, whose water will we leave there, Northern California's or Southern California's? There is absolutely no simple solution to it.

What should CA food and farming advocates do?

Advocate for water conservation, urban and rural. It's simply not fair to just attack farmers. We must recognize that farmers are producing our food, so we must create an urban-rural compact centered on stewardship and smart use to find a way to reduce water use. A lot of farmers don't have any economic incentives to do this, so food advocates will have to support subsidies, technical support and monies to help them. Technical assistance through cooperative extension systems have been severely cut back; that means there's not a lot of help available for farmers.

What about industrial agriculture versus small farms?

Water is a problem that cuts across every farming operation, both big and small. The price of water has everything to do with where you are located, what your water rights are, not the size of your farm. Smaller farms have even more limited budgets, while bigger ones have more access to consultants and technologies. Not all small organic farms are doing a great job on water use. They could do better, and they could use financial and technical help.

Here's a good example from the Southern San Joaquin valley in the very large Westlands Water district. These are some of the biggest farms in CA , and they're doing a great job conserving because they have expensive water and have to work really hard to adopt high technology irrigation practices. It's simple economics. Compare them with organic farmers in Capay Valley. They do use drip irrigation to grow vegetables, so they're not wasting water, but don't have sophisticated moisture probes or other higher technology tools. Plus, there's a high learning curve since historically they've had enough water.

What is your final thought for water-concerned Civil Eats readers?

The overarching problem is that people want to build houses in the desert. The water must come from Northern California. That's the political reality here. Still, a permanent, sustainable agriculture in California with a permanent, sustainable water supply is possible if everyone in the state, urban and rural, conserves water.

Viewpoints: Ag must brace for a changing climate

By Rich Rominger
Special to The Bee

Saturday, Dec. 11, 2010



Rich Rominger

Gov.-elect Jerry Brown has an opportunity to make a strong commitment to some important issues in agriculture. California leads the nation, producing 400 crop and livestock commodities and supplying half of the country's fruits, nuts and vegetables. It is vital that agriculture remain strong, providing food security for California and the nation. A changing climate and budget deficit add to the challenge.

California's Central Valley is the last great Mediterranean-climate agricultural area in the world. Along with our highly productive coastal valleys, it must continue to provide food for generations.

Yet farmland continues to be gobbled up by urban sprawl at an unsustainable rate, diminishing our ability to produce food and fiber, and eliminating the climate benefits of carbon sequestration. We must fully fund the state's farmland protection programs, including the Williamson Act, and conservation easement programs.

The beauty of a Mediterranean climate is dry summers that mean crops don't rot from rainfall, but also means that irrigation is needed. Just as Brown's father, Gov. Pat Brown, is remembered for developing California's water supply system, now is the time to comprehensively tackle updating the state's water system.

Consistent and abundant food production and a growing population need a reliable water supply. At the same time we must resolve the environmental issues in the Sacramento-San Joaquin Delta

and elsewhere in the state. We need more conservation, reclamation and recycling, along with more surface and groundwater storage. The challenge is great because of all the diverse interests in our large state; it's made even more challenging by climate change.

Though agriculture produces only 6 percent of California's greenhouse gases, it will be disproportionately affected by a changing climate, including diminished water supply, the extremes and unpredictability of weather events, shifting pest and disease patterns, decreased chill hours, and more – all of which threaten productivity and profitability.

Also, the energy needed for producing food and fiber makes California's farms and ranches particularly susceptible to price shocks and increasing energy costs associated with fossil fuel dependence. If California's \$35 billion agriculture industry is to be sustainable, these vulnerabilities must be addressed.

But there's more to this story than just problems: There is also an opportunity for agriculture to respond with innovation. California is home to innovative agricultural producers who are reducing their carbon footprint and minimizing their energy and water use through greater efficiency and conservation.

Not only that, but working lands have the capacity to store atmospheric carbon in soils and woody biomass on millions of acres, and to provide open space for recharging valuable groundwater.

And while much has been invested in next-generation renewable energy technology, the potential to produce it from biomass, solar and wind on farms and ranches is under-realized in our state.

We must harmonize the maze of regulations and lift the barriers to on-farm renewable energy to fully realize our energy future.

More agricultural research is needed to keep California on the cutting edge, from organic methods to new crop varieties, to produce more food for more people, and at the same time identify the best practices for reducing greenhouse gases, sequestering carbon and providing a variety of conservation benefits.

Technical assistance will be imperative to aid producers in identifying best practices for their operations and navigating the complexities of science and policy. And producers will need incentives to support the shift to clean energy and climate-friendly practices.

Jerry Brown's new term as governor gives him the opportunity to play a critical role in this nexus of agriculture, water, clean energy development and climate change. California's Global Warming Solutions Act, AB 32, will be implemented in the next few years. Countries and regions around the world will be watching and following California's trailblazing efforts to balance economic recovery with environmental stewardship.

California agriculture's contribution to the state, nation and world is a critical issue of national security.

In the 1970s and '80s, Brown led the way in developing energy efficiency measures that made California a national leader. That same innovative, bold leadership is needed from him now to support the state and its agriculture in tackling these most pressing challenges.

Rich Rominger is a Yolo County farmer. He was California's secretary of food and agriculture from 1977 to 1982 and deputy secretary at the U.S. Department of Agriculture from 1993 to 2001.

Ag Alert

Ag Vision 2030 group releases strategic plan

Issue Date: December 22, 2010

By Christine Souza
Assistant Editor



Members of the Ag Vision Advisory Committee gather outside the state Capitol to celebrate release of the plan. From left: Tim Johnson, California Rice Commission; Matt Byrne, California Cattlemen's Association; Eric Holst, Environmental Defense Fund; Rich Matteis, California Farm Bureau; Michael Dimock, Roots of Change; Al Montna, State Board of Food and Agriculture; Luawanna Hallstrom, State Board; A.G. Kawamura, secretary of Food and Agriculture; Ralph Grossi, American Farmland Trust; Ed Thompson, AFT; Dave Puglia, Western Growers; Ashley Boren, Sustainable Conservation; Paul Muller, Full Belly Farm; Sue Sigler, California Association of Food Banks; Paul Martin, Western United Dairymen; and Cornelius Gallagher, Bank of America.

After a two-year process, the California State Board of Food and Agriculture and partner organizations unveiled a dozen recommendations aimed at securing the future of agriculture in the nation's largest farm state. During an event outside the state Capitol last week, the group released a strategic plan for agriculture and food systems known as California Agricultural Vision 2030, Ag Vision for short.

The plan addresses responses to the rapidly growing list of challenges facing agriculture, from regulations and water supply to urbanization and climate change.



Governor-elect Jerry Brown congratulates the Ag Vision committee on completion of the plan, which includes strategies for dealing with key issues including water supply and burdensome regulations. Listening, left to right, are committee co-chair Luawanna Hallstrom, state Food and Agriculture Secretary A.G. Kawamura and State Board of Food and Agriculture Chair Al Montna.

Intended to be part of a continuing process, the Ag Vision recommendations are based on discussions among representatives from environmental, labor, food access and nutrition organizations, as well as California farmers and ranchers.

"The Ag Vision recommendations reflect the combined needs of California's farmers and ranchers and those stakeholders interested in our food system," said state Food and Agriculture Secretary A.G. Kawamura. "Collaboration among these groups is key to creating a sustainable future within the agricultural sector."

State Board of Food and Agriculture President Al Montna described Ag Vision as a living document and as something that he doesn't want to see "sit on the shelf."

"I insisted that the Ag Vision would be a continuing process of cooperation and definitive action resulting in a stronger and vibrant agriculture community," Montna said. "Ag Vision is a process that will transcend party lines, special interest groups and probably some of us. The Ag Vision report is a living document and it is on the table for discussion from any interest group that is interested in our industry."

"Ag Vision has identified some key action areas that need to be addressed in the near term if agriculture is to thrive, including enhancing water infrastructure and easing the regulatory burden on farmers and ranchers," said California Farm Bureau Federation Administrator Rich Matteis, a member of the Ag Vision Advisory Committee. "This plan is a point of embarkation, not a destination, and it will serve as a road map for agricultural and some non-traditional stakeholders to work together for the betterment of the industry."

The report released last Thursday, "California Agricultural Vision: Strategies for Sustainability," contains a dozen strategies that are to be implemented through 24 specific actions, some to be taken immediately and others over the longer term.

Strategies include: ease the burden of regulation on agriculture while maintaining health, safety and environmental standards; secure an adequate supply of water for agricultural purposes;

improve access to safe, healthy food for all Californians; assure a strong labor force through fairness to agricultural workers and employers; effectively detect, exclude and control invasive species; adopt a policy of conserving agricultural land and water resources; expand environmental stewardship on farms and ranches; promote renewable energy and substitutes for fossil-based inputs; assure agricultural adaptation to climate change; promote robust regional markets for all California producers; cultivate the next generation of farmers and ranchers; and promote agricultural research that anticipates 21st century challenges.

Edward Thompson Jr., American Farmland Trust California director, spoke about the immediate and longer-term actions endorsed by the state Board of Food and Agriculture.

"Our approach was, let's get some consensus on the doable things and then move forward," Thompson said.

For easing the regulatory burden on agriculture, for example, the immediate action was "to evaluate the pros and cons of a variety of institutional arrangements and to suggest alternatives for improving the administration of environmental and other regulations." The longer-term recommendation was to "document examples of regulations and other mandates that could be changed to reduce the burden and cost...while still fulfilling the purpose of the regulations."

"Let's do things a little differently so you don't have to get eight permits and it actually benefits the environment," Thompson said.

During the presentation to unveil the report, Governor-elect Jerry Brown took time away from working on the state budget to greet the Ag Vision committee members and related stakeholders.

"Certainly, producers from California of every size are facing challenges with water, soil, workers, pesticides, air, politicians...it is a mixed bag and pretty big," Brown said, adding that, as he works on solving state budget problems, "I think California is in for some good times after a certain period of difficult times."

Montna commented that Brown's appearance at the Ag Vision event shows that he is willing to work collaboratively with agricultural representatives.

"Farmers and ranchers cannot address opportunities and challenges ahead of us alone. We need to work together with a variety of stakeholders to assure that California agriculture contributes to healthy people, a healthy planet and a robust economy," Montna said.

Board of Food and Agriculture member Luawanna Hallstrom, a co-chair of the Ag Vision Advisory Committee, also emphasized the need for collaboration.

"Ag Vision challenges all of us to be better and to collaborate in dealing with the tough challenges that we face to find the best solutions that will provide the right balance," Hallstrom said.

For more information on Ag Vision, go to www.cdfa.ca.gov/agvision.

Methyl iodide's use in state challenged by suit

Peter Fimrite, Chronicle Staff Writer

Tuesday, January 4, 2011

Environmentalists and farmworkers challenged approval of a toxic fumigant and carcinogen for use on California crops Monday and urged Gov. Jerry Brown to reverse the decision.

The coalition of advocacy groups filed a lawsuit Thursday calling the decision to register methyl iodide as a pesticide "irresponsible and illegal."

The chemical, produced by Arysta Life- Science Corp. primarily for use on strawberry fields, was approved by the California Department of Pesticide Regulation last month despite concern from some scientists, toxicologists and environmentalists. The lawsuit claims methyl iodide is a poison that causes cancer and thyroid disease and can harm the lungs, liver, kidneys, brain and central nervous system.

"This 11th-hour decision flies in the face of unprecedented scientific consensus and community opposition," said Kathryn Gilje, executive director of Pesticide Action Network North America, which, along with the other plaintiffs, submitted 52,000 comments urging Brown to halt the use of methyl iodide. "This chemical is just too dangerous to use in California."

Lea Brooks, the spokeswoman for the Department of Pesticide Regulation, said the chemical has been studied more than any pesticide in the department's history.

The department, she said, "determined methyl iodide can be used safely under its toughest-in-the-nation health-protective measures, including stricter buffer zones, more groundwater protections, reduced application rates and stronger protections for workers."

State regulators insist that only trained workers will be allowed to inject the chemical into the soil, and treated areas will be covered by impermeable tarps. Methyl iodide is not applied onto plants or fruit, and both sides agree that it will not be detectable on the fruit itself.

The suit was filed in Alameda County Superior Court by Earthjustice and California Rural Legal Assistance Inc. on behalf of the United Farm Workers of America and several pesticide reform groups. It claims state approval of methyl iodide violates the California Environmental Quality Act, the California Birth Defects Prevention Act and the Pesticide Contamination Prevention Act.

The plaintiffs accused the department of fast-tracking approval with an emergency declaration that was a ploy to win passage before Gov. Arnold Schwarzenegger left office.

However, Brooks said the declaration was a way to add more safeguards by requiring farmers to obtain a permit before applying methyl iodide.

"We're surprised anyone would be opposed to additional safeguards," she said.

Scientists first began experimenting with methyl iodide in the mid-1990s as a replacement for methyl bromide, which was being phased out because it was found to damage the ozone layer. It was approved by the U.S. Environmental Protection Agency in 2007 for use as a fumigant over the protests of more than two dozen California legislators and 54 scientists, including six Nobel laureates, who signed a letter opposing registration of the chemical.

Methyl iodide is now licensed for use in 47 states.

"It's farmworkers like me who become sick," said plaintiff Jose Hidalgo Ramon. "As a strawberry picker, I have worked near many pesticide applications. First we smell the pesticides. Then our eyes burn, our noses run and our throats hurt. We don't need new, even more dangerous toxins."

USDA releases statement on Roundup Ready sugar beet seed

By Cindy Snyder - Times-News correspondent Tuesday, November 30, 2010



Sugar beets await processing at the Amalgamated Sugar Company plant in Twin Falls. Sugar beet growers are still waiting to see if they'll be allowed to plant Roundup Ready sugar beet seed in 2011.

With less than a week left in a one-month public comment period, sugar beet growers are still waiting to see if they'll be allowed to plant Roundup Ready sugar beet seed in 2011.

Public comments must be submitted by Dec. 6 on the 336-page draft environmental assessment. That assessment provides details on three interim regulatory options being considered by the U.S. Department of Agriculture's Animal Plant Health Inspection Service. Any action APHIS may ultimately take will only be an interim measure until a full environmental impact statement is completed in 2012.

Since the genetically modified seed was approved in 2005, it has been planted on 95 percent of all sugar beet acreage across ten states in the U.S.

A lawsuit brought by the Center for Food Safety voided the original deregulation in mid-August.

The draft environmental assessment released in early November outlines the alternatives USDA reviewed in order to give farmers the choice to plant Roundup Ready sugar beets until the full EIS is completed.

The first option would halt production of Roundup Ready beets until USDA completes the full environmental study. A USDA report indicates sugar beet production in the U.S. would fall by 37 percent if this option is followed.

Option 2, the one preferred by USDA, would allow production of beets under “mandatory conditions to prevent potential plant risks.”

The third option would grant partial deregulation and USDA would bow out of the process pending the completion of the environmental study, but would also allow seed producers to supervise plantings through technology stewardship agreements.

Meanwhile, the federal district judge hearing the lawsuit heard testimony regarding the fate of stecklings planted after his Aug. 13 decision that essentially re-regulated the technology. Closing briefs had to be filed by Nov. 15 in that matter. If the stecklings (the vegetative stalk planted in the fall that produces seed the following year) must be destroyed, many industry watchers fear there won’t be enough seed to plant sugar beets in 2012.

In the meantime, uncertainty about whether they will be allowed to plant Roundup Ready sugar beets is keeping farmers from ordering seed or chemical for next year.

Decisions about purchasing equipment are also on hold

Corey Searle, customer services manager for Parma Company, has seen that reluctance. Parma Company is one of the region’s leading manufacturers of sugar beet equipment.

“We have had farmers come and say that if they have to go back to manual labor (to weed beet fields) they will get out of the industry,” he said. “But we’ve also had others say that it doesn’t matter if, that they will stick with it.”

Judge orders removal of sugar beet seed plants

By MICHAEL J. CRUMB, Associated Press
Fri Dec 3



AP – FILE - In this photo taken Sept. 9, 2009, farm hand Jason Adler walks through a field of sugar beets ...

DES MOINES, Iowa – A federal judge in California has ordered the removal from the ground of plants grown to produce seeds for genetically modified sugar beets, citing the potential for environmental harm.

The ruling by U.S. District Judge Jeffrey White has again raised questions about the use of genetically modified crops and what will happen if growers aren't allowed to plant GMO seeds.

About 95 percent of the sugar beet crop has been genetically modified to resist the weed killer Roundup. The crop provides roughly half of the nation's sugar supply.

In his decision, White cited, "a significant risk of environmental harm."

White ruled in a lawsuit filed by environmental groups challenging a decision in September by the U.S. Department of Agriculture's Animal and Plant Health Inspection Services to issue permits to seed companies to plant sugar beet stecklings. The young plants produce seeds that then are planted to grow sugar beets.

The agency decided to issue the permits despite an August ruling by White that put a hold on future planting of genetically modified sugar beets. The ruling allowed this year's crop to be harvested and processed, but the current seed crop was not to be planted until the USDA reviewed the effects the crops could have on other food.

In his order Tuesday, White wrote that the environmental groups had shown that the genetically modified sugar beets could contaminate other crops, including through cross-pollination.

"The likely environmental harm . . . is irreparable," White wrote.

The plants in question would produce seeds for crops to be planted in the spring of 2012. Crops that will be planted next spring won't be affected by the decision.

Analysts have said an inability to plant genetically altered sugar beets would likely force a big jump in sugar imports and increased prices.

David Snively, general counsel for Monsanto, which developed the Roundup Ready sugar beets, said the company would appeal White's ruling.

"We believe the court's action overlooked the factual evidence presented that no harm would be caused by these plantings," Snively said in a written statement. "We intend to seek an immediate stay of this ruling and appeal to the Court of Appeals."

Luther Markwart, executive vice president of the American Sugar Beet Growers Association, said the group was not a party in the lawsuit and that the potential impact on the sugar beet crop in 2012 wasn't yet known.

"But clearly, the bottom line is we disagree with what the court ruled," Markwart said.

Sugar beets are planted on more than 1 million acres in 10 states, with Minnesota, North Dakota and Idaho being the top producers.

The judge said the USDA failed to conduct the environmental review he demanded in his August ruling before issuing permits authorizing the planting of the seed plants.

The August ruling came after a challenge by the environmental groups to the Animal and Plant Health Inspection Services' deregulation of genetically modified sugar beets. The beets have been planted in the U.S. for four years.

The government sought a stay of White's decision, but he denied the request.

"We are now in discussion with the Department of Justice and we are exploring all options," said APHIS spokesman Andre Bell.

As part of White's ruling, a preliminary injunction against planting the seed plants will take effect Dec. 6.

George Kimbrell, an attorney for the Centers for Food Safety, one of the leading groups challenging the USDA's deregulation of genetically modified sugar beets, called White's ruling a "groundbreaking victory for farmers and the environment.

"This is the first time ever a federal court ordered an illegal biotech crop destroyed," he said.

Paul Atchitoff, of Earthjustice, a nonprofit environmental law firm that acted as lead counsel in the lawsuit, said White's ruling is "an indication that the government needs to start doing its job. The USDA needs to stop ignoring the environmental laws regarding genetically modified crops."

Atchitoff said APHIS' decision to issue permits to plant stecklings came less than a month after White ruled the beets could not be grown.

"The government's conduct is really outrageous," he said. "The court had just said in August the beets could not be grown and the government turned around and gave the industry the opportunity to grow them."

White's ruling followed the release by APHIS of a preliminary plan to let farmers plant genetically modified sugar beets until a lawsuit is resolved. The 365-page report suggested farmers be allowed to plant Roundup Ready sugar beets under a closely monitored permit process to prevent contamination of other crops. Monitoring by APHIS was one of three options outlined in the report and the one preferred by federal officials.

The USDA established a 30-day period for public comment on the plan, which ends Dec. 6, the same date when the injunction granted by the California judge takes effect.

Environmentalists fight bioengineered seafood plan

Peter Fimrite, Chronicle Staff Writer
Monday, December 27, 2010



A genetically modified salmon, rear, dwarfs a conventional salmon of the same age.

Photo: Anonymous / AP

A genetically engineered fish infused with genes from other species, including an eel-like creature, could soon be on dinner plates in the Bay Area and around the United States.

The U.S. Food and Drug Administration is considering an application by AquaBounty Technologies Inc. of Massachusetts to bioengineer a sterile salmon that would grow extremely fast and, if all goes as planned, never set so much as a fin in a natural body of water.

It would be the first genetically engineered animal to be approved for human consumption.

The proposal, which is awaiting an environmental assessment and a preliminary decision by the FDA, has created a furor among environmentalists, who have dubbed the species "Frankenfish."

They claim the doctored salmon could spread disease in humans or circulate mutant genes in the wild if an accident or sabotage ever set them loose.

"The effect of what happens if these genetically engineered fish escape is largely unknown and has been largely unquestioned by the FDA," said Colin O'Neil, the regulatory policy analyst for the Center for Food Safety, an environmental nonprofit based in Washington, D.C. "These fish have been demonstrated to be less healthy. Consumers clearly do not want to eat genetically engineered salmon."

New tools in the toolbox

The man-made fish, which was 15 years in the making, is an Atlantic salmon that has been artificially infused with a growth hormone gene from Pacific salmon, also known as chinook, and DNA from an eelpout, or *Zoarces americanus*. The DNA comes from a so-called antifreeze gene that allows the eelpout to live in ice-cold water.

"At a time when our seas are fished to the verge of extinction, we have an ethical obligation to use every tool in our toolbox to explore alternatives to meet demand for seafood," said Ron Stotish, the chief executive officer for AquaBounty, adding that the new product will reduce pressure on wild fish stocks and allow experts to focus more on recovery and conservation.

AquaBounty intends to produce only female salmon, 95 percent of which would be sterile, Stotish said. The hybrid salmon would grow twice as fast as other salmon, allowing more lox, salmon steaks and other seafood to be produced.

The plan is to raise the eggs on Prince Edward Island, Canada, and then, after they hatch, grow them in landlocked tanks in Panama, where they would be processed and shipped to restaurants and grocery stores throughout the United States and possibly around the world.

Campaign urges caution

The proposal generated hundreds of thousands of responses during a two-month public comment period on labeling requirements that ended Nov. 22. A letter urging denial of the application until all the ecological concerns are addressed was sent to FDA Commissioner Margaret Hamburg by 14 California lawmakers.

Eric Hoffman, a biotechnology campaigner for Friends of the Earth, said the FDA might not even label the fish as genetically altered, a scenario that could endanger consumers.

"Already salmon farming is a serious problem in terms of its environmental impact, including the taking of an incredible amount of fish to feed the fish," Hoffman said. "This fish is not nutritious, and there are concerns that the growth hormone may be linked to certain kinds of cancers and allergies. We're also concerned about the environmental impacts, particularly what happens when they escape into the wild."

Hoffman said the AquaBounty salmon, if introduced into the ocean or a stream, might be able to outcompete wild salmon for mates and the 5 percent that are not sterile might be able to spread bad genes. He and others cite the so-called Trojan gene effect, arguing that the introduction of 60 less-viable fish into a native population of salmon could lead to extinction if those fish had a mating advantage - like faster growth - over the wild fish.

Scientist sees no risk

William Muir, a professor of genetics at Purdue University and the scientist behind the Trojan gene theory, said the effect does not apply in this case. Even though the genetically altered

salmon grow faster, he said, studies have shown they are consistently outperformed by native fish in the competition for mates, the only way they could spread their inferior genes.

"I cannot envision any way that this particular fish would be an environmental risk," Muir said.

Besides, Stotish said, the fish will be contained in land-based tanks with no possibility of escape. Prince Edward Island was chosen, officials said, because it is surrounded by saltwater, and the eggs can only survive in freshwater. Panama was chosen to grow the fish because the water there is too warm for the fish to survive were they to escape.

"These are, quite simply, the most studied fish in history," Stotish said. "Credible scientists agree these fish pose no risk to wild fish stocks."

Muir said that when all is said and done, the biggest issue is whether it is right to genetically alter animals so they can be raised for food, almost as if they were a crop of corn.

"The question is what is the most humane way of raising an animal if we are going to consume it, and whether we can or should completely engineer an organism for consumption," Muir said. "I've heard it stated that the most humane way is to raise an animal that has no cognitive function at all. There is a whole range of possibilities with genetic engineering and biotechnology, and it makes people stop and think. Ethicists debate this back and forth."



Ron Stotish, chief executive officer of AquaBounty, attends an FDA committee hearing in Rockville, Md., in September.

Photo: Charles Dharapak / ASSOCIATED PRESS

Agriculture Secretary calls for ‘new paradigm’ of cooperation in GM debate

By Caroline Scott-Thomas, 05-Jan-2011

USDA Agriculture Secretary Tom Vilsack has called for compromise and cooperation between supporters of genetically modified (GM) crops and those of non-GM crops in an open letter to stakeholders.

Vilsack’s call comes after another year of litigation involving the US Department of Agriculture (USDA), in which the Center for Food Safety among others won federal court cases banning the planting of GM alfalfa and GM sugar beets, both supplied by Monsanto. The Supreme Court allowed continued planting of GM alfalfa while the USDA prepared an Environmental Impact Statement (EIS), which it completed in mid-December, following years of litigation.

And a federal court in San Francisco has ordered that GM sugar beets be uprooted on similar grounds, although a court of appeals decision has delayed their destruction until March at least.

Vilsack said in the letter that he is confident in the USDA’s regulatory system for approving crop safety, saying that its decisions are science-based and “*science strongly supports the safety of GE alfalfa*” – although he also acknowledged that farmers of non-GM alfalfa have legitimate concerns about cross-pollination.

“Litigation will potentially lead to the courts deciding who gets to farm their way and who will be prevented from doing so,” he wrote. “Regrettably, what the criticism we have received on our GE alfalfa approach suggests, is how comfortable we have become with litigation – with one side winning and one side losing – and how difficult it is to pursue compromise.

“Surely, there is a better way, a solution that acknowledges agriculture’s complexity, while celebrating and promoting its diversity. By continuing to bring stakeholders together in an attempt to find common ground where the balanced interests of all sides could be advanced, we at USDA are striving to lead an effort to forge a new paradigm based on coexistence and cooperation. If successful, this effort can ensure that all forms of agriculture thrive so that food can remain abundant, affordable, and safe.”

Science policy analyst at the Center for Food Safety Bill Freese told FoodNavigator-USA.com that he was impressed by what he sees as Vilsack’s genuine concern for farmers, but said GM and non-GM crop coexistence is particularly difficult for alfalfa.

“Everyone sounds reasonable but when push comes to shove, if there’s no liability, it’s just words,” Freese said.

Bioengineered salmon: State bill seeks clear label

Stacy Finz, Chronicle Staff Writer
Friday, January 7, 2011



Assemblyman Jared Huffman on his bill: "This is not a new issue."
Photo: Rich Pedroncelli / AP

Assemblyman Jared Huffman isn't taking any chances. If the U.S. Food and Drug Administration approves a bid to allow the human consumption of genetically engineered Atlantic salmon, the San Rafael Democrat wants every Californian to know what he or she is getting at the checkout aisle.

Consumers have the right to know if their food comes from the wild or was bioengineered, said Huffman, who introduced AB88 on Thursday to require the salmon, which many environmentalists call "Frankenfish," to be clearly labeled.

"This is not a new issue. Genetically engineered food has been a controversy for a long time," he said.

The FDA has yet to decide whether to legalize salmon made by AquaBounty Technologies Inc. The Massachusetts company has been experimenting for 15 years with salmon growth hormone genes and DNA to create a salmon that grows quickly in a farm environment. The FDA closed its two-month public comment period in November and is nearing its final review.

If the fish is approved, it would be the first genetically engineered animal that is legal for humans to eat.

"We don't think it's premature," said Rebecca Spector, West Coast director of the Center for Food Safety and co-sponsor of the bill. "We want to send a message to the FDA that Californians don't want bioengineered salmon, or at least want it to be labeled."

Opponents and environmentalists fear that the bioengineered salmon could ruin the species if it bred with wild salmon, which they say is inevitable. There is also concern that the fish could spread disease in humans.

Ron Stotish, the chief executive officer for AquaBounty, has told The Chronicle that as long as the "seas are fished to the verge of extinction, we have an ethical obligation to use every tool in our toolbox to explore alternatives to meet demand for seafood."

The bill is scheduled to go to committee hearings in the spring.



Press Releases

USDA Decision On GE Alfalfa Leaves Door Open For Contamination, Rise Of Superweeds

Washington, D.C. – January 27, 2011

ROGUE AGENCY CHOOSES “BUSINESS AS USUAL” OVER SOUND SCIENCE

CENTER ANNOUNCES IMMEDIATE LEGAL CHALLENGE TO USDA’S FLAWED ASSESSMENT

The Center for Food Safety criticized the announcement today by the U.S. Department of Agriculture (USDA) that it will once again allow unlimited, nation-wide commercial planting of Monsanto’s genetically-engineered (GE) Roundup Ready alfalfa, despite the many risks to organic and conventional farmers USDA acknowledged in its Final Environmental Impact Statement (FEIS). On a call today with stakeholders, Secretary Vilsack reiterated the concerns surrounding purity and access to non-GE seed, yet the Agency’s decision still places the entire burden for preventing contamination on non-GE farmers, with no protections for food producers, consumers and exporters.

“We’re disappointed with USDA’s decision and we will be back in court representing the interest of farmers, preservation of the environment, and consumer choice” said Andrew Kimbrell, Executive Director for the Center for Food Safety. “USDA has become a rogue agency in its regulation of biotech crops and its decision to appease the few companies who seek to benefit from this technology comes despite increasing evidence that GE alfalfa will threaten the rights of farmers and consumers, as well as damage the environment.”

On Monday, the Center sent [an open letter to Secretary Vilsack](#) calling on USDA to base its decision on sound science and the interests of farmers, and to avoid rushing the process to meet the marketing timelines or sales targets of Monsanto, Forage Genetics or other entities.

CFS also addressed several key points that were not properly assessed in the FEIS, among them were:

- **Liability, Implementation and Oversight** — Citing over 200 past contamination episodes that have cost farmers hundreds of millions of dollars in lost sales, CFS demands that liability for financial losses incurred by farmers due to transgenic contamination be assigned to the crop developers. CFS also calls on USDA to take a

more active oversight role to ensure that any stewardship plans are properly implemented and enforced.

- **Roundup Ready alfalfa will substantially increase herbicide use** – USDA’s assessment misrepresented conventional alfalfa as utilizing more herbicides than it does, which in turn provided a false rationale for introducing herbicide-promoting Roundup Ready alfalfa. In fact, USDA’s own data shows that just 7% of alfalfa hay acres are treated with herbicides. USDA’s projections in the FEIS show that substantial adoption of Roundup Ready alfalfa would trigger *large increases in herbicide use of up to 23 million lbs. per year.*
- **Harms from glyphosate-resistant weeds** – USDA’s sloppy and unscientific treatment of glyphosate-resistant (GR) weeds ignored the significant contribution that RR alfalfa could make to their rapid evolution. USDA failed to analyze how GR weeds fostered by currently grown RR crops are increasing herbicide use; spurring more use of soil-eroding tillage; and reducing farmer income through increased weed control costs, an essential baseline analysis.

“We in the farm sector are dissatisfied but not surprised at the lack of courage from USDA to stop Roundup Ready alfalfa and defend family farmers,” said Pat Trask, conventional alfalfa grower and plaintiff in the alfalfa litigation.

The FEIS comes in response to a 2007 lawsuit brought by CFS, in which a federal court ruled that the USDA’s approval of GE alfalfa violated environmental laws by failing to analyze risks such as the contamination of conventional and organic alfalfa, the evolution of glyphosate-resistant weeds, and increased use of glyphosate herbicide, sold by Monsanto as Roundup. The Court banned new plantings of GE alfalfa until USDA completed a more comprehensive assessment of these impacts. The Ninth Circuit Court of Appeals twice affirmed the national ban on GE alfalfa planting. In June 2010, the U.S. Supreme Court upheld the ban on Monsanto’s Roundup Ready Alfalfa until and unless future deregulation occurs.

“Last spring more than 200,000 people submitted comments to the USDA highly critical of the substance and conclusions of its Draft EIS on GE Alfalfa,” said Kimbrell. “Clearly the USDA was not listening to the public or farmers but rather to just a handful of corporations.”

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The Center for Food Safety is a national, non-profit, membership organization founded in 1997 to protect human health and the environment by curbing the use of harmful food production technologies and by promoting organic and other forms of sustainable agriculture. CFS currently represents over 175,000 members across the nation.

Food Safety News

USDA Fully Deregulates Roundup Ready Alfalfa

by Helena Bottemiller | Jan 28, 2011

In an unexpected move, Agriculture Secretary Tom Vilsack announced Thursday that USDA will allow genetically engineered (GE) Roundup Ready alfalfa to be planted without restriction.

The announcement bucked expectations that the department's Animal and Plant Health Inspection Service (APHIS) would likely introduce a partial deregulation of the crop, which is engineered to withstand Monsanto's Roundup herbicide. Partial deregulation would have imposed geographic restrictions on planting in an effort to prevent GE contamination of non-GE and organic alfalfa. Vilsack's recent statements about "coexistence and cooperation" between GE and non-GE agriculture led many to believe partial deregulation of the crop was in the pipeline.

"I think there's a general sigh of relief in U.S. agriculture that this is the right decision," Mark McCaslin, president of Forage Genetics International, a co-developer of Roundup Ready alfalfa told one reporter. "I am sure there were a lot of people who were nervous."

Organic and sustainable farming advocates were disappointed by the decision. "This creates a perplexing situation when the market calls for a supply of crops free of genetic engineering. The organic standards prohibit the use of genetic engineering, and consumers will not tolerate the accidental presence of genetic engineered materials in organic products yet GE crops continue to proliferate unchecked," said Christine Bushway, executive director and CEO of the Organic Trade Association in a statement.

Bill Tomson and Scott Kilman of the Wall Street Journal [reported](#) that Vilsack's rejection of a compromise proposal--partial deregulation, which was vehemently opposed by biotech companies and only tepidly accepted by non-GE interests--was the result of an Obama administration review of "burdensome" regulations.

Sources familiar with the negotiations at USDA, who preferred to remain anonymous, told **Food Safety News** they believe the White House asked Vilsack to drop proposed regulations so the administration would appear more friendly to big business.

The White House did not respond for comment.

GE alfalfa has been at the center of litigation--and national controversy--since 2005 when the Center for Food Safety, along with organic and conventional farmers, sued the USDA alleging APHIS had not adequately reviewed GE alfalfa and that cross-pollination was causing the farmers harm. The case [went all the way to Supreme Court last April](#), the first ever GE crop case to reach the high court. In a 7-1 decision, the Supreme Court overturned a lower court's ban on GE alfalfa, saying it went too far, but agreed that USDA was required by federal law to complete an Environmental Impact Statement (EIS).

USDA completed an EIS in mid-December and put two options on the table: to allow the engineered alfalfa without restrictions or to allow the crop with certain geographic and isolation restrictions.

"After conducting a thorough and transparent examination of alfalfa through a multi-alternative environmental impact statement (EIS) and several public comment opportunities, APHIS has determined that Roundup Ready alfalfa is as safe as traditionally bred alfalfa," Vilsack said in a statement. "All of the alfalfa production stakeholders involved in this issue have stressed their willingness to work together to find solutions. We greatly appreciate and value the work they've done so far and will continue to provide support to the wide variety of sectors that make American agriculture successful."

The Center for Food Safety, a plaintiff in the multi-year litigation, said it was "disappointed" by USDA's decision. "USDA has become a rogue agency in its regulation of biotech crops and its decision to appease the few companies who seek to benefit from this technology comes despite increasing evidence that GE alfalfa will threaten the rights of farmers and consumers, as well as damage the environment," said executive director Andrew Kimbrell.

Senator Debbie Stabenow (D-MI), new Chairwoman of the Senate Committee on Agriculture, issued a statement of support for deregulation, but said flaws in the current regulatory system need to be addressed.

"I applaud the USDA's decision to deregulate Roundup Ready alfalfa, giving growers the green light to begin planting an abundant, affordable and safe crop," Stabenow said. "While I'm glad this decision was guided by sound science, I'm concerned that USDA's process creates too much uncertainty for our growers. Alfalfa was one of nearly two dozen genetically modified crops awaiting USDA evaluation and approval--a bottlenecked process that hinders growth and progress."

Vilsack told reporters Thursday that USDA would support research to help maintain the integrity of non-GE alfalfa and would reestablish advisory committees to review tools and options available to farmers on all sides of the issue.

The department is expected to make additional announcements on GE sugar beets and corn as early as next week.

USDA to Fully Deregulate Genetically Engineered Alfalfa

01/28/2011

SustainableBusiness.com News

USDA Secretary Tom Vilsack on Thursday announced that the agency will fully deregulate Monsanto's (NYSE: MON) controversial genetically engineered alfalfa.

Monsanto has been trying for years to gain approval for its genetically modified Roundup-Ready alfalfa seed. On January 27, it finally got the green light in the form of "deregulation." Farmers can now plant GE alfalfa, and the USDA won't keep track of who plants it where. Monsanto will bear no responsibility for any business loss related to genetic contamination that is certain to result.

Alfalfa is the main forage crop for livestock - the spread of contaminated alfalfa will undoubtedly tarnish organic beef and dairy, as well as organic vegetables.

USDA could have maintained regulatory status over the perennial crop that is so important as forage for the livestock industry. Or they could have chosen a limited regulation strategy with bans on the planting of GE alfalfa seeds in seed growing regions to attempt to limit the contamination of alfalfa seed stock by foreign DNA from Monsanto's crop. (Alfalfa is pollinated by bees and other insects and has a pollination radius of five miles).

Instead, the agency, under heavy pressure from the biotech sector, chose total deregulation. Over 250,000 public comments were received during the FEIS process, with the vast majority opposing deregulation, according to the Cornucopia Institute.

Vilsack did announce that the USDA would establish a second germ plasm/seed center for alfalfa in the state of Idaho to "try" to maintain GE-free strains of alfalfa. They currently operate such a facility in Prosser, WA.

The Center for Food Safety, with The Cornucopia Institute and others, has been embroiled in a court case fighting the release of GE-alfalfa. The case has been on hold while the USDA [completed its court-ordered EIS](#). Opponents of GE-alfalfa are evaluating their choices and likely will resume their legal battle.

"This creates a perplexing situation when the market calls for a supply of crops free of genetic engineering. The organic standards prohibit the use of genetic engineering, and consumers will not tolerate the accidental presence of genetic engineered materials in organic products yet GE crops continue to proliferate unchecked," said Christine Bushway, Executive Director and CEO of the Organic Trade Association (OTA).

The organic sector is a profitable part of a diverse U.S. agricultural economy--a 26.6 billion-dollar-a-year industry that employs tens of thousands around the country, and helps keep at least 14,540 family farms operating in our rural countryside. Except for 2009, the organic industry has experienced double digit growth--often over 20%--annually for over a decade.

Unrestricted commercialization of genetically engineered crops--86% of the country's corn and 93% of soybeans--has resulted in widespread unlabeled presence of GE materials in mainstream food products unbeknownst to the average consumer. According to California's Department of Food and Agriculture, at least 70% of processed foods in American supermarkets now contain GE ingredients.

The USDA organic program is the only federal food label that prohibits the use of GE crops or materials. Under current USDA policy, the organic sector bears the burden created by unchecked release of GE crops.

While USDA, for the first time, took a step and acknowledged organic and IP agriculture as a stakeholder in decisions around the release of GE crops it is a small step for organic alongside giant steps towards accelerated decisions to deregulate many new GE crops awaiting review at USDA. The organic industry and the loyal consumers of organic products will continue to resist this unrestricted commercialization of GE crops being brought to market by the well-funded and influential biotech industry.

In addition to concerns for the organic sector, many unanswered questions remain regarding genetic engineering. For instance, how does the biotech industry and USDA intend to control the rapid development of superweeds from the overuse of Roundup and other herbicides, analogous to the advent of antibiotic resistance with conventional agriculture's routine overuse of antibiotics to address overcrowding and growth rather than disease? Also, how do you conduct sound epidemiological science on the long-term health impact of genetically engineered substances that cannot be traced through the food system because foods produced using GE are not labeled as such?

"Until these questions are addressed, the argument that agricultural biotechnology represents 'sound science' is just not valid," Bushway added.



Organic Panic: Obama Administration Green Lights Mutant Alfalfa

USDA Deregulation of Genetically Modified Hay Threatens Organic Foods, Critics Say

By DEVIN DWYER

WASHINGTON, Jan. 31, 2011

The nation's organic farmers are sounding the alarm after an Obama administration decision they say could destroy their supply chains and drastically limit the choices and availability of some popular consumer foods.

The Department of Agriculture decided last week to allow the widespread, unregulated use of genetically modified alfalfa, commonly known as hay, which is the primary feed for dairy cows and beef cattle across the country.

Opponents argue that the mutant crops, engineered to survive being sprayed with insecticide, could escape from their fields and eventually cross-pollinate with and contaminate neighboring organic crops. That could mean less organic feed for the organic cows that produce a range of organic products.

"Consumers don't eat [genetically modified] alfalfa, of course," said Michael Pollan, author of "[The Omnivore's Dilemma](#)," which examines the U.S. farming and food industry. "But it's the main feed for dairy cows. And organic milk, one of the most successful and popular organic foods, could be compromised if the organic cows eat non-organic feed."

Some environmental experts are also concerned that broader planting of herbicide-resistant crops, which are then doused with powerful chemicals, could expedite the spread of "superweeds," which are herbicide-resistant pests that force farmers to potentially use more toxic substances to root them out.

"This is a bad solution to a nonexistent problem," said Pollan, who noted more than 90 percent of alfalfa crops are grown without a herbicide.

Many organic farming advocates speculate that the new Roundup-ready alfalfa is an attempt by the crop's commercial producers -- Monsanto and Forage Genetics International -- to dominate the market and increase profits.

But Monsanto, the nation's leading producer of genetically modified seeds and popular herbicide Roundup, said Roundup-ready alfalfa has been welcomed by many farmers because it yields "healthier, faster-growing stands [plantings] and hay with fewer weeds in every bale."

The special seeds were first widely planted in 2005 on more than 250,000 acres before a court order in 2007 halted further planting until the USDA could review complaints by organic farming groups.

"Roundup-ready alfalfa is not expected to become more invasive in natural environments or have any different effect on critical habitat than traditional alfalfa," the USDA said in a statement explaining its decision. "In addition, the nutritional profiles of RR alfalfa and traditional alfalfa are not different (within normal cultivar variations); therefore animal nutrition is not expected to be different."

Agriculture Secretary Tom Vilsack said the agency has formed two advisory committees to evaluate the rollout of genetically modified alfalfa and ensure growers have access to non-modified seed if they want it.

"I see real progress here," New York University professor and food expert [Marion Nestle](#) wrote in the Atlantic earlier this month of the government's willingness to weigh regulation of alfalfa. "At least -- and at last -- USDA recognizes the threat of GM [genetically modified] agriculture to organic production."

But many critics were shocked that the agency didn't accommodate any of their concerns, including a possible rule requiring that altered crops not to be planted alongside organic ones.

"USDA has become a rogue agency in its regulation of biotech crops and its decision to appease the few companies who seek to benefit from this technology comes despite increasing evidence that GE [genetically engineered] alfalfa will threaten the rights of farmers and consumers, as well as damage the environment," said Andrew Kimbrell, executive director for the Center for Food Safety.

He said the group plans to sue.

Some Consumers Don't Want Genetically Modified Foods

Critics say the complete deregulation of genetically modified alfalfa stems from the Obama administration's recent push to reach out to the business community and take steps that are considered business-friendly.

Obama signed an [executive order](#) earlier this month to make clear the administration seeks to strike the right balance with regulations, neither "placing unreasonable burdens on business; burdens that have stifled innovation and have had a chilling effect on growth and jobs" nor failing to "protect the public interest."

The administration, the president wrote in a Wall Street Journal op-ed, is "making it our mission to root out regulations that conflict, that are not worth the cost, or that are just plain dumb."

Farmers already grow genetically modified soy beans, corn and cotton, among other crops, which are engineered to produce higher yield, thrive in adverse growing conditions and resist pesticides that kill weeds. Producers say the technology results in cheaper prices for consumers at grocery stores.

"Roundup-ready alfalfa is as safe as traditionally bred alfalfa," secretary Vilsack said Thursday. "All of the alfalfa production stakeholders involved in this issue have stressed their willingness to work together to find solutions."

But some Americans don't want to eat genetically modified foods for health or ethical reasons.

Organic foods have become big business, with producers reporting \$26 billion in annual sales last year. While only 4 percent of U.S. agriculture involves organic products, the industry has posted double-digit growth in gross profits nearly every year for the past decade.

"The growth is there because this is what consumers are demanding. They want organic products," said Christine Bushway, executive director of the Organic Trade Association.

"If our supply chain gets disrupted by these genetically- modified crops and we can't supply the organic goods, then will severely hamper the choices for consumers."



White House pressured Vilsack to approve GMO alfalfa, media reports suggest



by Tom Philpott

31 Jan 2011

As I [reported last week](#), the USDA announced late Thursday it would allow the planting of genetically modified alfalfa, the nation's fourth-largest crop, without restriction.

Was the decision based on a careful weighing of the evidence by the USDA -- or on political consideration emanating from the White House?

Two recent media reports strongly suggest the latter. In *The Wall Street Journal*, Bill Tomson and Scott Kilman -- two well-connected, veteran ag-policy reporters -- [directly tied](#) the decision to the White House. Kilman and Tomson wrote:

The Obama administration Thursday abandoned a proposal to restrict planting of genetically engineered alfalfa, **the latest rule-making proposal shelved as part of the administration's review of "burdensome" regulation.** [Emphasis added.]

And in a recent spirited puff piece on David Axelrod -- until last Friday Obama's top political strategist -- *New York Times* columnist Maureen Dowd [revealed](#) that genetically modified alfalfa got play at the cabinet level. Axelrod, presumably no agronomy expert, evidently argued against placing restrictions on GM alfalfa. "The avid punster offered a parting pun at the 8:30 a.m. meeting," Dowd gushed: Axelrod urged "everyone to 'plow forward' on a plan for genetically produced alfalfa."

If White House political strategists rallied behind deregulated alfalfa, USDA chief Tom Vilsack has been much more ambivalent on the topic. Alfalfa is a prodigious pollinator -- meaning that different varieties can cross-pollinate and transfer genetic material. It's a forage crop for pastured animals, and farmers grow it to store as hay to feed cows in winter months. For organic dairy producers, a steady supply of organic alfalfa -- and organic alfalfa seed -- is crucial for survival.

Vilsack acknowledged as much in a Dec. 30 "[Open Letter to Stakeholders](#)" [PDF]. The USDA's own 2,300-page environmental impact statement "acknowledges the potential of cross-fertilization to non-GE alfalfa from GE alfalfa," Vilsack wrote in the letter. Cross-pollination, he added, poses "a significant concern for farmers who produce for non-GE markets at home and abroad." Since that letter, Vilsack had [hinted strongly](#) that he favored a policy of "co-existence" - restrictions on where farmers could plant modified alfalfa to protect organic fields from genetic contamination. The biotech/agrichemical industry shrieked in protest.

With Thursday's decision, the industry triumphed. Vilsack [skulked away](#) from his previous position. Normally, "USDA rolls over for biotech industry" isn't a newsworthy event. Ever since the days of former Vice President Dan Quayle -- [intellectual author of official U.S. policy toward GMOs](#) -- the novel crops have benefited from minimal government regulation.

But this time was different: A USDA chief had publicly declared his willingness to defy the industry, and then was seemingly forced by political pressure from above to cravenly abandon that defiance.

Unhappily, the decision falls into line with other Obama administration gestures of fealty to the agrichemical lobby -- like [appointments of loyal Monsanto men to key ag-policy posts](#), and an [announcement](#) from the State Department's USAID program that came out the same day as the USDA's alfalfa decision:

At the annual World Economic Forum (WEF) in Davos, Switzerland USAID Administrator Dr. Rajiv Shah gathered with the CEOs of Unilever and Monsanto to support the launch of WEF's global framework titled "Realizing a New Vision for Agriculture." The show of support emphasizes USAID's leadership in creating synergies between the public and private sectors to meet the global food security challenge.

Other companies involved in the initiative include grain-trading behemoths Archer Daniels Midland, Cargill, and Bunge; agrichemical giants BASF, Syngenta, and Dupont; and industrial "food"/beverage giants Coca-Cola, SABMiller, General Mills, and Kraft Foods.

The Obama administration's emerging vision for agriculture is sounding depressingly old to me. To paraphrase [John Updike](#), I'm haunted by memories of the Clinton and Bush administrations, when ag policymakers more or less religiously walked the Big Food industry line.

Tom Philpott is Grist's senior food and agriculture writer.

Nation's largest farm groups join together to fight bad publicity, improve farmers' image

MICHAEL J. CRUMB Associated Press

January 31, 2011

DES MOINES, Iowa — Two dozen of the nation's largest and best-funded farm groups have formed a coalition to counter poor publicity that they say has led to some bad public policies and threatens farmers' ability to produce food for the world's population.

The groups have been alarmed by such things as the release of videos that show male chicks being put into grinders, egg-laying hens in battery cages and the mistreatment of hogs in large confinement operations. Groups such as the Humane Society of the United States have used the videos to generate support for animal welfare laws. Meanwhile, crop farmers are fighting groups opposed to biotech crops or what environmentalists say is the overuse of fertilizers and other chemicals.

Farm groups including the National Corn Growers Association and National Pork Producers Council formed the U.S. Farmers and Ranchers Alliance in November to improve farmers' public image and advocate for what they describe as more farm-friendly policies. Joe Cornely, a spokesman for the Ohio Farm Bureau, said the alliance may help create more realistic expectations among consumers.

"So often people advocate for a utopian world and it's not doable," Cornely said. "Feeding the world requires us to kick up some dirt and create a few odors. That is just a reality of producing food and fiber that may not fit in with the utopian vision.

"The vast majority of people are reasonable people, they just need to know that you can't have the perfect world."

The alliance has yet to develop an action plan, but leaders said it will likely use social media such as Twitter and a public relations campaign to help consumers better understand how their food is produced. Public relations often involves news conferences or face-to-face conversations with consumers. Alliance spokeswoman Cindy Hackmann said an advertising campaign was unlikely.

"We need to have a conversation instead of plastering an ad on a billboard or in a magazine," she said.

The alliance can't lobby lawmakers because some of its members are so-called "check-off" groups established by the government to collect money from members for research and marketing, Hackmann said.

Animals rights and other groups have been pushing hard for tighter regulations, and farmers have been concerned by the passage of such laws as Proposition 2 in California, which requires that calves raised for veal, egg-laying hens and pregnant pigs have enough room in their pens to lie down, stand up and turn around freely, and Arizona's ban on gestation crates, which restrict the movement of pregnant sows. Farmers claim the crates increase survival and weaning rates for piglets.

Hackmann said while some of the concerns raised by animal rights and other groups are legitimate, problem farmers are the exception, not the norm.

"I would estimate that 2 percent of farmers have issues, either not following good production practices or not following good environmental practices and unfortunately they are the ones picked up by the opposition," she said. "The opposition has taken that 2 percent and made them the poster children of agriculture."

Mark Maslyn, executive director of public policy for the American Farm Bureau Federation, an alliance member, said the negative videos and other criticisms have begun to define farming in the public's mind — particularly when few Americans have ever been to a farm.

"It used to be most people's grandparents had a farm," Maslyn said. "Today we're generations removed from that, and people don't understand agriculture and what goes into producing food, fiber and fuel.

"There is that understanding gap by consumers at large, so they're susceptible to groups who have an agenda."

But as the farm groups put together their campaign, J.D. Hanson, a policy analyst with the Center for Food Safety, recommended they take care in crafting the message they present.

"I would encourage them not to get themselves in a situation where they are seen as advocates of destroying wildlife and the environment," said Hanson, whose group has challenged the use of biotech crops, such as alfalfa and sugar beets. "Farmers need to make sure they are positioned where they are not saying 'we're going to pollute the environment and resist any testing for human health effects.'"

Cornely said the alliance's message will hopefully offset negative publicity about farming and allow consumers to make an informed decision about their food.

"The people who see the world differently than we do are masters at messaging and influencing the public and we have to play in that same arena," he said.

Social media are likely to play a significant role in the farmers' efforts. Last summer, a California dairy farmer and others started AgChat, to get more farmers to use YouTube, MySpace, Facebook and Twitter and other online sites to explain what they do on the farm and answer questions from the public.

Mike VerSteeg, a 37-year-old hog, corn and soybean farmer in northwest Iowa, said he frequently sends messages, or tweets, on Twitter, even from his tractor during spring planting and fall harvest.

"I like to let consumers know how much we care for our animals, because if they are well taken care of they produce a lot better," he said. "Consumers like to have a choice in the food they like to eat and farmers should have a choice in how we care for our animals."

Paul Shapiro, senior director for the Humane Society of the United States' End Factory Farming Campaign, said farmers' tweets or messages posted on the social networking site Facebook will have little impact on his group's efforts, which are typically aimed at large factory farms. Recently, it has been focused on those that use so-called battery cages, or small crates, to confine egg-laying hens.

"It doesn't matter what media they're using, defending practices most Americans consider indefensible is not a smart strategy for the ag industry," Shapiro said.



USDA partially deregulating biotech sugar beets

By Carey Gillam and Chuck Abbott

Fri Feb 4, 2011

KANSAS CITY/WASHINGTON (Reuters) - U.S. agricultural regulators on Friday said despite a court ban, they would allow commercial planting of genetically modified sugar beets under closely controlled conditions while they complete a full environmental impact statement.

The move marks the second-such boost by the United States for contested biotech crops in a week, and underscores U.S. determination to expand the use of GMO crops amid rising global fears over food security and surging prices.

After approving genetically altered alfalfa last week in the face of bitter protest and after court rulings against an earlier sugar beet approval, the U.S. Department of Agriculture said it would allow Monsanto Co's "Roundup Ready" sugar beets back in the fields this spring.

Beet planting will be done under closely controlled conditions to prevent any potential plant pest risks, according to USDA's Animal and Plant Health Inspection Service (APHIS).

"After conducting an environmental assessment, accepting and reviewing public comments and conducting a plant pest risk assessment, APHIS has determined that the Roundup Ready sugar beet root crop, when grown under APHIS imposed conditions, can be partially deregulated without posing a plant pest risk or having a significant effect on the environment," said Michael Gregoire, deputy administrator for APHIS' biotechnology regulatory services.

Gregoire said the partial deregulation was an interim measure until APHIS completes a full environmental impact statement.

Monsanto's biotech beets, engineered to tolerate the company's Roundup herbicide and make weed management easier for growers, make up 95 percent of the U.S. sugar beet crop and are needed to avoid a steep drop in U.S. sugar production, officials have said.

The government has estimated that if growers have to rely on a limited supply of conventional sugar beet seeds, U.S. sugar production could drop by more than 1.6 million tons, or about 21 percent. Sugar beets account for more than half of the nation's sugar supply.

"This technology has produced record harvests in recent years and increased farmer profitability while minimizing on-farm labor and environmental impact," said Jim Greenwood, chief executive officer of the Biotechnology Industry Organization (BIO).

"We remain hopeful that this action, along with the decision made last week on Roundup Ready alfalfa, will pave the way for new technologies in the pipeline," Greenwood said.

Opponents to the biotech beets said the USDA action circumvents court orders, and they said they would take USDA back to court.

" USDA has yet again violated the law requiring preparation of an EIS (environmental impact statement) before unleashing this genetically engineered crop," said Paul Achitoff, an attorney for Earthjustice, a nonprofit environmental law firm.

Along with the Center for Food Safety, Earthjustice sued USDA in 2008 for approving the biotech beets without conducting a full environmental impact assessment as required by law. They argued that widespread use of the crop leads to increased use of herbicides, proliferation of herbicide resistant weeds, and contamination of conventional and organic crops.

In August, U.S. District Judge Jeffrey White ruled in their favor, finding USDA's 2005 approval of the beets was illegal, and banning the crop until the USDA prepared an EIS. He also ordered that beet seedlings currently in the ground be removed.

The USDA has appealed the order to remove already planted seedlings and a hearing is slated for February 15. The department has said a full environmental impact study will take until May 2012, and it does not want to wait that long to allow planting.

Under the partial deregulation announced Friday, growers of the Roundup Ready sugar beet rootcrop will be required to enter into a compliance agreement that outlines mandatory requirements for how the crop can be grown. APHIS expects that sugar beet cooperatives and processors will be the only entities that will enter into compliance agreements on behalf of their respective members/farmers.

APHIS said it will regulate the seed crop through its permitting process.

The beet decision could set a precedent for how the USDA treats some of the two dozen other GMO crops under review for approval, according to an official with the Union of Concerned Scientists.

"That is an important change in the way the agency has regulated genetically engineered crops," said Doug Gurian-Sherman, a senior UCS scientist.

Center for Food Safety attorney Paige Tomaselli said the measures were inadequate.

"The measures provided in the decision will not protect farmers and will not protect public health and the environment," she said. "Because USDA continues to bow to industry pressure and permits further commercial production of Roundup Ready sugar beets, without first preparing an EIS or protecting the public, the Center for Food Safety will once again seek to halt the planting in court."

Food Safety News

USDA Fully Deregulates GE 'Ethanol Corn'

by News Desk | Feb 12, 2011

The U.S. Department of Agriculture announced Friday it would deregulate industrial corn that is genetically engineered for ethanol production, saying the crop does not pose a plant risk.

Syngenta Seeds, which developed the corn, said its Enogen seed would be available for the upcoming season for a small number of growers and by 2012 for larger scale commercial planting under contracted, closed production.

The corn had previously been found by the U.S. Food and Drug Administration to be safe to eat, but it is an industrial crop, intended to cut the cost of ethanol production. The corn is genetically engineered to produce an enzyme that speeds the breakdown of starch into sugar, which would increase efficiency in making the biofuel.

The fear of groups like the Union of Concerned Scientists is that it will contaminate corn grown for food.

"The USDA's decision defies common sense," said Margaret Mellon, director of UCS's Food and Environment Program, in a news release. "There is no way to protect food corn crops from contamination by ethanol corn. Even with the most stringent precautions, the wind will blow and standards will slip. In this case, there are no required precautions."

Bill Freese, science policy analyst at the Center for Food Safety, wrote on his group's website, "Syngenta's biofuels corn will inevitably contaminate food-grade corn, and could well trigger substantial rejection in our corn export markets, hurting farmers."

Food processors are also concerned about the cost of monitoring their corn supplies for contamination, UCS noted. Syngenta acknowledges that processors will have to test food supply corn, forcing millers to cover that cost.

Syngenta Seeds maintains the corn will reduce the amount of water, energy and chemicals used to make ethanol; a third of all corn grown in the U.S. already goes to ethanol production. David Morgan, president of Syngenta Seeds, said in a statement, "The adoption of Enogen grain by U.S. ethanol producers can unleash a cascade of efficiency and environmental benefits industrywide."

The Center for Food Safety argued that "it is irresponsible to engineer corn for fuel use at a time when massive diversion of corn to ethanol has played a significant role in raising food prices and thus exacerbating world hunger."

In the wake of recent announcements that USDA was deregulating genetically engineered alfalfa and partially deregulating GE sugar beets, UCS's Mellon said, "The USDA has placed the interests of the biotechnology industry over the interests of food processors and the general public. The agency's priorities are upside down. Food is far more important than ethanol. USDA needs to stop throwing the food industry under the biotechnology bus."

Berkeleyside

Berkeley Bites: Alice Waters

October 22, 2010 by Sarah Henry



Alice Waters at the King Middle School Edible Schoolyard

Do Berkeleyside readers even need an introduction to the mother of the American fresh, local, sustainable, organic food movement?

[Alice Waters](#) is a living legend. For four decades, the California cuisine innovator, [Chez Panisse](#) chef, [Edible Schoolyard](#) founder, [school food reformer](#), and [Slow Food advocate](#), has influenced how people in this country buy, cook, eat, talk, and think about food.

As with any icon, Waters has her fans and foes. Some see her as a visionary on the food front, a friend to farmers and children, who helped lead a revolution in restaurant dining.

In the Bay Area many chefs and food artisans began their culinary careers at Chez. (What local food industry insider hasn't played [six degrees of Chez Panisse](#)?)

Critics lambaste the breathy dreamer as a self-righteous elitist who is out of touch with the average U.S. consumer. She cooks eggs in her kitchen fireplace, abhors microwaves and frozen food, and [suggests](#) people spend their money on organic produce rather than brand-name shoes, all of which is met with eye rolling in certain circles.

Still others, such as *New York Times* writer Kim Severson, commend her for her persistence and tenacity on behalf of the American eater. Severson recounts hiding chicken nuggets from the queen of Cali cuisine in her book [Spoon Fed: How Eight Cooks Saved My Life](#).

Indeed, despite naysayers, Waters has never wavered in her message. She is an unapologetic supporter of locally sourced, pesticide-, antibiotic- and hormone-free food, stewardship of the land, and healthy school meals.

The author of several cookbooks, including the recent [In the Green Kitchen](#), Waters, 66, lives in North Berkeley within walking distance of her restaurant.

Currently in Italy for [Terra Madre](#), the international [Slow Food](#) event, we spoke by phone after research from [UC Berkeley's Center for Weight and Health](#), funded by the [Chez Panisse Foundation](#), lent academic credence to her [edible experiment in schools](#).

What's the key finding from the [recent school food report](#)?

It confirms what common sense tells us and what I've always known to be true: Students who are given healthy food options at school, along with gardening and culinary curriculum, have a greater knowledge of nutrition and eat more fruits and vegetables than children who don't.



Chez Panisse anchors the Gourmet Ghetto

What have you learned from Chez Panisse's almost 40 years of success?

You should have a good time cooking or do something else. And you can't rest on your laurels. You have to show respect for the community of people you work with and for those who eat at the restaurant.

You have to think about what you're going to cook every single day, and you can't come in with a preconceived idea about what's on the menu. On a hot day maybe you make gazpacho instead of what you'd imagined you were going to cook.

Do you have a Berkeley food figure you admire?

[Michael Pollan](#). He so elegantly and articulately takes the ideas we all hold dear and communicates them in ways that reach a wide audience and he's helped that audience see how they can integrate these ideas into their own lives.

What's missing in the local food landscape?

Every child from kindergarten to high school should eat school lunch for free. When you charge for lunch the kids who need it the most won't buy it.

The Edible Schoolyard began here more than a decade ago. Can you tell us about newer Edible Schoolyard-affiliated programs?



Students shuck corn at the Edible Schoolyard

We're working with like-minded people in different parts of the country — big, small, hot, cold, city, small town — because we feel it's important that people see that this kind of school garden and kitchen curriculum, along with improved school food, can take place anywhere.

We have affiliated programs in [New Orleans, L.A.](#), [Greensboro](#), and [San Francisco](#). Last Friday we broke ground on an Edible Schoolyard site in [Brooklyn, New York](#).

How does *In the Green Kitchen* differ from your other cookbooks?

I wanted to demystify cooking. So many people go to the farmers' market and bring food home and they don't know what to do with it. I want people to feel comfortable in the kitchen, and give them basic techniques so they can cut an onion, roast chicken, saute greens, cook pasta, and make eggs.

How do you handle the criticism that comes your way?

It was devastating in the early days, but I just don't go there now. I'm content to take the high road and stay focused on the big picture.

What are some of your favorite places to eat in town?

I go to the same places over and over. I'm less adventurous than I used to be. I eat a lot at Chez Panisse, of course.

What I really care about is the purity of the food — where does it come from? — that's the first question I ask before I eat somewhere.

I like ethnic food. There's a wonderful new Japanese grill in the center of town called [Ippuku](#). I know the people who run it. I really don't want to tell too many people about it because I don't want the place to get too busy.

I like [Ajanta](#), a neighborhood Indian restaurant on Solano Avenue, because they use organic produce and serve seasonal foods on their menu.

[The Cheese Board Collective](#) is another favorite. This worker-owned and run collective, right across the street from my restaurant, sells fresh sourdough baguettes and a wonderful selection of cheeses from close to home and further afield, and people spill out onto the median strip to enjoy their pizza and the sunshine. It's just magical.

I also frequent the stores of my friends and Chez Panisse alum in Elmwood: Mary Canales at [Ici](#) and [Charlene Reis](#) at [Summer Kitchen](#).



A tomato tasting at the Edible Schoolyard

What gives you hope in the growing food movement?

The next generation of eaters — those under 25. There are some extraordinarily eager and committed young people who really care about food and where it comes from. And they understand why we need to go back to basics like growing our own food and sharing a simple, home-cooked meal.

This age group really gets the importance of nourishing ourselves and the planet.



Boulder rallies around improving its schools' food



by Ed Bruske
1 Dec 2010



If you sample it, they will bite: Tasting a new pasta dish at a Boulder cafeteria.

Photos: Ed Bruske

"Dear Parents of the Boulder Valley School District," the appeal begins. "Things are going well, but we need your help. We need at least 30 more kids in each school to start eating lunch so we can sustain our program."

So reads a recent letter from chef-turned-school-food-activist Ann Cooper, who's trying to close a \$360,000 budget gap in her makeover of school meals in Boulder, Colo. She's upended the menu, replacing cheesy pretzels and Eskimo pies with chicken pot pie and pasta Bolognese. She's [brought in a crew of professional cooks](#) and [aligned the kitchen's computer system with the](#)

[21st century](#). Now all she needs is about 1,000 more kids to start buying lunch instead of bringing it from home.

She wants an army of parents to help.

In response to that letter, 176 parents volunteered to join in the battle to convince kids to eat the new and healthier meals. That's in addition to more than 30 unpaid interns who visit the schools to conduct tastings and coach students on the new food.

Whether it's volunteering in the schools or writing checks to pay for kitchen equipment and training, Boulder residents have stepped up to make their school food revolution happen. Cooper couldn't have gotten this far without them. But she still has a ways to go.

School board member Virginia Belval, who says she used to be "secretly horrified" by the processed convenience foods Boulder schools served before Cooper arrived, represents a suburban area where participation in the meal program remains low. "Nobody wants to serve their kids unhealthy food," she says. Still, her constituents have concerns about the consistency of food quality in school cafeterias, and also the expense. "I would take it a step beyond that," she said. "How kid-friendly is this food?"

She continues: "It doesn't sound like a lot to pay \$2.75 or \$3 for a lunch. But I might think, wow, I could make a peanut butter and jelly sandwich and some celery sticks and save some money over the course of a week."



Sunny Young, volunteer coordinator

Coordinating volunteers to push the case for the revamped menu is Sunny Young, a recent college graduate and Cooper acolyte. Originally from St. Louis, she saw Cooper speak at a sustainable food event and was moved to ask for a job. "She said, 'Well, I'm always taking interns,' and she handed me her business card. I carried that card around with me for almost two years," Young recalled. After a year abroad in Madagascar, she called Cooper looking for that internship and moved to Boulder, waiting tables to pay the rent, taking meals in school cafeterias to augment her food budget.

Now Young works out of an office near the maintenance shop at school district headquarters, her salary paid jointly by the schools and out of a \$150,000 grant from the Colorado Health Foundation aimed at increasing participation in the federally-subsidized meal program in certain Boulder schools.

Taste-testing new menu items, Young said, has been especially successful. "It's guaranteed: you get 15 more kids to eat lunch from every tasting," she said. At one elementary school in particular, Young has arranged three tastings for things like pasta in a garlicky cream sauce, burritos, and tabbouleh. "It's worked so well that we want to do it with every menu item. We're planning to do shepherd's pie next."

Another intern, Erica Goodman, is a graduate student in journalism at the University of Colorado, Boulder, who grew up on a dairy farm in upstate New York and is particularly interested in food issues. "I wanted to learn more about what they were doing here that might help me connect my family's farm with schools," Goodman said. Her assignment is to target schools with low lunch participation rates, find the kids who are bringing lunches from home, and offer them samples of the food being sold in the meal line. So she stalks the cafeteria with trays full of pasta or tabbouleh in little paper dispensers.

"Kids who bring lunch, they remember the old menu items and didn't like it and don't want to try what we have to offer," Goodman said. "Some see a chicken thigh and what they want is a nugget."

Overall, Goodman thinks the response to the new food so far has been positive. "There's definitely enthusiasm when there are good items on the menu. I definitely get a good vibe, and especially with the younger kids. I think they're more open to trying new things than the older kids."

Sally Handy is a former school teacher from Vermont who moved to Boulder around the same time as Ann Cooper when her husband got a job teaching law in Denver. She'd been following Cooper for years and wrote a number of letters trying to get a job with the School Food Project to no avail. Then she got tapped to coordinate other parents who had volunteered to help conduct tastings and otherwise coach students about healthier food choices.

"In Boulder, everyone thinks they're packing a much healthier lunch because they're shopping at Whole Foods and they're putting organic Cheddar Bunnies in their kid's lunch box," Handy said. "They're essentially feeding their kids healthy junk food."

Handy and many other parents with whom I spoke said they welcome a chance not to pack a lunch if there's a healthy alternative at school. "I've been packing my kids lunch for years and I was thrilled when this came about," Handy said. "I really see my participation as a commitment to the community, a community service in a way. Because the more people who participate, the better the food can be."

Handy's own 12-year-old daughter is torn because she waits in the food line while her friends are already eating the lunches they brought from home. "I'm the one insisting she do it -- wait in line for the lunch," Handy said. "But she's coming around. In middle school, it's a cultural-social issue."

Other parents have helped by donating money. Cooper originally projected that Boulder's School Food Project would require between \$750,000 and \$1 million in private donations to pay for upgrades to kitchen equipment and staff training. For instance, she spent \$45,000 to enroll her staff of more than 150 kitchen workers in a ServSafe food safety course. Another \$100,000 was spent to retrofit five production kitchens. Refrigeration and heating equipment for the kitchens required an outlay of another \$250,000, Cooper said.

Some of the money has come from local philanthropists. The regional Whole Foods contributed around \$100,000. Fundraising events continue on a regular basis. A dinner at a local farm in December featured a menu groaning with items donated by Boulder's chefs. One of the items at a live auction was a whole hog donated by a local farmer. In response, a local butcher auctioned a short course in how to turn that hog into roasts. The auction raised more than \$10,000.

And Boulder chefs are currently engaged in a series of fundraising dinners where contributors get to sample cutting-edge culinary fare.

Hugo Matheson is the father of twin 7-year-old boys who attend Boulder schools and coowner of a popular bistro called The Kitchen. He has actively supported school gardens in Boulder, and now has thrown his weight behind Cooper's cafeteria redesign. On Mondays, The Kitchen holds "community nights," when 20 percent of sales from a fixed-price \$35 menu go to the School Food Project and the Growe Foundation.

"There's still a wee way to go, but I see more kids accepting the lunches," said Matheson. "That was the biggest challenge, getting kids and parents to believe that this food really is good. My kids complain that we don't have the waffles and chicken nuggets any more. But we've definitely seen an increase in popularity and excitement around the food. There's a sense of community when everybody sits and eats the same thing."

Sixty-five supporters attended one fundraiser at The Kitchen where Ann Cooper spoke. They dropped checks worth \$65,000 in the School Food Project kitty that day.

Meanwhile, Sylvia Tawse, one of the parent activists who originally convinced Ann Cooper to take on the school food challenge in Boulder, uses her public relations firm -- Fresh Ideas Group -- to promote the cause. Her staff is involved not only in promoting various fundraising events, but in designing and placing an ad campaign aimed at boosting meal participation. This fall, a

four-week advertising blitz began airing during prime drive-time hours on the radio. The local daily newspaper agreed to publish two full-page ads for every one the food project purchased. "Fuel Your Child's Success," the ad declares. "Buy School Lunch."



Newspaper ad entreating parents to buy school lunches

A private family foundation paid the nearly \$14,000 cost of running 18 separate ads, Tawse said, in addition to thousands of dollars' worth of hours she and her staff have donated to the cause.

"In the past few years we have only worked 100 percent *pro bono* for School Food Project, whether it be serving as the event manager for our School Food Project Farm Dinner, which was hosted out at our family's farm, or our work on other fundraising efforts such as the chef dinners, which are ongoing," Tawse said. "I don't know total hours over the years, but I'd guess it is in the hundreds of hours range annually. The farm dinner involved more than \$15,000 in staff time."

They've also used the local newspaper to publish coupons for free lunches in the schools, paid for by an anonymous local donor. Coupons were also being distributed in elementary schools on Fridays. "I think we've redeemed 5,000 of those coupons already," Cooper said. Her kitchen crews are even trying to make converts out of the district's athletes. They've been feeding Boulder's football teams at home games and when they travel. Students have signed up for "iron chef" competitions to develop recipes that can be served in the cafeterias. The winners so far: sloppy joes, jicama slaw, and baked potatoes stuffed with cheese and broccoli.

So is it working? Are Boulder's kids buying the new and improved school food?

The day I visited Casey Middle School, where the *a la carte* line of separate snacks has been dismantled and the choices were re-designed nachos and hamburgers on whole wheat buns, the kitchen served 223 lunches, compared to 149 a year earlier. At Columbine Elementary School the following day, the lunch ladies dished up 296 slices of freshly-made pizza, a new record.

"I've just had one school meal so far and I thought it was pretty good," said schoolboard President Ken Roberge. "But my wife, who is very picky about what she eats, and she's a substitute teacher, has told me she would never think of making her own lunch any more because the food is so good."

According to Cooper, who closely monitors meal participation district-wide, the numbers look good. She may manage to break even this year, ahead of schedule. It took her three years when she remade the food in Berkeley, Calif.

"It's still too early to tell," she says. "We have to make it through the holidays first."

School lunch program likely to be overhauled

Carolyn Lochhead, Chronicle Washington Bureau
Thursday, December 2, 2010



First lady Michelle Obama has pushed for healthier school lunches as part of her anti-obesity campaign. There are even tactical teams to help with bringing foods from local farms to schools.

Photo: Charles Dharapak / AP

(12-02) 04:00 PST Washington - -- The biggest overhaul of the national school lunch program and other federal food programs in 30 years is expected to pass the House today, following a rare unanimous Senate vote earlier this year. It would enact a key plank of first lady Michelle Obama's anti-obesity campaign.

Championed by Bay Area Democratic Reps. George Miller of Martinez and Lynn Woolsey of Petaluma, as well as a coalition of celebrity chefs appalled by the poor quality of school lunches, the \$4.5 billion, 10-year legislation would increase nutritional standards in all federal food programs and eliminate junk food and soda from school campuses nationwide, following California's lead over the past decade.

Indeed the legislation takes into the national mainstream Berkeley food guru Alice Waters' once-radical school gardening concept by including \$40 million in mandatory funding for a program to encourage schools to buy food from local farms and start their own gardens.

It also provides a 6-cents-per-lunch boost to schools, along with a welter of other provisions nudging schools to improve the nutritional value of the meals they provide. The funding is just half of what President Obama initially requested, but nutrition experts said it's a significant boost to the amount the federal government pays schools now, which ranges from 26 cents to \$2.72, depending on parents' income. California will receive an extra \$34.5 million a year from the bill.

The school lunch and other federal food programs feed more than 31 million children a day, and half of all infants born in the United States.

Because schoolchildren consume anywhere from one-third to half of the calories they eat on campus, the school lunch program has become central to efforts to combat the childhood obesity epidemic, which leads to multiple chronic illnesses that add nearly \$150 billion a year to the nation's health care bill. School lunches were initially instituted to remedy malnutrition among World War II recruits.

"It's such an important step to take for addressing the huge burden that chronic disease is taking on our country," said Leslie Mikkelsen, a dietitian and managing director of the Prevention Institute, an Oakland nonprofit pushing improved diets as a way to prevent disease. "We've got 75 percent of health care costs attributed to chronic disease, and a portion of these are preventable. One pillar of that prevention is better nutrition."

Finding the money

House Republicans made a last-ditch effort to kill the legislation on the grounds that it was too expensive, delaying a vote until today, but Democrats insisted they have the votes and will pass it. Democrats paid for the bill by scaling back a multi-year, temporary expansion of food stamp benefits enacted in the 2009 fiscal stimulus that turned out to be bigger than anticipated because food prices have risen less than expected. Even with the cutbacks used to pay for the school lunch program, higher food stamp benefits will remain in effect through 2013.

The legislation covers all federal food programs, and includes such measures as encouraging breastfeeding among poor mothers participating in the Women, Infants and Children program.

Woolsey had sponsored the effort to remove junk foods and sodas sold in vending machines and in campus stores for many years, culminating this year in an agreement by the candy and soda industries to cooperate, instead of blocking the effort as they had in 2004.

"There's been a lot of momentum on that issue," said Margo Wootan, director of nutrition policy at the Center for Science in the Public Interest, who recalled first asking Woolsey to sponsor a junk food bill nine years ago.

Woolsey also obtained a provision to start a pilot program for schools to begin experimenting with using organic foods.

Critical support

Wootan said the first lady's campaign, and behind-the-scenes maneuvering by the Obama administration, were critical. "Without the president and first lady, this bill wouldn't have passed," Wootan said. All federal departments have been mobilized behind Michelle Obama's anti-obesity campaign, including even "farm-to-school tactical teams" by the U.S. Department of Agriculture.

The department's farm commodity surplus program, intended to boost prices for farmers and often blamed for dumping chicken nuggets and canned cheese into children's diets through the lunch program, is undergoing renewed scrutiny. A provision added by outgoing Senate Agriculture Committee chair Blanche Lincoln, D-Ark., who has raised the alarm about obesity in her state, will assist schools in making better use of the commodities by providing healthier recipes and best-practice standards, such as avoiding coating chicken nuggets in flour and deep-frying them.



More schools may offer healthy lunches, as Martin Luther King Jr. Middle School in Berkeley does.

Photo: Craig Lee / The Chronicle



Lessons from Ann Cooper's school-food revolution in Boulder



by Ed Bruske
8 Dec 2010



Is Ann Cooper a superhero, or can any school district do what she's done in Boulder?

Ann Cooper is conducting a clinic in Boulder on how to rescue school food. Is anyone paying attention?

In remaking the lunch line in Boulder schools, Cooper has revealed the federally subsidized school meals program as living somewhere in the Stone Age. Not merely underfunded, school kitchens are woefully under-managed and under-equipped to function in a digital age. No wonder they constantly run in the red. Schools are incapable of serving real food any more because they are mired in lack of imagination, lack of will, and above all, lack of professional know-how when it comes to producing meals with recognizable whole ingredients.

In other words, Cooper has proven that serving better food in school is not just about getting a bigger handout from Uncle Sam. Turning out wholesome meals, as opposed to the reheated junk so many school districts pass off as food, can be done on the current budget. But getting there

takes guts, hard work, and brains -- hardly the qualities that win advancement in public-school bureaucracies.

"People just don't get that the existing system already has virtually all the money it needs," said school-food consultant Kate Adamick, who has made a career out of showing school districts how they can capture millions of dollars by correcting a multitude of inefficiencies.

Myth busting

Why do schools need hired guns like Adamick and Cooper to get the job done? Why are school food service directors so often the greatest obstacle to progress? In case after case, school district after school district, it is the career school food functionary who digs in her heels and shouts, "It can't be done! Kids won't eat healthier food! We have to feed them junk to make our program work!"

It's not just about money: where better school food is concerned, leadership is in critically short supply.

Cooper explodes the myth embraced by so many school food service directors that they must offer cheese-covered soft pretzels, Subway sandwiches, corn dogs, and Eskimo pies to make ends meet. One of her first acts after taking over in Boulder was to abolish the *à la carte* foods the schools were serving. And it wasn't just because the food was bad. Trying to operate cafeterias like convenience stores, she found, was a drain on resources that did not yield the bounty that is popularly assumed.

"When you really look into all the loss in product, the storage problems, the waste, the time needed for invoicing, the staffing requirements, we don't believe it's really profitable," said Cooper. "And it takes away from the core mission" -- which is, of course, nourishing children.

Removing *à la carte* took a big bite out of Cooper's cash flow. But here's the surprise: She's recovering by selling better food and more of it. Her success is all the more remarkable because kids in Boulder do not depend on federally subsidized meals: only 18 percent of them qualify as low income. Should Cooper realize her goal of making her reformed food service self-sufficient in Boulder, it will be because kids actually *like* her home-made enchiladas and salad bars and can get along without Otis Spunkmeyer cookies and Gatorade every day. By implication, modeling Cooper's work would only be easier in urban school districts, where enrollment of low-income children is much higher.

Revamping school food is not for sissies. To wring waste and inefficiency from Boulder cafeterias, Cooper pushed long-time "lunch ladies" into a purely supportive role, cutting deeply into their work hours and bringing in a crew of professional chefs to do the actual cooking. In the process, she tapped a potentially vast reservoir of trained kitchen talent who would gladly sign on to the school food revolution -- if only there were a revolution to sign on to.

Not everyone agrees with this approach. Adamick, a friend and occasional coworker of Cooper's, believes that cafeteria workers -- "lunch teachers," as she prefers to call them -- are the solution,

not the problem. If we take the time to train them and give them the proper equipment, Adamick insists, they can serve meals cooked from scratch in schools coast-to-coast.

"The reality is that virtually no school district can afford the luxury of what the Boulder school district has," said Adamick. "Ninety percent of this battle will be won if we can restore the pride and self-respect of the lunch teachers. Our responsibility is to provide those people with the skills they need."

Doing so, Adamick admits, would take much longer. Cooper chose not to wait.

Let them eat cake

Can the nation's school children afford to wait? If there's any one message that rings loud and clear from [my travels through three very different school districts over the past year](#), it's that waiting for a solution from the federal government is a fool's game.

Congress has shown itself remarkably resistant to the idea of adding even a few pennies more to the school food budget. The USDA, charged with administering the meals program, is a monument to bureaucratic inertia that seems better suited to enforcing its vast web of rules than pointing the way forward -- unless that involves helping corporate interests put their brand of industrially processed convenience foods on kids' cafeteria trays.

It would be hard to think of another government program so vital as school lunch that is subject to as much lip service and window-dressing posing as reform. Michelle Obama's [high-profile attack on childhood obesity](#), while generating lots of buzz around vegetables and school gardens, has driven white-jacketed chefs into paroxysms of grade-school cooking demonstrations but thus far has failed to yield a political mandate for overhauling the nation's cafeterias. The School Nutrition Association, while ostensibly safeguarding the gustatory well-being of the nation's school children, is a relic of the last century: corrupted by industry influence, dishing out reheated chicken nuggets, and pushing kids to drink more chocolate milk.

Indeed, in all three of the school districts that I have observed at close hand -- the District of Columbia; Berkeley, Calif., and now Boulder -- change has not been handed down from Washington but has bubbled up from within outraged local communities. It takes parents, school administrators, and local elected officials fed up with horrendous school food to turn things around. In the case of Berkeley and Boulder -- communities primed for a school food uprising -- Cooper happened to be the catalyst who set radical change in motion. She not only knows how to do it, she has the charisma and leadership qualities to make it happen. And in Boulder, parents were not only ready for Cooper, they had the deep pockets to make her vision a reality.

Unfortunately for the nation's other 15,000 school districts, there's only one Ann Cooper. Or maybe there's a solution we just haven't imagined yet.

U.S. plan aims to make school meals more healthful

Stacy Finz, Chronicle Staff Writer

Friday, January 14, 2011



A student eats a chicken nugget at lunch in the cafeteria at Galileo Academy in San Francisco.
Photo: Laura Morton / Special to The Chronicle

It's a smackdown on french fries and a cry for more fruits and vegetables.

For the first time in 15 years, the federal government is calling for significant changes in school meals, including limiting the amount of trans fat, salt and calories in the cafeteria and increasing the produce and whole grains served. The hope is that the 32 million children who participate daily in school meal programs will have more healthful foods to chew on.

The proposed rule, which would raise reimbursements to schools by 6 cents a meal, was released on Thursday, and it is being applauded by nutrition and children's outreach groups across the country.

"The United States is facing an obesity epidemic, and the crisis of poor diets threatens the future of our children and our nation," Agriculture Secretary Tom Vilsack wrote in a news release. "With many children consuming as many as half their daily calories at school, strengthening nutritional standards is an important step in the Obama administration's effort to combat childhood obesity and improve the health and well-being of our kids."

About 17 percent of the nation's children and adolescents are obese, according to the Centers for Disease Control and Prevention. That's triple the rate from one generation ago. Overweight kids run the risk of high blood pressure, high cholesterol and Type 2 diabetes.

A good start

"I think it's a wonderful step and we really should be optimistic about it," said Ann Cooper, a school food consultant and chef who helped build Berkeley Unified School District's lauded school meal program and has been vocal about the ills of cafeteria lunches.

Cooper isn't enamored with everything in the proposed rules: "Six cents is about the price of a quarter apple" and "I'd like to see a faster crackdown on the levels of sodium we're serving as opposed to the USDA's proposal of (reducing it incrementally) over a 10-year period," she said, but called the rules a move in the right direction.

The proposal calls for:

- A decrease in potatoes (those french fries), corn and other starchy vegetables to a maximum of one cup a week.
- A gradual reduction in sodium levels over the next decade to 740 milligrams per lunch or less for high school students, 710 milligrams or less for grades six through eight and 640 milligrams or less for kindergarten through fifth grade.
- Serving only unflavored milk with a 1 percent fat content or fat-free flavored or unflavored milk.
- Creating calorie minimums and maximums for the first time. For lunch, the range would be 550 to 650 calories for kindergarten through fifth grade, 600 to 700 calories for sixth through eighth grades and 750 to 850 calories for high school students.
- Introducing children to a wide variety of fruits and vegetables. A serving of fruit would be offered daily at breakfast and lunch and two vegetables would be available for lunch. Green and leafy vegetables, orange vegetables, beans, starchy vegetables and others must be served over the course of the week so students get one of each.
- Requiring for the first time that half of the grains served be whole grains.
- Serving only foods with nutrition labels that show zero grams of trans fat per serving.

Explain the sources

Alice Waters, the Berkeley restaurateur whose Chez Panisse Foundation has been instrumental in funding successful school food programs, is concerned that without an educational component, kids will wind up chucking their whole grains and broccoli.

"Unless they know where their food comes from, it's not going to work," she said, adding that the rules are still "a giant step forward."

"I'm pleased that we're going down this path," she said. "I just want so much more."

The Agriculture Department is scheduled to take public comment until April 13 on the proposal, which is part of the Healthy, Hunger-Free Kids Act of 2010, signed into law by President Obama last month. The law requires that the proposed rule be implemented in the next 18 months and state education officials will monitor the program for compliance, said USDA spokeswoman Jean Daniel.

"It's a much-needed and long-awaited change," said Juliet Sims, program coordinator of the Prevention Institute, an Oakland nonprofit dedicated to the well-being of children. "It's what we were all expecting, but a really exciting step, particularly the fruits, vegetables and whole-grain aspects of the rules."

It's not perfect, said Sims, who would have preferred that the agriculture department ban flavored milk altogether. There is debate over whether chocolate and other flavored milk is helpful or hurtful in promoting good nutrition.

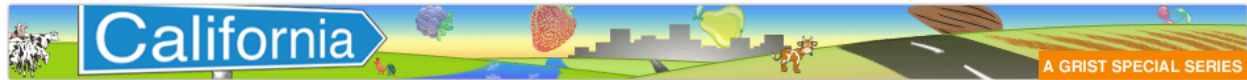
Good eating habits

Arnell Hinkle, executive director of the California Adolescent Nutrition and Fitness Program, a Berkeley nonprofit that works on after-school programs, said the most important part of the changes is that they will influence good eating habits at home.

"Children are going to learn what real food is," she said. "It's about lifelong behaviors starting at school."

U.S. Rep. George Miller, D-Martinez, also praised the proposal.

"The reality is that for many families struggling in this economy, the only chance their child has at eating a healthy meal comes in the school cafeteria," he said in a news release. "This means that our schools have an enormous responsibility to ensure the meals they serve our kids are nutritious, well-balanced and tasty enough that our kids actually want to eat them."



Series Intro



Fields o' greens: The nation's salad bowl, in the Central Valley.
Photo: calwest

Oh, California. With your fertile soil, abundant sunlight, and mild winters —and a little help from irrigation—there's almost nothing you don't grow. While the Midwest worries about “feeding the world” with its vast swathes of corn and soy, you cheerfully fill America's salad bowls, fruit baskets, wine cellars, and nut houses: you produce almost half of all fruit, nuts, and vegetables grown in America [\[PDF\]](#), and you grow 99 percent of the nation's almonds, pistachios, walnuts, artichokes, dates, figs, grapes, and pomegranates. You are the real land of milk and honey, producing more of both than any other state.

You also continue to lead the way in sustainable agriculture. You're home to almost a fifth of the nation's organic farms and responsible for more than a third of America's \$3.2 billion in organic sales, according to the USDA, thanks in large part to your thriving wine business.



The home of the locavores is also the birthplace of fast food.

Illustration: Grist

But you're not all happy cows and pesticide-free grapes. You have a dark side, too, as befitting the world's [eighth largest economy](#). You can't produce \$34.8 billion worth of food without cutting a few corners—[approving the toxic pesticide methyl iodide](#) in December being your most recent sop to agribusiness interests. You may be the birthplace of the locavore movement, but you've also sired many of our greasiest fast-food chains. And along with all those delicious kiwis and tangerines you grow, you also saw fit [to foist upon us fruit cocktail](#).

This Grist special series will look beyond the pretty face of California agriculture to some of the stories that aren't often told, and that will affect the future of the state's food production in important ways. We'll start with water, the very lifeblood of not only farming but dairy in this mostly dry state—after all, milk is just about passing water through a cow. Reporter Matt Jenkins will explain how California's obscure yet critical water rights are affecting what farmers choose to grow, and how they treat this precious and increasingly finite resource.

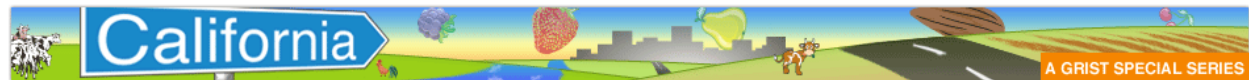


Rigoberto Bucio is a farm worker turned organic farmer.

Photo: Bart Nagel

Three pieces will look at the invisible hands on which California farming depends: migrant farmworkers. Award-winning environmental writer Heather Smith tells how increasing numbers have been able to start their own organic farms thanks to a patchwork of nonprofit and USDA-financed programs, while Beth Hoffman reports on how hard it is for farmworker families to find healthy food in the Central Valley, the heart of California's fruit and vegetable production. And in a slideshow from the Migrant Project, photographer Rick Nahmias shows us the people who pick our food and tells us a bit of their stories.

California's organic movement has come a long way from the Back to the Landers, and Bob Scowcroft has had a front-row seat on the tractor: Organic, Inc. author Sam Fromartz interviews the cofounder of the Organic Farming and Research Foundation on the eve of his retirement after 30 years in the movement. Fromartz also reports on how organic's explosive growth has had California farmers scrambling for any edge they can find—resulting in a scandal of which most consumers are completely unaware. And while Napa winemakers like Frog's Leap grab all the press for their organic, biodynamic, dry-farmed methods, Grist writer Tom Philpott is excited about some in little-known Lodi who're greening their grape-growing practices far afield from the Napa boutique belt.



Where Westlands water flows, California's agriculture follows



by Matt Jenkins

26 Jan 2011



Central Valley almond trees reflected in flooded irrigation water.

To many people -- particularly environmentalists and family-farm aficionados -- the Westlands Water District, on the dusty west side of California's San Joaquin Valley, conjures up an image of a sprawling empire of large-scale agribusiness. Roughly 600 farmers own land within the district, and grow a veritable cornucopia of tomatoes, almonds, pistachios, lettuce, cantaloupes, grapes, and other crops.

Many farms here are huge, to be sure: One family farms at least 25,000 acres. But there are plenty of smaller farmers like 42-year-old Shawn Coburn, who grows 1,200 acres of mostly almonds. And to him, Westlands is an American Eden.

"There's a long list of haters," says Coburn. But "we have the best dirt out there. It's the best ground in the world."

There's only one problem. While the soil here may be good, there's not much water. At least not since 2007, when a federal judge drastically cut back farmers' water supplies to protect endangered fish in the Sacramento and San Joaquin river delta in the geographic heart of the state. A three-year drought began clobbering California that same year, making life even tougher for farmers like Coburn.

In 2009, farmers in Westlands had their annual water supply rationed to just 10 percent of what they're entitled to under their contracts with the federal government. (More about that later.) Here and in neighboring irrigation districts, farmers were forced to idle, or "fallow," about a quarter-million acres of cropland because of drought and pumping restrictions, which cost them somewhere around \$350 million in losses.

Farms in Westlands make up a little less than one-tenth of the roughly 6.9 million acres of farmland in California, and other parts of the state are facing their own water crunch. But paradoxically, no one has been hit harder than the farmers here. Despite being widely viewed as one of the most powerful participants in California water politics, Westland's contracts for water from the federal government are some of the most vulnerable to being shorted, thanks to the arcane hierarchy by which water is apportioned during dry times.

The water shortage is unquestionably taking its toll. "It's changing the landscape," says Coburn. What's happening here is providing a sneak peek at the problems that farmers not only in California, but all over this drying world, will soon confront. Farmers are shifting to higher dollar-value crops that will cover the water price hikes -- but, paradoxically, are more sensitive to drought. They're pumping groundwater as an emergency supply of water -- and burning through that safety net even as it saves them from the current dry spell. And some farmers here are beginning to think about an exit strategy from agriculture altogether.

Water shipment down

On a farm, nothing happens without water. And in California's Central Valley, which includes the Sacramento Valley to the north and the San Joaquin Valley to the south, virtually all of the farmed acreage is irrigated. Irrigation districts like Westlands are local-government entities that hold long-term contracts for water supplied by two massive water projects: the Central Valley Project, which is operated by the federal government, and the State Water Project. The districts, in turn, sell water to individual farmers within their boundaries.

Yet as demand for water has grown throughout the state, as efforts to protect endangered species have increased, and as drought has darkened the water forecast -- a problem that's likely to become more frequent with climate change -- irrigation districts, particularly those on the west

side of the San Joaquin Valley, have found themselves increasingly unable to supply farmers with water. Even though Westlands, for instance, holds water contracts with the federal government, it signed those contracts relatively late, compared with other districts. As a result, when water supplies are tight, the government "shorts" Westlands' contract to ensure that other irrigation districts with better contracts get their water.

That water crunch is spurring farmers to make a wide array of adaptive responses. Water rights are generally tied to specific pieces of land, but water can be moved -- bought, sold, and swapped, just like stocks -- to areas of greatest demand, and diverted to those who can pay the most for water. In drought years like 2009, farmers make extensive use of transfers to cover water-supply reductions. But the less water is in supply, the dearer prices become.

Water shortages are also changing the menu of crops grown in California. Take the case of cotton, for instance. Cotton has long a favorite whipping boy of environmentalists and agricultural reformers because it is government subsidized and relatively thirsty. In 1979, California farmers grew about 1.6 million acres of the stuff. But over the past three decades, cotton has largely shuffled off the stage in California. In 2009, the state's farmers grew only 191,000 acres.

Many farmers say that one of the primary factors behind that decline, in recent years especially, has been water scarcity, which has driven up prices for water. Cotton has never had spectacular margins, so farmers are always vulnerable to big increases in the price of the "inputs" it takes to grow the crop. And, in the face of the water cutoffs, Westlands farmers have had to pay as much as four times what they normally do for water.

"That's what drove cotton out of the west side," says Marvin Meyers, a longtime Westlands farmer who now grows mostly almonds and olives. Farmers who use the water to grow higher-value crops like almonds "can afford to pay more," Meyers says, "because the almond returns are greater than you would have gotten for cotton."



Watering the desert: Irrigation in the Coachella Valley.
Photo: Aquaforia

Indeed, since roughly the mid-1980s, California's agricultural landscape has shifted from low-value commodity crops to ones that make more money for farmers: not just almonds, but wine

grapes, pistachios, walnuts, and pomegranates. As cotton acreage has decreased, almond acreage has been steadily growing. In fact, it has roughly doubled since 1986, to around 800,000 acres. (No other state in the U.S. grows almonds on a commercial scale; and, in fact, 90 percent of the world's supply is grown here.)

A shift to better-paying crops, along with higher water prices, has also created the incentive for farmers to invest in water-efficient technologies like drip irrigation. In Westlands today, more than half of the farmed acreage is now drip irrigated, and it's not uncommon for growers who focus on permanent crops, like Coburn and Meyers, to have 100 percent of their farms under drip systems.

Ironically, though, such moves haven't relieved overall water stress. While farmers have become more efficient, they're not using any less water. In fact, an acre of almonds in Westlands actually uses as much as 40 percent *more* water than cotton.

The giving trees

Farmers don't talk much about the fact that a water shortage is forcing them to grow crops that are actually more water intensive. But they are more candid about another twist in the hard new reality of water scarcity.

"Field crops" like tomatoes, lettuce, and melons give a farmer a little flexibility when a bad drought comes calling. If things get really bad, he can simply let the crop go for the year -- leave it unwatered, try to ride out the year, and give it another shot the next year.

But tree crops -- permanent crops -- are different. When a farmer plants an almond tree, he's practically handcuffed to that tree. He's banking that, after the tree takes a couple years getting up to full steam, it will produce a crop for roughly the next quarter century. Pomegranates are productive for 25 years or more, too. And grapevines produce for 45 years on average, but can keep going up to 100. With these plants, the farmer can't let the tree or vine go unwatered for a single year, no matter how bad a drought might roll through. No water, and it dies -- and with it goes the initial investment, plus the potential earnings over the rest of what otherwise would have been a fruitful life.

"It just raises the risk curve," says Mark Borba, who farms about 10,000 acres for himself and others on the west side. "You have that year-to-year uncertainty of, 'Will I be cut so severely in water allocation that my crop investment will actually die?'" he says. "It can all come crashing down in one year."

This move toward higher-value permanent crops has created an inflexible, "hardened" demand for water by erasing many farmers' ability to roll with nature's hydrologic punches. And that, too, is reshaping the geography on the west side. "Some people who have planted permanent crops are going out and buying land with no intention of farming it, but just getting that water and using on their (existing) crops," Borba says.

Other farmers have taken a different tack, partly to avoid being shackled to orchards or vineyards that they can't afford to *not* water. Last year, the total value of almonds grown in Westlands was the highest of any crop grown in the district. But not far behind was tomatoes. California isn't a big fresh-tomato state, like Florida. Instead, farmers typically grow under long-term contract for processors, which themselves contract to large companies like Campbell's and Heinz. The margins on tomatoes aren't as high as, say, almonds or grapes, but they're better than cotton -- and a multi-year contract gives growers a dependable income over the life of the deal.

At least it does as long as they can hold up their end of the bargain and keep delivering tomatoes to the processor. An acre of tomatoes uses about the same amount of water as an acre of cotton, so short water supplies make it difficult to meet the contracts. That has spurred some larger growers to rent ground with better water rights outside of Westlands and move part of their tomato crop there. Just as some farmers are transferring water from one piece of ground to another to cope with water shortages, others are transferring their crops to farmland with better water.

Groundwater hogs

Water may not be flowing for California farmers, but cash is -- at least for now. "Most of the [crops] that we grow here in California are at record or near-record prices," Borba says. That's due in large part to the fact that the state has a huge export market, and the weak dollar has driven prices up.

That has tempered the economic losses that farmers have suffered, but it hasn't solved the underlying lack of water, which affects farmers' ability to get the financing they need. Banks have always assessed each farm's vulnerability to drought when its owner applies for financing, although they are loath to say much about the process publicly.

"You can't take a brush and paint the whole San Joaquin Valley with one color," says Vernon Crowder, an agricultural economist with Rabobank, which has emerged as one of the largest lenders to farmers in the area. "Everybody's water situation is unique."

Bankers now scrutinize farmers' water options much more closely, and some farmers say, have become much more cautious about the risk they're willing to take on.

"Listen, any banker who stays in this ag thing ought to have their head examined," Borba says, and laughs. "It's like financing a riverboat gambler who tells you, 'Just give me another \$50,000 bucks.'"

The trump card for these gamblers is groundwater, which farmers can turn to when their irrigation districts can't provide a full delivery -- and which banks see as a crucial element of farmers' contingency plans. But as Crowder says, "the groundwater isn't going to last forever."



Not forever, and possibly not for much longer. A breathtaking groundwater "overdraft" has been run up in the Central Valley. So much water has been pumped out of the aquifers beneath the valley that the land over it is actually collapsing. An iconic photo taken in 1977 (left) shows a researcher standing next to a utility pole in Westlands; attached to the pole is a sign indicating the ground level in 1925, when pumping in the area began. It is roughly 30 feet over his head.

The current drought has only worsened that situation throughout the valley. A year ago, measurements beamed down by a pair of NASA satellites revealed that farmers in the Central Valley had pumped out enough groundwater since October 2003 to fill Lake Mead, the largest reservoir in the nation.

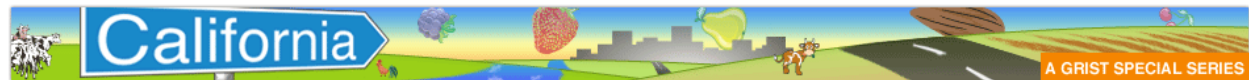
And regardless of the self-defeating logic of turning to groundwater, a new well can cost anywhere from a half-million dollars to a million per pop. Many farmers -- and smaller ones, in particular -- simply can't afford to make those kinds of investments to keep their farms going.

"You hear in the news about all these short sales, and that homeowners are upside down," Borba says. "Well, there's a lot of this land out here that's upside down."

Growers are bracing for what they see as the inevitable shakeout driven by this most recent round of drought -- and, potentially, the sort of consolidation that originally made Westlands' name synonymous with large, corporate farms. Many smaller farmers recognize that the economic clout of their more well-heeled neighbors -- and cities like Los Angeles -- will prevail when water gets really tight. They are keeping a wary eye on the weather, and especially the La Niña pattern that is taking hold, which will likely bring drier weather this winter. If that happens, the water that is available will only get more expensive for those who need it -- and more valuable, for those who have it.

And so, although they're not always eager to say so, many smaller farmers are quietly working out a Plan B in the back of their minds. In late November, as Shawn Coburn drove to look at one of his almond orchards on the west side, he allowed himself a moment of candor.

"I just want to make sure I've got a good exit strategy, when I sell the little bit of water I've got left," he said. "Then I can get the fuck out of here."



The ‘food desert’ in the heart of California’s farming region

by Beth Hoffman
1 Feb 2011



Green is the valley: Does this look like a desert to you?
Photo: Bithead

The produce stand looks like a typical farmers market booth, with a few women and men milling around looking at fresh-picked limes and rosy red tomatoes. But this market is also full of kids, lined up at a neighboring tent waiting for smoothies, and carrying off fruit cups as big as their heads.

"The first few weeks I forgot my money, and couldn't get anything," confides one excited elementary-school girl. "Now I get a smoothie after school every week. My mom makes me them at home for me now, too."



Ruiz Produce sign.

Photo: Beth Hoffman

Each Thursday, Ruiz Produce sets up this market outside Hildahl Elementary School to bring fresh food into the heart of Ceres, Calif., a heavily Hispanic community south of Modesto with little access to quality fruits and vegetables. One of three stands of its kind in the town, the [Ceres Partnership for Healthy Children](#) (CPHC) began the market this fall in an attempt to create a healthier environment for the area's residents.

The Central Valley of California is said to produce half the fruits and vegetables grown in the United States, and yet it's far easier to get a hamburger than a peach in most of the valley. Low-income residents have little access to fresh food as it is quickly and efficiently trucked off to cities and processing plants, returning back only as packaged, processed, and/or fast food.

Residents say the town of Ceres has many neighborhoods without a single shop in which to buy fruits and vegetables. Often the only place for those on tight budgets and limited transportation to shop are the fast food and convenience stores that dot the roadside, stocked with brightly colored chips and soda.

"Farmers from this area travel to Santa Cruz and San Francisco to sell their fresh produce because there are rich people there," says a Latina mom of three from the town of Ceres, who requested anonymity. "Where are the farmers here to sell to us? We have nowhere to shop for fresh food."

Cheap chips, expensive lettuce

"Food deserts" are a well-documented phenomena in urban areas like Oakland, Chicago, and Detroit. But rural areas too are experiencing a lack of access to fresh food, says the [Center for Rural Affairs](#). In rural Kansas, for example, nearly one in five grocery stores has gone out of business in the last four years. (Read "[Welcome to the Food Deserts of Rural America](#)" for more.) It is likewise difficult to find a local apple or fresh lettuce in the middle of sparsely populated Iowa.

And although Ceres and the rest of the Central Valley are more densely populated than most of the Midwest, many residents are also unable to find reasonably priced food. The CPHC says the region has the highest rates of unemployment and food insecurity in the country: unemployment in Ceres is at 20.3 percent; in Stanislaus County, 16.4 percent.



Brightly colored chips and soda fill the convenience stores.

Photo: Beth Hoffman

Farmworkers in the region are even more likely to be "food insecure" -- a study [[PDF](#)] in late 2007 found that more than 42 percent eat less than three servings of fruits and vegetables a day, and in the winter months, 48 percent go hungry.

The result is that the residents of Ceres and the Central Valley in general are turning to cheap, calorie-dense but nutrient-poor foods -- and are growing fatter. The area has significantly higher rates of overweight and obese adults (65 percent), seniors (63 percent), and children (15.5 percent) than the California state average (56, 56, and 14 percent respectively).

Marta Peña is one of those people. A part-time fruit-cocktail packer and mother of three who also lives Ceres, Pena explains she and her 16-year-old daughter are overweight because they eat too much fast food. "We like the tacos at Jack in the Box, and so I take my daughter there because that's what she wants to eat," she says, admitting, "I need to be stricter with what my kids are eating."

Peña is up against a powerful industry with deep-pocketed persuasion campaigns. A recent study by the [Rudd Center for Food Policy](#) at Yale found that "fast food restaurants appear to disproportionately target African Americans and Hispanics with their marketing efforts ... Fast food advertisements are prevalent on Spanish-language television networks, comprising nearly half of all ads." The same study estimates the fast food industry spent more than \$4.2 billion in 2009 on advertising targeted directly to kids. (For more on the study, see Tom Philpott's [November 2010 article](#) in Grist.)

Likewise, a report by the [California Center for Public Health Advocacy](#) showed that in 2005 California had more than four times the number of fast-food and convenience stores than markets, with rural areas having as high as a 6 to 1 ratio.

"The store windows are covered in advertisements for soda," complains another Ceres mom, standing in a convenience store surrounded by the greens, reds, and blues of candy wrappers and potato chips. "Even if these stores carried fresh fruit too, who would buy it?"

Cut the fat



Ceres kids buying fruit at stand.
Photo: Beth Hoffman

"The paradox of our community is that we are growing food here, and yet there is not enough healthy food to eat," says Maria Lourdes Perez, the program coordinator of Ceres Partnership for Healthy Children and a resident of Ceres. "The food is taken elsewhere."

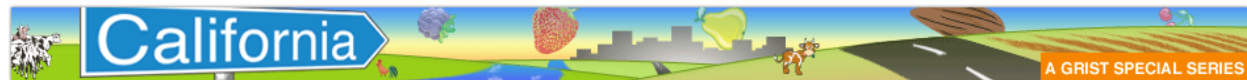
So these concerned Ceres parents have now teamed up with the Central California Regional Obesity Prevention Program (CCROPP) to try and create a healthier neighborhood for their families. Healthy eating is not just a question of individuals making better food choices, argues the CPHC, but of creating environments that support healthy living. The group focuses on improving food access for the community and in creating and maintaining safe places for kids and adults to recreate.

To this end, the CPHC has set up the farmers markets at schools, repaired sidewalks and parks, and launched what it calls the "walking school bus." Parents trained in CPR and first aid guide children to school on foot using a preset route with "stops" where kids can hop on, much like the regular bus.

And although the town has a long way to go to be healthy, the excitement of the kids for the farmers market is encouraging, and the parents too are learning better eating habits.

"When I was a kid, we didn't learn about what to eat or not eat," says Roseanna Enriques, who works for CPHC and is also a parent. "It is all about education, and I think I'm now learning a lot about what I should feed my kids."

Beth Hoffman is a freelance radio and multimedia producer, and a writer. She was a frequent contributor at Utah's NPR station KUER, and has aired nationally on NPR, The World, Latino USA, and Living on Earth. Beth completed a series on the artistic, cultural, and environmental connections to food called *Bite Sized* for KUER, and a year-long documentary radio project with photographer Sean Graff entitled *Old World, New Kitchen* in which immigrant women were interviewed as they cooked in their homes. Beth graduated from UC Berkeley's Journalism school in 2009 and is now a lecturer there in the [Africa Reporting Project](#).



What doesn't kill you makes you gourmet



by Rebecca Solnit
17 Feb 2011

Editor's note: The following essay and map are excerpted from [Infinite City: A San Francisco Atlas](#) and are republished with permission by UC Press as part of Grist's California agriculture series, an exploration of the people, farms, and issues shaping the state.

The Bay Area is a tale of two valleys, places that call up very different associations. Napa Valley is the opposite of Silicon Valley, or likes to think so. Napa Valley is how the region is marketed, as upscale, arcadian, sensual, and leisurely; Silicon Valley is its other face, hectic, disembodied, corporate, and geeky, though the sweatshop tech work is now done mostly overseas. Of course, the meaning of each place, and their relationship to each other, is more complicated. Napa is a second-home capital for the wealthy, including those who've made a killing in technology. You make software to engineer the future and buy pseudo-Tuscan nostalgia with the profits.

Visually, the valley in the north is a pastoral vision of green gridded vineyards and rustic architecture -- the gigantic wooden fermenting barrels were one of the wondrous sights of my childhood. Making wine is as traditional as making electronics communication technology, new devices, and software is not. And certainly the suburban expanse of Silicon Valley is dystopian: a landscape of workspaces, shopping, and sprawl scattered any which way and connected by a network of highways prone to gridlock. But if you include the farmworkers whose lives in the wine country are not so gracious, you can begin to locate the affinities between the two places.

Not so long ago, the southern region was the Valley of Heart's Delight, one of the great orchard landscapes of the world, with plums, apricots, and cherries the major crops. The sight and smell of the orchards in bloom were said to be spectacular, though picking apricots, plums, and cherries was not so arcadian a pursuit. Workers' conditions there were part of what inspired Cesar Chavez to take up the struggle for farmworkers' rights (at the outset of his political career, he lived in a San Jose barrio nicknamed *Sal Se Puede* [Get Out If You Can]). That was when San Francisco was the industrial capital of an agrarian region, when the city had branch railroads feeding ingredients to the big breweries, canneries, food factories, and coffee processors near the

waterfront, and when Mission Bay was a railyard, not a biotech campus. Some of this still remains: a significant proportion of the coffee drunk in the United States continues to come through the Golden Gate, though it now comes through the Port of Oakland, not San Francisco.

In many industries, food and poisons are intertwined: C&H Sugar, near the Carquinez Bridge, is both a major sugar refinery and a toxic polluter. Just south of this map, in Watsonville, the strawberry capital of the nation, a major battle has been waged over use of the deadly, ozone-depleting fumigant methyl bromide. And in the Napa Valley vineyards and wineries, vast quantities of chemicals are used in the raising of wine grapes and some more in the production of most wine, although this doesn't compare to the legacy of Silicon Valley, which is home to the greatest concentration of Superfund toxic cleanup sites in the nation -- 29, in various states of toxicity.

The Bay Area is now legendary, and sometimes smugly so, as a culinary capital, home of Chez Panisse and Greens and various other upscale dining emporia, fancy markets, and more. Since the Gold Rush, locals have liked to eat well, though the first famous dish to emerge from the place was hardly genteel in name or taste: the Hangtown Fry -- eggs scrambled with oysters and bacon. There were elegant restaurants like the Old Poodle Dog, open from 1849 to 1922, and Jack's, the French restaurant that closed in 2009 after operating since 1864. The city blithely ignored Prohibition, though the wine grown in Napa and home-brewed by the huge Italian population wasn't always so refined. The Bay Area was once a much more rough-and-ready place, and the food it produced was on a grander scale but a less epicurean level before everything changed.

A lot of the local food of yore was funny. The Popsicle is said to have been invented in the 1920s at Neptune Beach, a little Alameda amusement park, since contaminated by the Navy; the martini in refinery capital Martinez; the It's-It ice cream sandwich at the long-gone Playland at the Beach amusement park; and the mai tai at Trader Vic's in Oakland, also gone. Rice-A-Roni, a name hard to say without appending "the San Francisco treat," resulted from the packaging of an Armenian rice-pasta dish by an Italian family whose Gra-gnano Products bulk pasta factory in the Mission District -- around the corner from today's gourmet mini-ghetto of Delfina, Bi-Rite Market and Creamery, and Tartine -- eventually became Golden Grain in the 1930s and migrated to Fremont in the 1950s (near where the Ghirardelli Chocolate factory, once in northern San Francisco, also ended up). Rice-A-Roni was invented in the late 1950s, in the golden age of dried parsley flakes, cake mixes, and recipes whose first ingredient was a can of Campbell's Soup. The bricks of hot-pink popcorn sold in Golden Gate Park and at the zoo were another local treat that hardly merits the term "delicacy," though they are my madeleines. (They're still made at the Wright Popcorn and Nut Company in the Mission.)

The region was both a prolific producer of food -- of fish, of wine, of produce, if not of grains -- and home to a vast array of cuisines. Chinese food has been cooked here since the first Chinese immigrants arrived, and Mexican food long before. And San Francisco can claim to be one of the coffee capitals of the nation -- Italian North Beach was full of espresso machines steaming and Graffeo coffee roasting back in the era when I thought the Central Valley should have a sign for those heading east saying, "Next Good Coffee 3,000 Miles."

Food evolved. Some of the Hangtown Fries must have been made not with chicken eggs but with murre and seagull eggs harvested from the Farallones, those rocky little islands 10 miles off the coast -- Petaluma had yet to become the Egg Basket of the World, as it did in the teens of the last century, producing more than half a billion eggs per year by 1917. The Egg War on the Farallon Islands was fought to control the commodity in 1863, and two lives were lost. The Farallones are now a bird sanctuary, and Petaluma's chickens are mostly gone, though Clover Stornetta processes milk and dairy products on a large scale at a creamery in the vicinity, and the Petaluma area has seen a small free-range chicken farming revival (in addition to the chickens that can be found in countless urban backyards nowadays). Food is part of the Bay Area you hear about nowadays, exquisite upscale food at famous restaurants and gourmet markets. But it's so boring we couldn't stay focused on it in this map.

More important is the populist and radical foodscape -- certainly the burrito has flourished in San Francisco as nowhere else, and these biomass logs sustain many a student and day laborer in the Mission. As does a politics of radical food, from Frances Moore Lappé's 1971 [*Diet for a Small Planet*](#), the first manifesto with recipes (for bean-based protein dishes, mostly), to the Futurefarmers' 2008 Victory Gardens and the inner-city farms in San Francisco and West Oakland. The Black Panthers served breakfast to inner-city children, and the Symbionese Liberation Army forced *Examiner* newspaper mogul Randolph Hearst, father of the kidnapped Patty Hearst, to give away groceries on a grand scale. This place is rife with food as redemption, from Cathy Sneed's food-gardening project at the San Francisco County Jail, begun a few decades ago; to Mission Pie, which connects inner-city youth to jobs in food production at Pie Ranch, a peninsula farm, and in food preparation at a diner in the Mission; to La Cocina, a flexible industrial kitchen that helps poor women set up small food enterprises.

Another landscape of labor poisoned workers and left behind more toxins for the rest of us. The New Almaden mine at the southern end of the region supplied a lot of the mercury used to refine gold during the Gold Rush; the miners ended up putting 10 times as much mercury into the water systems of California as the amount of gold they took out of streams and rivers and rock and dirt. The region is still dotted with ancient mercury mines, many of them continuing to leach toxins. The Silicon Valley Toxics Coalition long ago pointed out that the high-tech industry is not nearly as clean as its image.

Bay water, groundwater, soil, food -- and then there's the air. Chevron is not only involved in human rights abuses and environmental devastation in other countries; it's also the biggest emitter of greenhouse gases in California and is responsible for more readily detectable emissions such as ammonia and benzene, which affect the 17,000 poor people who live within three miles of Chevron's Richmond refinery. In 1999, the refinery suddenly released 18,000 pounds of sulfur dioxide and told 10,000 residents to stay inside; those who lived even closer were evacuated. The stuff "killed trees and took the fur off squirrels," a resident reported. The Bay Area is one of the centers of the environmental justice movement in part because it's also a center of environmental injustice, in Richmond and all through the toxic corridors of refineries and chemical plants along the Carquinez Straits, in San Francisco's Hunters Point, in Silicon Valley, and among farmworkers.

The Bay Area is good at containing contradictions: being both the great laboratory for new military technologies and the capital of opposition to militarism, being both Tuscany and the starship Enterprise, making both delights for the palate and poison for the body. Behind the latter conundrum lies its constant tension between being more sensual and engaged with place, substance, and pleasure, on the one hand, and more sped-up, technological, profitable, and disembodied, on the other. Such contradictions may never be resolved, but they can at least be recognized. Even tasted.



[Click here to see this map in detail.](#)

Rebecca Solnit is the author of [*A Paradise Built in Hell: The Extraordinary Communities that Arise in Disaster*](#) and co-author with her brother David of [*The Battle of the Story of the Battle of Seattle*](#), a short anthology looking at how that watershed event has been misrepresented and reproducing some of the original documents.

Environmental groups ask feds to protect spring chinook; petition considers fall and spring runs distinct enough to be separate

John Driscoll/The Times-Standard
01/28/2011



Four environmental groups are asking the federal government to impose Endangered Species Act protections for another one of the Klamath River basin's struggling salmon stocks.

Spring-run chinook salmon should be considered separate from the more numerous fall-run chinook, the Environmental Protection Information Center, the Center for Biological Diversity, Oregon Wild and the Larch Co. maintain in their petition to the National Marine Fisheries Service.

That agency currently does not distinguish between the two runs on a technical basis, and the groups acknowledge that NMFS could choose to protect both spring and fall chinook, though fall chinook make up the core of the tribal and sport fishery in the river, and are a key element of the ocean commercial fishery.

Scott Greacen with EPIC said that an Endangered Species Act listing of spring chinook would draw more attention to the precarious position of the fish and force restoration efforts to more seriously consider them.

"This puts it on the table as a core issue," Greacen said.

The decline in spring chinook -- once the dominant run in the watershed -- is in large part due to four dams that have cut off hundreds of miles of spawning grounds in the Upper Klamath Basin. Fishing, water diversions, logging and other practices have all taken their toll.

Spring chinook are now largely contained in the Salmon, Scott, Shasta and South Fork Trinity rivers, and number between 300 and 3,000. "Springers" migrate upstream beginning in March, spawn in the late summer and fall, and some juveniles migrate to sea quickly while others wait until the following spring.

Fall chinook, on the other hand, average about 120,000 a year, with about half of that number being hatchery-bred fish. They migrate in the late summer and early fall, and their young migrate out more quickly.

The petitioners say the difference in behavior and genetic distinctions make the two runs separate, and they should qualify as distinct. A spokesman for the National Marine Fisheries Service said the agency has not viewed the petition and could not comment on it.

The states of California and Oregon, several tribes and fishing and environmental groups have signed an agreement to tear out the four Klamath dams and embark on a \$1 billion plan to restore salmon and shore up water supplies to farms in the upper basin. Tribes especially have worked to draw more attention to spring chinook during a process to determine whether removing the dams is in the public interest.

"I think there's a lot of importance being placed on spring chinook right now," said California Department of Fish and Game biologist Mark Pisano.

He said Fish and Game considers the two runs of fish to be different behaviorally, and that spring chinook would be the likely source for upper basin reintroduction of salmon if the dams are indeed removed.

Supporters of the deal say that is the best way to bring spring chinook back from the brink, and some said that federal protection now is too little, too late, and won't change conditions on the ground.

"The one single thing that we can do is give them a place to live," said Glen Spain with the Pacific Coast Federation of Fishermen's Associations.

Spain said that ocean commercial fishermen can likely avoid impacts to spring chinook as they do for protected coho salmon, but that tribal fishermen may see effects.

A statement from the Karuk Tribe said it shares the concern over spring chinook. It echoed its stance that the Klamath agreements to remove the dams are the best way to help their struggling stocks.

"These fish have sustained Karuk People since the beginning of time," the statement read.

Greacen said that the groups would oppose cutting back on tribal fishing. He responded to supporters of the Klamath agreements by saying that the deals don't address the whole Klamath basin, including the Scott, Shasta and Trinity rivers that are important to spring chinook. He added that no legislation to support the agreements has been introduced yet, that dam removal is likely years off, and that the petition is in part meant to help keep spring chinook viable in the meantime.



Zeke Grader

Pacific Coast Federation of Fishermen's Assns, Exec. Dir.

The Art of Hydraulic Illusion and the Westlands Water District

Americans are tired of cynical, divisive political campaigns based on misinformation; they want facts, pragmatism and real solutions. Unfortunately (as the Rolling Stones once observed), you can't always get what you want. The latest version of the Big Lie is rolling down on us from California's Central Valley, and it bodes ill for California salmon, fishing jobs and the environment.

Here's the deal: newly elected Central Valley House members are cramming web sites with misinformation about scientifically sound protections for the San Francisco Bay-Delta and its collapsing fisheries, and the effects of these protections on water supplies. The Westlands Water District, the most powerful agricultural water district in the nation, also recently staged a [theatrical walk-out](#) of a meeting with the Secretary of the Interior about the Delta. This is the prelude to a cynical push to weaken legal protections for the largest and most important estuary on the West Coast of the Americas- and for the fishing communities and those whose jobs depend on the health of that ecosystem. This will be the big-budget sequel to a pork-rich water giveaway that flopped last year. The goal will be to get more taxpayer-subsidized water to further enrich a few hundred of the wealthiest farmers in the world. Who would pay for this? The rest of us -- but especially California's fishing businesses, families and communities.

This campaign will be orchestrated by high-priced lobbyists and PR firms. Of course, they won't be visible, unless you're looking for them. And this campaign will avoid several simple truths. Here's what you won't hear from the agribusiness land barons as their invidious campaign unfolds:

Salmon: They won't mention salmon, because salmon mean jobs. In 2008 and 2009, California's salmon fishermen were shut down completely, and 2010 wasn't much better. We weren't allowed to fish because of overpumping to deliver cheap water to big ag and the other water oligarchs south of the Delta. Thousands of jobs have been lost, boats idled, communities harmed and families devastated. If we weaken protections for our fisheries, Californians could forever lose

delicious, healthful California salmon; this native California-grown food could permanently disappear from store shelves and restaurants. My industry could be shut down forever. You won't hear these oligarchs talking about what Half Moon Bay, Eureka, or Fisherman's Wharf would be without local salmon.

Record Harvests: They won't mention that during 2010, while they were complaining about inadequate water supplies and trying to block protections for fish, these same farmers were setting an all time record for [California's almond harvest](#). Everywhere you look, agricultural revenues are spiking. Take a look at pomegranate and pistachio production, or the [record harvest of processing tomatoes](#) in 2009, and now the replanting of thirsty cotton crops. In other words, it's business as usual: extravagantly profitable agricultural harvests and nothing for fishermen.

Subsidies: They won't mention the billions in taxpayer subsidies for water, crops and energy that these fat cats receive. They also won't reveal how those subsidies are helping pay for pricy PR firms like Burston-Marsteller, the masterminds of this sleazy propaganda campaign.

The Truth About Water Supplies: You won't hear that the average agricultural allocations of water from the federal Central Valley Project this year is around 75 percent. And you won't hear that 80 percent of California's water supply is used by agriculture -- not our cities. Sure, some farmers get tons of water, while the junior water users like Westlands get less. That's how water rights work. You sure won't hear that the water -- short farmers always buy water from their water-rich neighbors. You'll just hear folks blaming the fish.

Absentee Landlords: You won't hear that only a few hundred growers comprise the Westlands Water District, and most don't even live there. Some Valley land owners -- like agribiz big shot and political kingmaker Stewart Resnick -- live in traditional farming communities like Beverly Hills. Even the Westlands Water District offices aren't on the West side. They're across the valley in Fresno.

Labor Exploitation: They won't mention that for decades, the farmworker communities on the West-side of the San Joaquin Valley have been among the poorest communities in the nation -- in wet years and dry. Those big subsidy checks get sent to zip codes far from Mendota. Trickle-down subsidies have never worked here. They also won't talk about how the recession and the housing collapse caused the vast majority of lost jobs in these communities - not environmental protections. Nor, will they talk about safe drinking water, fair wages, or environmental justice for farmworker communities. Instead, you'll hear how these communities will thrive if we waive environmental protections. Pure bunk.

Science: You won't hear much about science, because every scientific review, from the State Water Resources Control Board to the National Academy of Sciences and many independent analyses, have shown a simple truth: We've been pumping too much water from the Bay-Delta estuary. We need to turn the pumps down a little to give the system an opportunity to recover. The only science this cynical campaign will be based on is ["combat science"](#) and political science.

So remember: when this cynical campaign kicks off in the coming weeks, you won't hear any of these facts. Instead, you'll be offered an illusion -- a cynical, phony solution. You'll be asked to support weakening environmental protections to further enrich a few hundred land barons at the expense of the Bay-Delta environment, Delta farmers, cities and businesses, and especially California's struggling commercial fishermen. Don't buy it.

There are real, practical solutions to California's water challenges. We need to restore Delta wetlands to provide habitat for young fish. We must improve fresh water flows in the rivers that feed the Bay-Delta -- the most important salmon producing system south of the Columbia River. And we need to invest in proven water supply strategies like urban and agricultural conservation, water recycling and beginning to manage our groundwater in order to reduce pressure on the Delta while helping us meet our water needs. These solutions work. They're cost effective. But this is not what the water oligarchy -agribusiness and its political henchmen -- has in mind.

So keep this check list handy. When this misinformation campaign hits full stride, you'll want to keep track of the truth.

I represent working professional fishing families, and we can smell a phony fish story. This one reeks like a bushel of rotting smelt.

THE HUFFINGTON POST

THE INTERNET NEWSPAPER: NEWS BLOGS VIDEO COMMUNITY



Ronnie Cummins

Director, Organic Consumers Association

January 28, 2011

The Organic Elite Surrenders To Monsanto: What Now?

"The policy set for GE alfalfa will most likely guide policies for other GE crops as well. True coexistence is a must." -- *Whole Foods Market, Jan. 21, 2011*

In the wake of a 12-year battle to keep Monsanto's Genetically Engineered (GE) crops from contaminating the nation's 25,000 organic farms and ranches, America's organic consumers and producers are facing betrayal. A self-appointed cabal of the Organic Elite, spearheaded by Whole Foods Market, Organic Valley, and Stonyfield Farm, has decided it's time to surrender to Monsanto. Top executives from these companies have publicly admitted that they no longer oppose the mass commercialization of GE crops, such as Monsanto's controversial Roundup Ready alfalfa, and are prepared to sit down and cut a deal for "coexistence" with Monsanto and USDA biotech cheerleader Tom Vilsack.

In a cleverly worded, but profoundly misleading email sent to its customers last week, Whole Foods Market, while proclaiming their support for organics and "seed purity," gave the green light to USDA bureaucrats to approve the "conditional deregulation" of Monsanto's genetically engineered, herbicide-resistant alfalfa. Beyond the regulatory euphemism of "conditional deregulation," this means that WFM and their colleagues are willing to go along with the massive planting of a chemical and energy-intensive GE perennial crop, alfalfa; guaranteed to spread its mutant genes and seeds across the nation; guaranteed to contaminate the alfalfa fed to organic animals; guaranteed to lead to massive poisoning of farm workers and destruction of the essential soil food web by the toxic herbicide, Roundup; and guaranteed to produce Roundup-resistant superweeds that will require even more deadly herbicides such as 2,4 D to be sprayed on millions of acres of alfalfa across the U.S.

In exchange for allowing Monsanto's premeditated pollution of the alfalfa gene pool, WFM wants "compensation." In exchange for a new assault on farmworkers and rural communities (a recent large-scale Swedish study found that spraying Roundup doubles farm workers' and rural residents' risk of getting cancer), WFM expects the pro-biotech USDA to begin to regulate rather than cheerlead for Monsanto. In payment for a new broad spectrum attack on the soil's crucial ability to provide nutrition for food crops and to sequester dangerous greenhouse gases (recent studies show that Roundup devastates essential soil microorganisms that provide plant nutrition and sequester climate-destabilizing greenhouse gases), WFM wants the Biotech Bully of St.

Louis to agree to pay "compensation" (i.e. hush money) to farmers "for any losses related to the contamination of his crop."

In its email of Jan. 21, 2011 WFM calls for "public oversight by the USDA rather than reliance on the biotechnology industry," even though WFM knows full well that federal regulations on Genetically Modified Organisms (GMOs) do not require pre-market safety testing, nor labeling; and that even federal judges have repeatedly ruled that so-called government "oversight" of Frankencrops such as Monsanto's sugar beets and alfalfa is basically a farce. At the end of its email, WFM admits that its surrender to Monsanto is permanent: "The policy set for GE alfalfa will most likely guide policies for other GE crops as well True coexistence is a must."

Why Is Organic Inc. Surrendering?

According to informed sources, the CEOs of WFM and Stonyfield are personal friends of former Iowa governor, now USDA Secretary, Tom Vilsack, and in fact made financial contributions to Vilsack's previous electoral campaigns. Vilsack was hailed as "Governor of the Year" in 2001 by the Biotechnology Industry Organization, and traveled in a Monsanto corporate jet on the campaign trail. Perhaps even more fundamental to Organic Inc.'s abject surrender is the fact that the organic elite has become more and more isolated from the concerns and passions of organic consumers and locavores. The Organic Inc. CEOs are tired of activist pressure, boycotts, and petitions. Several of them have told me this to my face. They apparently believe that the battle against GMOs has been lost, and that it's time to reach for the consolation prize. The consolation prize they seek is a so-called "coexistence" between the biotech Behemoth and the organic community that will lull the public to sleep and greenwash the unpleasant fact that Monsanto's unlabeled and unregulated genetically engineered crops are now spreading their toxic genes on 1/3 of U.S. (and 1/10 of global) crop land.

WFM and most of the largest organic companies have deliberately separated themselves from anti-GMO efforts and cut off all funding to campaigns working to label or ban GMOs. The [so-called Non-GMO Project](#), funded by Whole Foods and giant wholesaler United Natural Foods (UNFI) is basically a greenwashing effort (although the 100% organic companies involved in this project seem to be operating in good faith) to show that certified organic foods are basically free from GMOs (we already know this since GMOs are banned in organic production), while failing to focus on so-called "natural" foods, which constitute most of WFM and UNFI's sales and are routinely contaminated with GMOs.

From their "business as usual" perspective, successful lawsuits against GMOs filed by public interest groups such as the Center for Food Safety; or noisy attacks on Monsanto by groups like the Organic Consumers Association, create bad publicity, rattle their big customers such as Wal-Mart, Target, Kroger, Costco, Supervalu, Publix and Safeway; and remind consumers that organic crops and foods such as corn, soybeans, and canola are slowly but surely becoming contaminated by Monsanto's GMOs.

Whole Food's Dirty Little Secret: Most of the So-Called "Natural" Processed Foods and Animal Products They Sell Are Contaminated with GMOs

The main reason, however, why Whole Foods is pleading for coexistence with Monsanto, Dow, Bayer, Syngenta, BASF and the rest of the biotech bullies, is that they desperately want the controversy surrounding genetically engineered foods and crops to go away. Why? Because they know, just as we do, that 2/3 of WFM's \$9 billion annual sales is derived from so-called "natural" processed foods and animal products that are contaminated with GMOs. We and our allies have tested their so-called "natural" products (no doubt WFM's lab has too) containing non-organic corn and soy, and guess what: they're all contaminated with GMOs, in contrast to their certified organic products, which are basically free of GMOs, or else contain barely detectable trace amounts.

Approximately 2/3 of the products sold by Whole Foods Market and their main distributor, United Natural Foods (UNFI) are not certified organic, but rather are conventional (chemical-intensive and GMO-tainted) foods and products disguised as "natural."

Unprecedented wholesale and retail control of the organic marketplace by UNFI and Whole Foods, employing a business model of selling twice as much so-called "natural" food as certified organic food, coupled with the takeover of many organic companies by multinational food corporations such as Dean Foods, threatens the growth of the organic movement.

Covering Up GMO Contamination: Perpetrating "Natural" Fraud

Many well-meaning consumers are confused about the difference between conventional products marketed as "natural," and those nutritionally/environmentally superior and climate-friendly products that are "certified organic."

Retail stores like WFM and wholesale distributors like UNFI have failed to educate their customers about the qualitative difference between natural and certified organic, conveniently glossing over the fact that nearly all of the processed "natural" foods and products they sell contain GMOs, or else come from a "natural" supply chain where animals are force-fed GMO grains in factory farms or Confined Animal Feeding Operations (CAFOs).

A troubling trend in organics today is the calculated shift on the part of certain large formerly organic brands from certified organic ingredients and products to so-called "natural" ingredients. With the exception of the "grass-fed and grass-finished" meat sector, most "natural" meat, dairy, and eggs are coming from animals reared on GMO grains and drugs, and confined, entirely, or for a good portion of their lives, in CAFOs.

Whole Foods and UNFI are maximizing their profits by selling quasi-natural products at premium organic prices. Organic consumers are increasingly left without certified organic choices while genuine organic farmers and ranchers continue to lose market share to "natural" imposters. It's no wonder that less than 1% of American farmland is certified organic, while well-intentioned but misled consumers have boosted organic and "natural" purchases to \$80 billion annually-approximately 12% of all grocery store sales.

The Solution: Truth-in-Labeling Will Enable Consumers to Drive So-Called "Natural" GMO and CAFO-Tainted Foods Off the Market

There can be no such thing as "coexistence" with a reckless industry that undermines public health, destroys biodiversity, damages the environment, tortures and poisons animals, destabilizes the climate, and economically devastates the world's 1.5 billion seed-saving small farmers. There is no such thing as coexistence between GMOs and organics in the European Union. Why? Because in the EU there are almost no GMO crops under cultivation, nor GM consumer food products on supermarket shelves. And why is this? Because under EU law, all foods containing GMOs or GMO ingredients must be labeled. Consumers have the freedom to choose or not to choose GMOs; while farmers, food processors, and retailers have (at least legally) the right to lace foods with GMOs, as long as they are safety-tested and labeled. Of course the EU food industry understands that consumers, for the most part, do not want to purchase or consume GE foods. European farmers and food companies, even junk food purveyors like McDonald's and Wal-Mart, understand quite well the concept expressed by a Monsanto executive when GMOs first came on the market: "If you put a label on genetically engineered food you might as well put a skull and crossbones on it."

The biotech industry and Organic Inc. are supremely conscious of the fact that North American consumers, like their European counterparts, are wary and suspicious of GMO foods. Even without a PhD, consumers understand you don't want your food safety or environmental sustainability decisions to be made by out-of-control chemical companies like Monsanto, Dow, or Dupont - the same people who brought you toxic pesticides, Agent Orange, PCBs, and now global warming. Industry leaders are acutely aware of the fact that every single industry or government poll over the last 16 years has shown that 85-95% of American consumers want mandatory labels on GMO foods. Why? So that we can avoid buying them. GMO foods have absolutely no benefits for consumers or the environment, only hazards. This is why Monsanto and their friends in the Bush, Clinton, and Obama administrations have prevented consumer GMO truth-in-labeling laws from getting a public discussion in Congress.

Although Congressman Dennis Kucinich (Democrat, Ohio) recently introduced a bill in Congress calling for mandatory labeling and safety testing for GMOs, don't hold your breath for Congress to take a stand for truth-in-labeling and consumers' right to know what's in their food. Especially since the 2010 Supreme Court decision in the so-called "Citizens United" case gave big corporations and billionaires the right to spend unlimited amounts of money (and remain anonymous, as they do so) to buy media coverage and elections, our chances of passing federal GMO labeling laws against the wishes of Monsanto and Food Inc. are all but non-existent. Perfectly dramatizing the "Revolving Door" between Monsanto and the Federal Government, Supreme Court Justice Clarence Thomas, formerly chief counsel for Monsanto, delivered one of the decisive votes in the Citizens United case, in effect giving Monsanto and other biotech bullies the right to buy the votes it needs in the U.S. Congress.

With big money controlling Congress and the media, we have little choice but to shift our focus and go local. We've got to concentrate our forces where our leverage and power lie, in the marketplace, at the retail level; pressuring retail food stores to voluntarily label their products; while on the legislative front we must organize a broad coalition to pass mandatory GMO (and CAFO) labeling laws, at the city, county, and state levels.

The Organic Consumers Association, joined by our consumer, farmer, environmental, and labor allies, has just launched a nationwide Truth-in-Labeling campaign to stop Monsanto and the Biotech Bullies from force-feeding unlabeled GMOs to animals and humans.

Utilizing scientific data, legal precedent, and consumer power the OCA and our local coalitions will educate and mobilize at the grassroots level to pressure giant supermarket chains (Wal-Mart, Kroger, Costco, Safeway, Supervalu, and Publix) and natural food retailers such as Whole Foods and Trader Joe's to voluntarily implement "truth-in-labeling" practices for GMOs and CAFO products; while simultaneously organizing a critical mass to pass mandatory local and state truth-in-labeling ordinances - similar to labeling laws already in effect for country of origin, irradiated food, allergens, and carcinogens. If local and state government bodies refuse to take action, wherever possible we must attempt to gather sufficient petition signatures and place these truth-in-labeling initiatives directly on the ballot in 2011 or 2012. If you're interesting in helping organize or coordinate a Millions Against Monsanto and Factory Farms Truth-in-Labeling campaign in your local community, [sign up here](#).

To pressure the nation's largest supermarket chains to voluntarily adopt truth-in-labeling practices sign here, and circulate [this petition widely](#).

To pressure Whole Foods Market to take the lead, sign here, and circulate [this petition widely](#).

And please stay tuned to Organic Bytes for the latest developments in our campaigns.

Power to the People! Not the Corporations!

Friday, February 4, 2011

Monsanto Nation: Exposing Monsanto's Minions

by Ronnie Cummins

My expose last week, "[The Organic Elite Surrenders to Monsanto: What Now?](#)" has ignited a long-overdue debate on how to stop Monsanto's earth killing, market-monopolizing, climate-destabilizing rampage. Should we basically resign ourselves to the fact that the Biotech Bully of St. Louis controls the dynamics of the marketplace and public policy? Should we seek some kind of practical compromise or "coexistence" between organics and Genetically Modified Organisms (GMOs)? Should we focus our efforts on crop pollution compensation and "controlled deregulation" of genetically engineered (GE) crops, rather than campaign for an outright ban, or mandatory labeling and safety-testing? Should we prepare ourselves for a future farm landscape where the U.S.'s 23 million acres of alfalfa, the nation's fourth largest crop, (93% of which are currently not sprayed with toxic herbicides), including organic alfalfa, are sprayed with Roundup and/or genetically polluted with Monsanto's mutant genes?

Or should we stand up and say Hell No to Monsanto and the Obama Administration? Should we stop all the talk about coexistence between organics and GMOs; unite [Millions Against Monsanto](#), mobilize like never before at the grassroots; put enormous pressure on the nation's grocers to truthfully label the thousands of so-called conventional or "natural" foods containing or produced with GMOs; and then slowly but surely drive GMOs from the market?

Of course "coexistence" and "controlled deregulation" are now irrelevant in regard to Monsanto's herbicide-resistant alfalfa. Just after my essay was posted last week, the White House gave marching orders to the USDA to allow Monsanto and its Minions to plant GE Roundup-resistance alfalfa on millions of acres, from sea to shining sea, with no restrictions whatsoever.



"Bill Tomson and Scott Kilman of the [Wall Street Journal](#) reported that Vilsack's rejection of a compromise proposal - partial deregulation, which was vehemently opposed by biotech companies and only tepidly accepted by non-GE interests - was the result of an Obama administration review of "burdensome" regulations."

"Sources familiar with the negotiations at USDA, who preferred to remain anonymous, told [Food Safety News](#) they believe the White House asked Vilsack to drop proposed regulations so the

administration would appear more friendly to big business." - [Helena Bottemiller, Food Safety News](#)

This post-holiday gift to Monsanto from the White House is ominous. After the deliberate contamination of 20 million acres of U.S. alfalfa, we can then expect Monsanto and corporate agribusiness to call for GMOs to be allowed under the National Organic Standards. But of course let us hope we get another temporary reprieve from the same federal judge in California who halted the planting of GE alfalfa previously, since the USDA has still failed to demonstrate in their current Environmental Impact Statement that Monsanto's alfalfa is safe for the environment.

Organic Infighting

Whole Foods and others spent a lot of time this week on their blogs and on the Internet attacking me and the Organic Consumers Association for supposedly mischaracterizing their position on "coexistence" with Monsanto. In an internal company memorandum, marked "For Internal Use Only - Do Not Distribute" January 30, 2011, Whole Foods execs basically told their employees that the OCA is spreading lies to "uninformed consumers" in exchange for money and publicity. Quoting directly from the WFM company memo:

"Why is the OCA spreading misinformation? That's a hard question for us to answer. Perhaps because we don't share their narrow view of what it means to support organics, or perhaps because we do not support them with donations. Either way, it's a shame that an organization that claims to "campaign for health, justice and sustainability" can't simply tell the truth. This just confuses consumers. Despite all their noise, no industry leaders listen to the OCA - but uninformed consumers might. Their fear-mongering tactics, combined with the OCA's lack of transparency about its funding sources, underscore the fact that it is neither credible nor trustworthy. We can only assume their activities are intended for further fund-raising."

After bashing the OCA, Whole Foods then goes on to admit that WFM stores are filled with conventional and "natural" products that are contaminated with GMOs (they neglect to mention to their staff that these conventional and "natural" products make up approximately 2/3 of WFM's total sales). Again quoting directly:

"The reality is that no grocery store in the United States, no matter what size or type of business, can claim they are GE-free. While we have been and will continue to be staunch supporters of non-GE foods, we are not going to mislead our customers with an inaccurate claim (and you should question anyone who does). Here's why: the pervasive planting of GE crops in the U.S. and their subsequent use in our national food supply. 93% of soy, 86% of corn, 93% of cotton, and 93% of canola seed planted in the U.S. in 2010 were genetically engineered. Since these crops are commonly present in a wide variety of foods, a GE-free store is currently not possible in the U.S. (unless the store sells only organic foods.)"

But of course we are not asking WFM to lie to or "mislead" their customers, to claim that all their products are GMO-free, or to sell only organically certified foods. On the contrary, we are simply asking them to abandon the "business as usual" industry practice of remaining silent on the scope and degree of contamination in the billions of dollars of non-organic food they are

selling to unwitting consumers every year. What we are asking is that WFM ethically lead the way - in what is now a very unethical marketplace - by admitting publicly (not just in an internal memo) that a major portion of the non-organic foods they are selling (especially processed foods and animal products) are contaminated with GMOs. Then we want them to take the next step and announce that they will start labeling these GMO and/or CAFO foods truthfully, meanwhile pressuring their non-organic food suppliers to either reformulate products with non-GMO ingredients or start making the transition to organic.

Let us hope that WFM eventually does the right thing. It's unlikely WFM will adopt Truth-in-Labeling unless they get a massive amount of pressure from their customers, workers, and natural food competitors. But if we can build a grassroots Movement strong enough to convince WFM and other natural food stores to adopt Truth-in-Labeling practices, there will be enormous pressure in the marketplace for other larger supermarket chains to follow suit. However, if WFM and other grocery stores refuse to voluntarily label GMO and CAFO products, OCA is prepared to mobilize nationwide to press for mandatory labeling ordinances at the city, county, and state level.

To sign up as a grassroots coordinator for OCA's Millions Against Monsanto and Factory Farms Truth-in-Labeling Campaign go to: <http://organicconsumers.org/oca-volunteer/>

Beyond Organic Infighting

The good news this week is that WFM, Organic Valley, Stonyfield, the National Coop Grocers Association and the Organic Trade Association have been making [strong statements about fighting against GMOs](#). In a lengthy telephone conversation two days ago with Organic Valley CEO George Sieman, George told me how angry he was at me and the OCA, but he also said that Organic Valley was going to step up the fight against Monsanto. I said I was glad to hear this. I told him that OCA was going to do the same. I told him that our [Millions Against Monsanto Truth-in-Labeling campaign](#) is already attracting thousands of volunteers all across the USA and that we weren't going to give up until grocery stores, natural food stores, and coops start labeling conventional and "natural" products containing GMOs or coming from CAFOs.

We'll certainly see Organic Valley and the rest of the organic industry's pledge to fight GMOs put to the test in the near future, when the USDA unleashes genetically engineered sugar beets for nationwide planting. But given the need for a United Front, OCA would like to stress that Whole Foods Market is not the enemy. Wal-Mart and Monsanto are the enemy. Stonyfield Farm is not the enemy. The Biotechnology Industry Association, Archer Daniels Midland, and Cargill are the enemy. Organic Valley is not the enemy. The Grocery Manufacturers Association, Kraft and Dean Foods are the enemy. OCA wants the organic community to unite our forces, cut the bullshit about "coexistence," and move forward with an aggressive campaign to drive GMOs and CAFOs off the market.

Monsanto's Minions: The White House, Congress, and the Mass Media

The United States is rapidly devolving into what can only be described as a Monsanto Nation. Despite Barack Obama (and Hillary Clinton's) campaign operatives in 2008 publicly stating that

Obama supported mandatory labels for GMOs, we haven't heard a word from the White House on this topic since Inauguration Day. Michele Obama broke ground for an organic garden at the White House in early 2009, but after protests from the pesticide and biotech industry, the forbidden "O" (Organic) word was dropped from White House PR. Since day one, the Obama Administration has mouthed biotech propaganda, claiming, with no scientific justification whatsoever, that biotech crops can feed the world and enable farmers to increase production in the new era of climate change and extreme weather.

Like Obama's campaign promises to end the wars in Iraq and Afghanistan; like his promises to bring out-of-control banksters and oil companies under control; like his promises to drastically reduce greenhouse gas pollution and create millions of green jobs; Obama has not come through on his 2008 campaign promise to label GMOs. His unilateral approval of Monsanto's genetically engineered alfalfa, overruling the federal courts, scientists, and the organic community, offers the final proof: don't hold your breath for this man to do anything that might offend Monsanto or Corporate America.

Obama's Administration, like the Bush and Clinton Administrations before him, has become a literal "revolving door" for Monsanto operatives. President Obama stated on the campaign trail in 2007-2008 that agribusiness cannot be trusted with the regulatory powers of government.

But, starting with his choice for USDA Secretary, the pro-biotech former governor of Iowa, Tom Vilsack, President Obama has let Monsanto and the biotech industry know they'll have plenty of friends and supporters within his administration. President Obama has taken his team of food and farming leaders directly from the biotech companies and their lobbying, research, and philanthropic arms:

Michael Taylor, former Monsanto Vice President, is now the FDA Deputy Commissioner for Foods. Roger Beachy, former director of the Monsanto-funded Danforth Plant Science Center, is now the director of the USDA National Institute of Food and Agriculture. Islam Siddiqui, Vice President of the Monsanto and Dupont-funded pesticide-promoting lobbying group, CropLife, is now the Agriculture Negotiator for the US Trade Representative. Rajiv Shah former agricultural-development director for the pro-biotech Gates Foundation (a frequent Monsanto partner), served as Obama's USDA Under-Secretary for Research Education and Economics and Chief Scientist and is now head of USAID. Elena Kagan, who, as President Obama's Solicitor General, took Monsanto's side against organic farmers in the Roundup Ready alfalfa case, is now on the Supreme Court. Ramona Romero, corporate counsel to DuPont, has been nominated by President Obama to serve as General Counsel for the USDA.

Of course, America's indentured Congress is no better than the White House when it comes to promoting sane and sustainable public policy. According to Food and Water Watch, Monsanto and the biotech industry have spent more than half a billion dollars (\$547 million) lobbying Congress since 1999. Big Biotech's lobby expenditures have accelerated since Obama's election in 2008. In 2009 alone Monsanto and the biotech lobby spent \$71 million. Last year Monsanto's Minions included over a dozen lobbying firms, as well as their own in-house lobbyists.

America's bought-and-sold mass media have likewise joined the ranks of Monsanto's Minions. Do a Google search on a topic like citizens' rights to know whether our food has been genetically engineered or not, or on the hazards of GMOs and their companion pesticide Roundup, and you'll find very little in the mass media. However, do a Google search on the supposed benefits of Monsanto's GMOs, and you'll find more articles in the daily press than you would ever want to read.

Although Congressman Dennis Kucinich (Democrat, Ohio) recently introduced a bill in Congress calling for mandatory labeling and safety testing for GMOs, don't hold your breath for Congress to take a stand for truth-in-labeling and consumers' right to know what's in their food. In a decade of Congressional lobbying, the OCA has never seen more than 24 out of 435 Congressional Representatives co-sponsor one of Kucinich's GMO labeling bills. Especially since the 2010 Supreme Court decision in the outrageous "Citizens United" case gave big corporations like Monsanto the right to spend unlimited amounts of money (and remain anonymous, as they do so) to buy elections, our chances of passing federal GMO labeling laws against the wishes of Monsanto and Food Inc. are all but non-existent. Keep in mind that one of the decisive Supreme Court swing votes in the "Citizen's United" case was cast by the infamous Justice Clarence Thomas, former General Counsel for Monsanto.

To maneuver around Monsanto's Minions in Washington we need to shift our focus and go local. We've got to concentrate our forces where our leverage and power lie, in the marketplace, at the retail level; pressuring retail food stores to voluntarily label their products; while on the legislative front we must organize a broad coalition to pass mandatory GMO (and CAFO) labeling laws, at the city, county, and state levels. And while we're doing this we need to join forces with the growing national movement to get corporate money out of politics and the media and to take away the fictitious "corporate personhood" (i.e. the legal right of corporations to have all the rights of human citizens, without the responsibility, obligations, and liability of real persons) of Monsanto and the corporate elite.

Monsanto's Minions: Frankenfarmers in the Fields

The unfortunate bottom line is that most of the North American farmers who have planted Monsanto's Roundup-resistant or Bt-spliced crops (soybeans, corn, cotton, canola, sugar beets, or alfalfa) are either brain-washed, intimidated (Monsanto has often contaminated non-GMO farmers crops and then threatened to sue them for "intellectual property violations" if they didn't sign a contract to buy GMO seeds and sign a confidentiality contract to never talk to the media), or ethically challenged. These "commodity farmers," who receive billions of dollars a year in taxpayer subsidies to plant their Frankencrops and spray their toxic chemicals and fertilizers, don't seem to give a damn about the human health hazards of chemical, energy, and GMO-intensive agriculture; the cruelty, disease and filth of Factory Farms or CAFOs; or the damage they are causing to the soil, water, and climate. Likewise they have expressed little or no concern over the fact that they are polluting the land and the crops of organic and non-GMO farmers.

Unfortunately, these Frankenfarmers, Monsanto's Minions, have now been allowed to plant GMO crops on 150 million acres, approximately one-third of all USA cropland. With GE alfalfa they'll be planting millions of acres more.

The time has come to move beyond polite debate with America's Frankenfarmers, and their powerful front groups such as the American Farm Bureau, the Biotechnology Industry Organization, and the Grocery Manufacturers Association. "Coexistence" is a joke when you are dealing with indentured Minions whose only ethical guideline is making money. When I asked a French organic farmer a few years ago what he thought about the idea of coexistence with GE crops and farmers, he laughed. "If my neighbor dared to plant Monsanto's GM crops, I'd hop on my tractor and plow them up." Thousands of European farmers and organic activists have indeed uprooted test plots of GMOs over the past decade. Unfortunately if you get caught destroying Frankencrops in the USA, you'll likely be branded a terrorist and sent to prison.

Apart from direct action, it's time to start suing, not just Monsanto and the other biotech bullies, but the Frankenfarmers themselves. Attorneys have pointed out to me that the legal precedent of "Toxic Trespass" is firmly established in American case law. If a farmer carelessly or deliberately sprays pesticides or herbicides on his or her property, and this toxic chemical strays or "trespasses" and causes damage to a neighbor's property, the injured party can sue the "toxic trespasser" and collect significant damages. It's time for America's organic and non-GMO farmers to get off their knees and fight, both in the courts and in the court of public opinion. The Biotech Empire of Monsanto, Dow, Dupont, Bayer, BASF, and Syngenta will collapse if its Frankenfarmers are threatened with billions of dollars in toxic trespass damages.

Monsanto's Minions: Retail Grocery Stores, Factory Farms, Restaurants, and Garden Supply Stores

It's important to understand where GMOs are sold or consumed, and who's selling them. Twenty-five percent of GMOs end up in non-labeled, non-organic processed food, the so-called conventional or "natural" foods sold in grocery stores or restaurants; while the remaining 75% are forced-fed to animals on non-organic farms, feedlots, or CAFOs; or else sold internationally, often without the informed consent of overseas consumers. This means we need to identify and boycott, not only so-called conventional or "natural" foods containing soy, soy lecithin, corn, corn sweetener, canola, cottonseed oil, and sugar beet sweetener, but all non-organic meat, dairy, and eggs that come from factory farms or CAFOs. Once Truth-in-Labeling practices are implemented it will be relatively easy for consumers to identify and avoid products that are labeled "May Contain GMOs" or "CAFO."

Although most of Monsanto's Roundup herbicide sales are directly to farmers, a considerable amount of Roundup is sold in garden supply stores, supplying backyard gardeners, landscapers, and golf courses. Municipal and state governments also spray Roundup in parks and along roadways, while the DEA sprays large amounts of Roundup in rural villages in Colombia and the Andes, part of the insane and murderous War on Drugs.

Monsanto's Minions: Consumers

Millions of health, climate, and environmental-minded consumers are starting to realize that we must vote with our consumer food dollars if we want health, justice, and sustainability. Unfortunately, millions of others are still mindlessly consuming and over consuming processed foods, junk foods, and cheap, contaminated meat and animal products. The only guaranteed way

to avoid GMOs completely is to buy organic foods or to grow your own, and stay away from restaurants (unless they are organic) and fast food outlets. Otherwise, if you are contemplating the purchase of a conventional or "natural" food check the ingredients panel carefully. Avoid all non-organic products that contain soy, soy lecithin, corn, corn sweetener, canola, cottonseed oil, and sugar beet sweetener.

Millions Against Monsanto

We must draw hope from the fact that Monsanto is not invincible. After 16 years of non-stop biotech bullying and force-feeding Genetically Engineered or Modified (GE or GM) crops to farm animals and "Frankenfoods" to unwitting consumers, Monsanto has a big problem, or rather several big problems. A growing number of published scientific studies indicate that GE foods pose serious human health threats. [Federal judges are finally starting to acknowledge](#) what organic farmers and consumers have said all along: uncontrollable and unpredictable GMO crops such as alfalfa and sugar beets spread their mutant genes onto organic farms and into non-GMO varieties and plant relatives, and should be halted.

Monsanto's Roundup, the agro-toxic companion herbicide for millions of acres of GM soybeans, corn, cotton, alfalfa, canola, and sugar beets, is losing market share. Its overuse has spawned a new generation of superweeds that can only be killed with super-toxic herbicides such as 2,4, D and paraquat. Moreover, patented "Roundup Ready" crops require massive amounts of climate destabilizing nitrate fertilizer. Compounding Monsanto's damage to the environment and climate, [rampant Roundup use is literally killing the soil](#), destroying essential soil microorganisms, degrading the living soil's ability to capture and sequester CO₂, and spreading deadly plant diseases.

In just one year, Monsanto has moved from being Forbes' "Company of the Year" to the Worst Stock of the Year. The Biotech Bully of St. Louis has become one of [the most hated corporations on Earth](#).

The biotech bullies and the Farm Bureau have joined hands with the Obama Administration to force controversial Frankencrops like alfalfa onto the market. But as African-American revolutionary Huey Newton pointed out in the late 1960's, "The Power of the People is greater than the Man's technology." Join us as we take on Monsanto and their Minions. Our life and our children's "right to a future" depend upon the outcome of this monumental battle.

Please sign up now as a volunteer grassroots coordinator for OCA's Millions Against Monsanto and Factory Farms Truth-in-Labeling Campaign: <http://organicconsumers.org/oca-volunteer/>

Ronnie Cummins is National Director for the [Organic Consumers Association](#).



The (not so) New Agtivist: Organic movement leader Bob Scowcroft looks back

by Samuel Fromartz
7 Feb 2011



Bob Scowcroft in 2008, in one of his signature shirts.
Photo: Bart Nagel

After nearly three decades at the center of organic food and farming world, Bob Scowcroft recently retired as head of the [Organic Farming Research Foundation](#) (OFRF). Scowcroft was [California Certified Organic Farmers'](#) first executive director in 1987, then went on to cofound and lead the OFRF for two decades. OFRF has played a key role on two fronts -- advocating for organic farming research and pushing for a state, and then national, organic law.

With his penchant for bear hugs and loud Hawaiian shirts, and the sharp insights and confabs, like the Organic Summits he founded, Scowcroft is the organic world's preeminent "connector." He has street cred with everyone from Midwestern wheat farmers to CEOs from organic food companies -- both of whom could be found at OFRF's fundraisers, which were fueled by good food and wine.

Here, Scowcroft chats about the beginning of the organic movement and the "new blood" he's excited about -- yours.

Q. Now that organic farming's been codified into a set of regulations, some people complain it allows too many exceptions. What do you think of such criticisms?

A. I think we should approach organic with the concept of continuous improvement. If you take that approach, then we should celebrate critiques that help us improve our system. They're critical to our evolution. But if they're delivered in the form of hate speech -- "I will bring it all down before I'll let it go forward" -- that deserves the public condemnation it gets.

With the arrival of a new generation of organic activists, the personalities largely will become less important, and collaboration will become more important. I am actually most hopeful, if not utterly blown away, by the new youth movement in organic.

Q. So, as a member of the first generation of organic advocates, you're now passing the torch?

A. Well, I'm really second generation. The first was J.I. Rodale, the folks at Walnut Acres, many others. I feel my generation, the second generation, took the organic vision and put it into practice. We showed that it could be done commercially.

Now we need to step aside. We've got to get out of the way for the 35- and 40-year-olds -- the ones that Tweet organic research results, who understand organizing issues through Facebook. And who can lay out the five or 10 steps we need to take to get organic from 4 percent to 40 percent of the food system.

It took 30 years, I think, to get from .013 percent to 4 percent. Now we have to go to 40 percent. What's it going to take?

Q. You think that's realistic?

A. Yes. Actually, I think it's a necessity. I think it's urgent. How much longer is the soil going to run down the Mississippi? Think about how riveted we all were the oil pouring into the Gulf. You felt it, you saw it, you were hurt by it. But its size was only a third of the dead zone, which is there *every* year!

I think we're facing a new level of urgency about our food system but hardly anyone in a position of authority is connecting the dots. We have an administration that's more aware of this than most, but it can't move on any one issue without tripping over a vested interest. That's why this movement -- led by the next generation -- is vital.

Q. Let's go back to the beginning, to [California Certified Organic Farmers \(CCOF\)](#), which is now a major certification organization. How'd you get involved with them?

A. I met CCOF through working at Friends of the Earth, which was fighting chemicals. At the time I was trying to ban two of them, 2,4,5-T and 2,4-D, which together comprise Agent Orange. And there was always another chemical to fight. One day a farmer found me, an incredibly wonderful cranky guy who's since passed away, Sy Weisman, one of the founders of CCOF, and he said, "Why are you doing this? Get off the grid! You're not gonna ban 'em all! Be in favor of something good!"

Q. He said to push for an alternative?

A. Yes, he was saying, "You're *never* going to succeed at this [banning thousands of toxic chemicals.] You should just be in favor of organic. It's good! Be positive! All you environmentalists are against everything."

So I joined CCOF as the director when it had regional chapters in the state, many doing their own thing. A bare majority of farmers wanted to make it a statewide group, to have one standard for all 12 chapters, so everyone would follow the same rules. A majority also wanted to professionalize the inspection and certification process. By then, it was clear that visiting your farm, having a cup of tea, looking in your backyard, and talking soil fertility wasn't going to cut it anymore for certification. Eventually, our standards -- ours and others -- became the backbone of what is now the national organic law. In two and a half years, we grew from 170 to 740 farmers.

Q. How did you come to start the Organic Farming Research Foundation?

A. OFRF was an offshoot of CCOF. In 1990, we needed funding to balance our budget and looked to the grantmaking community for support. The CCOF Board approved the establishment of a sister foundation, which two organic farmers and I then set up. We got a grant that was largely funding the work of [Brian Baker](#). He wrote a column called, "Science you can use," which looked at what existing research there was on organic. Then we started giving grants -- the very [first one](#) was to a farmer, Carl Rosato, to manage peach brown rot, a fungal disease. The method's still used today. We began to encourage more proposals and actively push for more USDA funding of organic research.

Q. And you started holding conferences, which became pretty well known.

A. We held the first Organic Summit in '93. Farmers, environmentalists, corporate executives, certifiers all showed up. I remember a guy named Miles McEvoy came from Washington state and met with two other state organic programs at a breakout session. He said, let's form an ad-

hoc working group of state agriculture departments. Now I think they have 35 states in that caucus, and Miles -- who's now head of the USDA's National Organic Program -- founded it.

Another amazing moment: We had a workshop on organic cotton and only five people showed up: an attorney, Gap, Levi's, maybe Nike, and Patagonia. They casually said, We should start buying organic cotton, just to see if we could support this. So for many years, organic cotton farmers were supported by these companies. They weren't promoting it, they weren't advertising it, but they were buying it, and that helped organic cotton find a market.

We also wanted to look into what the USDA was doing in organic research and hired Mark Lipson (who is currently an organic and sustainable agriculture adviser at the USDA) in 1995 or so. He was an organic farmer north of Santa Cruz. He found out that the government had funded 34 organic research projects -- out of 30,000. They weren't collected, they weren't accessible, and they weren't easily identified as such. So we got a bunch of students to create a database of that type of information.

OFRF funded some of the earliest work on growing organic apples, strawberries, organic wheat. And a number of these research grants have led to adjustments in conventional farming practices, and I think that's really important. We've always supported *all* farmers.

Q. Will you miss your perch in the organic world?

A. I feel really good about it. I've only had momentary regrets, mostly when I get a new idea -- I'm still having new ideas -- and there's no one to share them with. But I won't miss the intensity of the past 23 years, both at CCOF and OFRF. Somebody added up the money I raised over the years and it was about \$17 million. That's asking for \$25, \$100 donations, writing \$50,000 proposals day in and year out. And frankly, asking for money is draining.

Samuel Fromartz is author of the recently published [Organic, Inc.: Natural Foods and How They Grew](#). See excerpts and background at [his website](#).

THE HUFFINGTON POST

THE INTERNET NEWSPAPER: NEWS BLOGS VIDEO COMMUNITY



Francesca Vietor
December 14, 2010

What U.S. Municipalities Can Learn From San Francisco's Urban Farming Movement

Last year my 26-year-old niece left her job as an executive assistant at a well-known advertising agency to become an apprentice gardener at the Esalen Institute in Big Sur, California. Now, when she moves back to San Francisco, she wants to talk her neighbors into tearing down the fences separating their yards so they can build a community garden. She wants to make soap and dye wool to make a living. She and nearly all of the twenty-somethings I meet want to spend the day with their hands in the dirt, not in front of a computer screen; they want food and financial security, they are interested in homesteading, and they are crazy about urban framing.

The good news is that the guerrilla urban farming movement is taking root in San Francisco. Sue Moss lives in the St. Vincent de Paul homeless shelter and created a garden out of a small patch of dirt near a freeway on-ramp. Her tools? Just a plastic fork and whatever else she could scavenge. When the folks at Fort Mason Community Gardeners heard about her they gave her a small rake, a spade and bag of seeds. Volunteers now help her maintain the plot -- she has created food and community in what was an abandoned eyesore.

When Annette Smith and Karl Paige began planting flowers and vegetables around a blighted Bayview Hunters Point neighborhood residents soon stepped in to help. Some gardened while others began to create art and share history. The Quesada Gardens Initiative was born and the community flourishes to this day.

In 1995, San Francisco's now-thriving Alemany Farms was a four-acre, illegal dumping site growing tires, cars and refrigerators. Community leader and former San Francisco League of Urban Gardeners Director Mohammed Nuru spearheaded a unique, community-based collaboration to put at-risk, low-income youth to work transforming the vacant lot into an urban farm. San Francisco's first "urban youth farm" was planted, providing 50 lucky teens with business, landscaping and non-violent resolution skills while offering a healthy alternative to a life of drugs, crime or violence. Today, Alemany Farms stays true to its original vision; growing organics foods and creating green jobs for residents of low-income communities with the values of environmental justice and social equity firmly rooted.

The Garden Project and Catherine Sneed are another urban farming phenomenon. The Garden Project employs recently released inmates from the San Francisco County Jail to work its half-acre garden. While food security, beautification, gardening and environmental sustainability are

often the key motivators for urban gardening, the Garden Project has demonstrated that the social and economic benefits of programs like these are even further reaching. The Garden Project has proven that when former inmates are offered a chance to participate in a program that provides job training and education, where they love what they do and can see immediate results, there are lower recidivism and unemployment rates and an even greater commitment towards stewardship of the environment. The U.S. Department of Agriculture called the Garden Project "one of the most successful community-based crime prevention programs in the country."

In just a few months, Hayes Valley Farm has proven that with the right leadership, care and tending a flower can bloom. After the 1989 San Francisco earthquake, the central freeway was deemed unsafe and shut down. Early this year the city re-opened the site as a temporary green garden space. Recognizing this unique opportunity, community organizers and urban farmers poured in and decided to develop "a springboard for urban agriculture all over the city." For now, the site functions primarily as an educational and resource center where curriculum development programs and plant sales are underway. The goal of Hayes Valley Farm is to demonstrate the potential techniques and beauty of urban farming. Our main yield is education," says Chris Burley, Co-Director. "We're trying to teach folks about growing their own food on balconies, in back yards, open air parking lots and on paved areas."

These projects have much in common; they create jobs and build life skills for people in need; they enhance and make safe the urban environment; they provide an element of food security and foster community; they give the participatory citizens of San Francisco a sense of ownership and pride in their own city. But even more significantly, they all happened with San Francisco City and County money, support and involvement. These are exactly the kind of projects that local, state and federal governments should promote and support. With such support and the opportunity for community leadership they are easily replicable and would make measurable difference in the quality of life in every city and county throughout the country.

Last year Mayor Gavin Newsom took urban farming squarely into the political arena when he issued the innovative and groundbreaking executive directive committing the City and County of San Francisco to increase its healthy and sustainable food. He said:

Access to safe, nutritious and culturally acceptable food is a basic human right and is essential to both human health and ecological sustainability. The City and County of San Francisco recognizes that hunger, food insecurity, and poor nutrition are pressing health issues that require immediate action. Further, we recognize that sustainable agricultural ecosystems serve long-term economic prosperity and availability of future generations to be food self-sufficient. In our vision, sustainable food systems ensure nutritious food for all people, shorten the distance between food consumers and producers, protect workers health and welfare, minimize environmental impacts, and strengthen connections between urban and rural communities. The long-term provision of sufficient nutritious, affordable, culturally appropriate, and delicious food for all San Franciscans requires the City to consider the food production, distribution, consumption and recycling systems holistically and to take actions to preserve and promote the health of the food system. This includes setting a high standard for food quality and ensuring city funds are spent in a manner consistent with our social, environmental and economic values.

In this directive, Mayor Newsom also calls on all city agencies and departments to conduct and audit of land within their jurisdiction suitable for, and actively used for food producing gardens and other agricultural purposes.

As the recently appointed president of The San Francisco Public Utilities Commission, I have jumped at the opportunity to see what my agency can do with our 75,000 acres of land outside our City boundaries and 1,400 or so within the 49 square miles of San Francisco itself. I have asked the SFPUC staff to determine what lands within our jurisdiction might be available for urban farming and food growing. With the resources of our agency, we look forward to doing our part to revitalize San Francisco's unused public spaces, reconnect our neighborhoods, reduce our environmental impact and help everyone live and eat better. What better way to ensure these goals than to create urban farms all over the City and County of San Francisco? Let's get planting.

Urban agriculture: S.F. considers allowing sales

Robert Selna, Chronicle Staff Writer
Thursday, December 23, 2010



When Brooke Budner (left) and Caitlyn Galloway expanded Little City Gardens, neighbors were concerned.

Photo: Lacy Atkins / The Chronicle

With all the talk about locavores, victory garden revivals and residents raising chickens and bees, a San Franciscan might be surprised to learn that he can't just sell produce out of his backyard. Not without running afoul of the law, that is.

While vacant real estate increasingly is being reclaimed for nonprofit and community gardens, old zoning laws prohibit selling homegrown produce without a costly permit and a hearing in front of the city Planning Commission.

But that could soon change.

In the coming weeks, city officials will start considering zoning changes that would let San Francisco join several other municipalities - from Boston to Kansas City - that are opening the door to a new small-business experiment: urban agriculture.

Questions remain about whether neighbors will fight small-time farming on their blocks, and the economics have yet to be worked out, but there are some who are eager to give it a try.

"It's still a big question: Can you make a living selling what you grow?" said Eli Zigas, executive director of Cultivate SF, a nonprofit that studies the commercial viability of urban produce gardens. "A lot of people are interested in trying different business models, but without these zoning changes, there really wouldn't be a way to see if they were viable."

Closer to the source

Zigas said the new zoning rules probably would inspire more local food production, including the expansion of nonprofit urban garden ventures because they clarify the areas in which community gardens - for profit or not - are allowed. Even if urban gardens don't prove to be a career option for most, they might provide side income, he said. At a minimum, more of them would expose city dwellers to the origins of their food.

"We'd like to see the amount of food grown in the city increase, but this is also about allowing people to see the food system differently, to build consumer awareness and to let them connect with their community," Zigas said.

Mayor Gavin Newsom's office introduced legislation at the Board of Supervisors last week that will need to wind its way through committees and then come back to the full board for a vote in the coming months.

Under the rules, produce may be sold from gardens of less than an acre in all zoning categories - from industrial to residential. Other requirements include a \$300 one-time fee to sell the produce and fencing around a garden plot. Currently, obtaining a permit for a small commercial garden can cost several thousand dollars and include a more extensive public review process.

The new legislation describes agricultural plots of more than an acre as "urban industrial agriculture." Such endeavors also would be allowed in most zoning districts, but would require the expensive permit and review to set up in residential and neighborhood commercial districts. The rules do not permit the growing of controlled substances, including marijuana. They prohibit the sale of value-added products, such as apricot jam or peanut brittle, and they do not allow sales out of dwelling units.

Cristine DeBerry, Newsom's deputy chief of staff, said the changes fit with the mayor's directive from 2009, which ordered all city departments to find unused land - including empty lots, rooftops and median strips - that could be turned into community gardens.

DeBerry said that so far, the new zoning legislation has not encountered public opposition. But the need for the changes was spurred by neighbors' complaints about the one commercial garden company in San Francisco actually trying to pay its bills by selling greens.

When Little City Gardens expanded its operations from a 2,500-square-foot plot near Mission Dolores Park to a three-quarter-acre parcel about 3 miles south near Mission Terrace early this year, some residents raised concerns about potential traffic and noise.

It turned out that to comply with the law, Little City would need to obtain a conditional-use permit, which requires a Planning Commission hearing to determine if the proposed use is "necessary and desirable" for the neighborhood.

Co-owners Brooke Budner and Caitlyn Galloway, both artists holding down other jobs, decided to wait until the zoning laws change, and they hope it happens soon. They planned to be harvesting their salad mix greens and herbs by now and are eager to see whether their business plan will work. They say their efforts will be no more obtrusive than a nonprofit community garden and that traffic and noise impacts will be minimal.

Even if their commercial garden doesn't fly as a full-time gig, they're confident it can provide supplemental income and shine a light on broader food quality and environmental issues.

"Industrial agriculture is destroying our soil ecology and our water quality," Galloway said, referring to large-scale farming. "The city is a prime place to dialogue about the importance of agriculture and where we, as city residents, fit into our own food system."

Hopeful signs

The two present evidence that they will succeed.

They raised about \$20,000 for initial costs on Kickstarter, a Web-based funding platform for creative projects. They previously sold their goods to local restaurants. Galloway said she gets a couple of e-mails per month from people around the United States interested in trying it themselves.

San Francisco is one of many cities encouraging commercial urban produce gardens. Detroit and Boston are working on similar zoning changes, and Boston plans to turn over two city parcels to growers who will sell their yields.

Kansas City, Mo., approved an ordinance in June permitting gardeners to peddle produce from their homes from May 15 through Oct. 15, but it outlaws "row crops" in front yards. Berkeley's planning department plans to study what other municipalities have done and what might work there.

"We haven't had a lot of people say they are anxious to open retail stands in their neighborhood. Most do trades or give it away," said Dan Marks, Berkeley's planning and development director. "But with the interest in local food and a desire to do more about climate issues, this idea isn't going away."



Baby radishes are among the crops at Little City Gardens in S.F.
Photo: Lacy Atkins / The Chronicle



Little City Gardens sits on a three-quarter-acre parcel near Mission Terrace in San Francisco.
Photo: Lacy Atkins / The Chronicle



John Blanchard / The Chronicle

Foundations often undermine their own efforts by micromanaging how social problems are solved. Two insiders explore why foundations have developed this way and what grant makers can do to foster high impact strategies.

BY KRISTI KIMBALL & MALKA KOPELL | *Illustration by Keith Negley*

Letting

GO

We would probably be better off as a society if the decision makers in the nation's large private foundations took up surfing. Why? Because surfing is about letting go, and that's what foundations must do to achieve higher impact. Surfing is incredibly humbling, an encounter with the enormous power, beauty, and unpredictability of the ocean. No surfer would attempt to change the shape of the waves or the schedule of the tides, because these forces are far beyond any one person's control.

But two common practices of major foundations—the design of specific solutions to social problems and the narrow focus on one pathway to a goal—are the equivalent of ordering the ocean to change shape. Just as men cannot control oceans, individual foundations cannot control social systems. Such an approach underestimates the vast power and complexity of the systems in which foundations are attempting to intervene.

The strategic philanthropy movement has been a positive influence in recent years by encouraging foundations to clarify their goals and regularly evaluate their progress. But it has also fueled practices that undermine the nonprofit sector's impact, rather than amplify it. Too often, funders insist on controlling the ways in which social problems are solved. This is a move in the wrong direction.

To make steady forward progress solving problems in dynamic environments of complexity and uncertainty, foundations must shift from centrally planned, narrowly focused grantmaking strategies to more decentralized, diversified strategies that are better able to catch the waves of effective leadership, distributed wisdom, and innovation. There are two ways foundations need to let go. The first is to enable effective nonprofits to take the lead in designing solutions to social problems. The second is to diversify investments across



multiple solutions or pathways to the goal. Let's take a closer look at the problems with current practice in philanthropy.

PROBLEM #1: FOUNDATION-DESIGNED SOLUTIONS

When solutions are centrally planned by people who are distanced from the real work in the field, the solutions are often poorly implemented. This is a classic principal-agent problem. The organizations tasked with implementation feel little ownership or passion for projects they didn't dream up themselves.

For example, in 2004 the William and Flora Hewlett Foundation made a grant to create the Legislative Education Project, as part of its California Education grant portfolio.¹ The project was a response to term limits and the loss of institutional memory in the state legislature. It was intended to provide a nonpartisan professional development forum for legislative staff to learn about the history and current status of California education policy. The foundation developed the idea and then invited a respected university research center to implement it. Unfortunately, the researchers weren't able to keep the legislative staff engaged and satisfied with the programming, nor did they respond aggressively enough to complaints from participants about an imbalance between liberal and conservative viewpoints. Eventually, the Republican legislative staff refused to participate, and those who did participate gave only lukewarm reviews of the sessions. The foundation considered the project a failure and did not renew the grant.

Later on, some consultants who were marginally involved in the first effort approached the foundation with a different vision. They knew many legislative staff well and had thought carefully about how to modify the project. In 2006, Hewlett made a grant for this new version, which included the following changes: The consultants created a steering committee of legislative staff to guide the project and decide on session topics and format; they followed the interests of the legislative staff and focused the sessions on visiting school districts and schools, rather than on presentations from researchers; and they acted as conversation facilitators rather than presenters. This time, the project was a success. Over the past five years there has been strong bipartisan participation, with legislative staff reporting that the experience has improved their basic knowledge and helped thaw the partisan divide as well as identify areas of common interest for education policymaking.

The point is not that foundations need to do a better job picking nonprofit implementers, but that for the best results the implementers need to pick and design the solutions themselves. The key difference between these two versions of the Legislative Education Project was who owned the solution.

There is another way foundation-designed solutions can undermine effective implementation. When each foundation develops its own

unique strategy for solving social problems, it becomes difficult for a grantee organization to have a coherent vision and strategy of its own. (Public charities with 501(c)(3) tax status must raise funds from multiple sources, as they cannot legally receive all of their funding from one foundation.) Implementation efforts suffer greatly when the nonprofit groups doing the work are pulled in 10 different directions, carrying out 10 different foundation strategies, to get adequate funds.

A similar phenomenon has developed with funding for public school districts nationwide. State and federal politicians, who control education funding, want to direct how the funding is used. So they create "categorical programs," which allocate funding to school districts for specific purposes, such as textbooks, librarians, after-school programs, and teacher training. All these activities are important, but having hundreds of small, narrowly defined funding programs that support different parts of a school's activities creates enormous paperwork and inefficiencies for school leaders and leaves them with very little flexibility to innovate and improve their student services.

The same holds true for foundation funding of nonprofits. The more that foundations dictate to grantees how they should solve social problems, the more they constrain the grantees' leadership, expertise, and ability to innovate—and the more bureaucratic work they create for them.

PROBLEM #2: TUNNEL VISION

To avoid spreading funding too thinly, many foundations choose to invest in only one solution or pathway to their goal. Instead of letting 1,000 flowers bloom, they think they can afford just one variant. But focusing narrowly on one solution is a fragile strategy, particularly in complex, unpredictable environments.

For example, in 2001 the Hewlett Foundation launched a grant initiative focused on increasing the achievement of California's K-12 students. The foundation chose state policy as the best pathway to the goal because it could help ensure that the state government's many billions in education funding were spent more effectively. This strategy looked promising for a few years. In 2005, Gov. Arnold Schwarzenegger created a Committee on Education Excellence to develop reform recommendations. The committee, with other elected officials, requested research to determine how to make the education finance and governance systems more effective. In 2007, the research was completed. The governor declared 2008 "the year of education," and he and a host of elected officials stood together with the researchers and pledged to work together to improve California education. The media coverage was extensive. It seemed as though the state was on the brink of a major overhaul of its school finance and governance systems.

Then, a few months later, the Legislative Analyst's Office announced a state budget deficit of almost \$20 billion. Schwarzenegger backed away from his commitment to reform education, and all of the energy for heavy political lifting in the state policy arena was sucked into a series of ongoing budget battles.

The Hewlett Foundation chose a powerful leverage point in state policy change, but it made a mistake by putting all its eggs in one basket. When the state budget crisis began, the foundation was left without other pathways to achieve impact with this portfolio. There have been improvements in state education policy since 2008 and

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MALKA KOPELL has worked for the last 30 years to develop collaborative relationships between government and the people it serves. She has served as a program officer for the William and Flora Hewlett Foundation in the Conflict Resolution and Special Projects programs. Kopell founded Community Focus, a California-based civic engagement organization, and was the founding managing director of the Center on Philanthropy and Civil Society at Stanford University.

important progress has been made in building the state's education data systems, but the school finance reform that once seemed possible has not been achieved.

The Hewlett Foundation is not alone in narrowly focusing on one solution or pathway to achieve its goals in a grant portfolio. A few other examples include the Bill & Melinda Gates Foundation's high school grants initiative (2001-2005), which focused on creating small high schools as the pathway to higher student achievement;² and the Irvine Foundation's CORAL initiative (1999-2007), which invested in after-school programs as the pathway to higher student achievement.³ None

formed a partnership to assist each other in achieving specific student performance goals, providing a much-needed alternative to the external assistance model used unsuccessfully by the state for years to turn around low-performing schools. More than 60 of the nation's largest school districts created a data-sharing network called the Key Performance Indicators Project, managed by the Council of the Great City Schools, to benchmark administrative and academic costs and performance, identify high and low performers, and share best practices. Rocketship Charter Schools in San Jose created a hybrid schooling model that uses fewer teachers and more time with computers

Exerting too much control causes foundations to ignore highly effective programs and institutions. Foundations must not choose control over impact.

of these strategies generated the results that were hoped for, even after investments of years and hundreds of millions of dollars.

Neither extreme—letting 1,000 flowers bloom or putting all eggs in one basket—is likely to produce high impact. As private sector investors learned long ago, the sweet spot is in the middle: investing in a diversified portfolio that includes a range of possible solutions.

COLLATERAL DAMAGE

Besides undermining implementation and producing disappointing results, there are additional downsides to foundations trying to control exactly how social problems are solved.

Exerting too much control causes foundations to ignore highly effective programs and organizations. If a foundation's strategy focuses on one specific way of solving a problem, then all other solutions do not fit that strategy and cannot qualify for funding, even if they produce great results. In this way, foundations are choosing control over impact. For example, there is extensive research showing that participation in a high-quality preschool program makes a huge difference in a child's readiness to learn in kindergarten and in academic achievement later on. There is similarly strong literature on summer learning loss and the impact of extended learning time on the achievement of low-income students. But few of the nation's largest education funders are making grants to promote these two well-proven solutions. Similarly, many nonprofit organizations with proven results, such as America's Choice, Aspire Public Schools, Citizen Schools, KIPP Schools, the New Teacher Center, the New Teacher Project, the Success for All Foundation, and Teach for America, get passed over for funding by large private foundations. In fact, the 19 nonprofits that ranked highest in the U.S. Department of Education's Investing in Innovation (i3) competition, which was based on evidence of impact, on average had grants in 2010 from only three of the nation's top 50 education foundations before winning the i3.

Exerting too much control causes foundations to ignore innovation. During the time that the Hewlett Foundation was investing in the California education strategy with a focus exclusively on state policy, several innovative new approaches were developed that had the potential to dramatically increase student achievement. The Long Beach Unified School District's MAP2D math program produced dramatic achievement gains for elementary students throughout the district, and now four other California districts are implementing the program and generating similar results. Long Beach and Fresno school districts

than traditional schools, generating impressive achievement gains for low-income students. And Roadtrip Nation, which helps high school students understand the real-life relevance of education, expanded its program into California. Unfortunately, none of these innovations aligned with the foundation's California education strategy.

Perhaps the single highest impact grant that the Hewlett Foundation's Education Program made in the past 10 years was to help launch the Massachusetts Institute of Technology's OpenCourseWare initiative. The objective was to make all of the university's courses, lecture notes, and course materials freely available on the Internet. MIT's pioneering effort helped spark what has become a global open education resources movement, enabling perhaps the most significant worldwide expansion of access to higher learning in decades. Today, more than 250 universities around the world have followed MIT's lead, making the materials for more than 13,000 college courses in 20 languages openly available online. This investment proposed by MIT President Charles Vest—and the \$120 million grant portfolio that followed—might not have been possible if the foundation already had decided on a specific strategy for how to use technology to improve education.

LESSONS FROM THE CUTTING EDGE

Many cutting-edge organizations today have achieved high performance by using distributed decision making and rapid prototyping to test solutions. In the business sector, high-performing organizations are empowering employees to make decisions, design new solutions, and continuously reassess and improve systems and products. The success of the Toyota manufacturing process, which relies on decision making and problem solving by production line workers, is a classic example. More recently, Google has provided its staff with flexible time to work on new projects of their own design.

Some companies have gone beyond empowering their employees to engaging their customers in co-creating products through open innovation and crowdsourcing. Apple allows users to write applications for its iPhone, and Facebook does the same for its social networking website. Netflix recently held a public contest to improve its movie recommendation algorithm. The Linux computer operating system and the Firefox Internet browser are both open-source products that thousands of programmers helped create, and they are considered by many to be better functioning than comparable products from traditional companies.

In the nonprofit sector, Wikipedia uses a small staff and a massive

global corps of volunteers to create an online encyclopedia with far more information than traditional encyclopedias that are produced by small teams of experts. Alcoholics Anonymous, a successful international movement with more than 2 million members, uses an extremely decentralized organizational model in which each local AA group is a self-governing entity. MoveOn.org, a nonprofit public policy advocacy group, asks its 5 million members to vote on its agenda and priorities.

In the government sector, market-based economies tend to be better than centrally planned economies at efficiently providing goods and services that people want. Leading thinkers in international development are suggesting a move away from centralized planning for development by aid agencies to a decentralized approach.⁴ The Long Beach Unified School District, one of the most consistently high-performing, high-poverty school districts in the nation, has achieved its success by encouraging and nurturing innovations in local schools, evaluating carefully, and replicating models that work broadly throughout the district. In health care, some effective efforts at stopping the spread of dangerous antibiotic-resistant MRSA infections in hospitals have engaged nursing staff and other lower-level workers to help design solutions.

Then there is systems thinking theory, which suggests that effective changes in complex systems cannot be dictated by actors in any one part of the system—that lasting changes require many diverse actors and points of view to help produce solutions. Effective system changes also require flexibility and openness to watching how the system responds to an intervention and readjusting the approach. Donella Meadows, systems thinker and author of the best-selling book *The Limits to Growth*, explains: “Self-organizing, nonlinear, feedback systems are inherently unpredictable. They are not controllable. They are understandable only in the most general way. The goal of foreseeing the future exactly and preparing for it perfectly is unrealizable.”⁵ Meadows concludes that dancing with systems, rather than trying to control them, is the best approach.

Last, proponents of design thinking advocate that the most successful solutions come from a deep understanding of the needs of end users. Rather than focusing too early on any one solution, the user-centered design process tests many different solutions quickly, eventually landing upon a solution after many rounds of user feedback and iteration. This process has produced highly innovative products as various as Apple’s iPod and Intuit’s Quicken financial software. Arnold Wasserman, industrial designer and design thinking pioneer, says: “Foundations are about 25 years behind the private sector. Cutting-edge businesses have long since recognized that powerful solutions come from continuous, rigorous research into their employees’ and customers’ needs and wants, from co-design with stakeholders, and from progressive iteration and prototyping toward ever better solutions.”

WHY IS PHILANTHROPY STUCK ON CONTROL?

Although reliance on top-down control is not exclusive to philanthropy, many attributes of the sector make it susceptible to this mode of operation. The feedback loops in business and government that create pressure for organizations to improve are missing in the philanthropy sector. Foundations are not set up to be accountable

to shareholders or constituents. The private sector has standardized public information flows about profits and losses, but foundations don’t have good ways of comparing outcomes across different kinds of investments. There is little transparency in the philanthropy sector, so when funders do collect good data, it is hard for others to learn from it or to recognize trends. In addition, the power imbalance in the grantor-grantee relationship makes it hard for grantees to challenge funders’ plans and breeds a belief among funders that they know best. All these factors insulate foundations from honest feedback on their investment strategies, making it easier for them to maintain the belief that they can design the best solutions from on high.

We aren’t suggesting that foundations give up all control. In other sectors, the leaders of high-performing organizations typically set clear goals, create accountability mechanisms, and provide constant information flows to drive performance. They also provide the flexibility and support to allow those who are working in the trenches to experiment, innovate, and continuously improve. The leaders of these organizations have figured out how to be *tight on goals and loose on means*. If foundations want better results, they also should adopt a tight-loose approach.

STRONGER GRANTMAKING APPROACHES

Several forward-looking foundations have chosen strategies that relinquish control over solutions to social problems. They are tight on goals and loose on means. Below are three promising approaches.

General support for effective organizations and leaders | Some foundations are focused on providing general support to nonprofits and individuals with proven track records. General support funding promotes effective implementation by supporting grantees’ own strategies and allows them to invest in their organizational infrastructure and capacity. This approach is naturally diversified, because each grantee may have a different way of achieving a foundation’s ultimate goal.

The Edna McConnell Clark Foundation (EMCF) is a good example of this approach. The foundation’s goal is to help economically disadvantaged young people become independent, productive adults, as measured by outcomes in education, employment, and reduction of risky behaviors. The foundation’s approach is to identify high-performing youth service organizations with effective programs and growth potential, and to support the entire organization rather than a few projects. Using this model, EMCF supported the scale-up of the Nurse-Family Partnership, a home visitation program that improves the health and development of mothers and children in low-income families. EMCF went one step further in rationalizing this funding approach. In 2008, the foundation raised \$81 million in growth capital for three of its grantees (in addition to its own investment of \$39 million). The funders agreed to use the grantees’ business plans as the basis for their grants and agreed to use the same terms, conditions, reporting requirements, and performance metrics for the grants. Nancy Roob, EMCF’s president and CEO, described the foundation’s approach: “We are committed to doing everything we can to get coordinated co-investment right, and to do so in a way that frees grantees to focus more sharply on execution, helps funders realize larger and more rapid social returns on their investments, and benefits more of America’s youth.”⁶

Other foundations focusing primarily on general support for organizations and leaders include Ashoka, the Draper Richards Foundation, the Mulago Foundation, New Profit Inc., Sea Change Management, the Skoll Foundation, and the Sobrato Family Foundation. In addition, the Boston Foundation, the California Wellness Foundation, and the Hewlett Foundation have made substantial investments in general support, although it is not their sole focus.

A related investment strategy is to fund leadership development and professional networks. A few foundations using this approach include the Brainerd Foundation and the Robert & Patricia Switzer

behavior; and stock markets that can predict the next influenza hot spot, to avert the next global pandemic. Although some projects may fail, Paul Tarini, director of the program, says: “That’s okay, actually. We needed a place where the foundation could explore. We don’t go into projects thinking each project has to meet with instant success; we go into them understanding their risk profile.”

Other examples of this approach include the Knight Foundation’s Media Innovation Initiative; the MacArthur Foundation’s Digital Media & Learning initiative; and the Rockefeller Foundation’s Advancing Innovation Processes to Solve Social Problems initiative.

The power imbalance in the grantor-grantee relationship makes it hard for grantees to challenge funders’ plans and breeds a belief among funders that they know best.

Foundation. These foundations provide flexible funding to help leaders further develop their skills, capacities, and professional networks to create high-impact solutions.

Community-designed strategies | Another promising investment approach is to rely on community-designed strategies, which do a better job than foundation-designed strategies of harnessing distributed wisdom for solving tough, systemic problems. These foundations fund strategies that are developed collectively by non-profits and other stakeholders in the field.

For example, in 2007 the American Society for the Prevention of Cruelty to Animals launched ASPCA Partnerships, a grantmaking initiative with the goal of increasing the live release rate of animals from shelters to 75 percent. ASPCA picked 10 communities and asked stakeholders in the animal shelter system to collectively design a set of strategies to achieve the goal. In Austin, Texas, the partnership’s pilot community, this initiative boosted the live release rate from 45 percent to 69 percent in four years; in Spokane, Wash., the rate increased from 50 percent to 64 percent; and the other communities have made substantial improvements as well.

Other examples of foundation-supported, community-designed strategies include the Community Clinics Initiative funded by the California Endowment to attain health equity for underserved communities in California; the Positive Deviance Initiative at Tufts University, funded by the Rockefeller Foundation, which has used community-designed strategies to address health, malnutrition, and other social problems in developing countries and in the United States; and the New Mainstream strategy funded by the Columbia, Heller, and Kellogg foundations and others to make California a national leader in developing a sustainable food system.

Fostering innovation | Other foundations are focusing on innovation to achieve high impact. This approach holds the promise of making giant leaps forward in solving social problems, but it also requires funders to be comfortable with failure.

The Robert Wood Johnson Foundation’s Pioneer Portfolio, for example, was launched in 2003 to support organizations using innovative techniques to solve health problems. The foundation funds projects in stages, so it can assess progress and better understand which projects merit longer-term funding. Some examples of the foundation’s pioneer ideas include building the world’s largest repository of genetic, environmental, and health data; the Games for Health Project, which develops digital interactive games to teach health concepts and motivate healthy

Judith Rodin, president of the Rockefeller Foundation, recently said, “At Rockefeller, we’ve learned that innovation techniques like crowdsourcing, design thinking, and user-driven innovation can tap new sources of knowledge ... engage thinkers and doers from around the world in solving problems together ... and then scale new ideas and best practices from one village to five, then to 500, then around the world.”⁷

Another related approach is using incentive prizes and competitions to spur performance and groundbreaking innovations, such as the X Prize Foundation’s competitions for technological innovations, the Broad Foundation’s Prize for Urban Education, and the U.S. Department of Education’s Race to the Top competition for statewide education reforms.

Of course, as funders shift away from more prescriptive approaches and toward general support, field-developed strategies, and innovation, it becomes tougher to predict what kind of solutions will be generated by their investments. But as Alberto Ibargüen, president and CEO of the Knight Foundation, recently said: “It is incredibly liberating to admit you don’t know the answer. Then you don’t have to go out and pretend and say, ‘I am the foundation, I have an idea, and I have the money.’ Instead you can afford to say, ‘I have some money, here’s the problem we’re worried about, do you guys have any ideas?’”⁸

The fundamental question is whether foundations are ready to relinquish some control to increase their impact. We think this change is long overdue. ■

Notes

- 1 We owe special thanks to the William and Flora Hewlett Foundation for allowing us to detail a number of its grant cases, in order to share lessons learned.
- 2 “Evaluation of Bill & Melinda Gates Foundation’s High School Grants Initiative: 2000-2005 Final Report,” The National Evaluation of High School Transformation, August 2006.
- 3 Gary Walker, “Midcourse Corrections to a Major Initiative: A Report on the James Irvine Foundation’s CORAL Experience,” May 2007.
- 4 Owen Barder, “Beyond Planning: Markets and Networks for Better Aid,” Center for Global Development, October 2009.
- 5 Donella Meadows, *The Systems Thinker*, vol. 13, no. 2, Pegasus Communications, 2002.
- 6 Nancy Roob, “\$120 Million in Growth Capital Secured to Advance Opportunities for Low-Income Youth,” June 2008 President’s Page at <http://www.emcf.org>.
- 7 Excerpt from Judith Rodin’s “Scaling Innovation” speech at the inaugural conference of the Social Impact Exchange on June 17, 2010, in New York City.
- 8 Ian Wilhelm, “Knight of the Newsroom,” *The Chronicle of Philanthropy*, July 23, 2009.

NRCS New York

Pollinator Conservation

December 20, 2010

This video features an interview about pollinators with Eric Mader, Assistant Pollinator Program Director for Xerces Society. Eric talks about the importance of invertebrate habitat and management. USDA's Natural Resources Conservation Service works with groups like Xerces when developing best farm practices eligible for funding under federal conservation programs like the Wildlife Habitat Incentives Program. (WHIP).

http://www.youtube.com/watch?v=H3_IW5A1VQ



American Farmers Create 41,000 Acres of Wildflower Habitat for Bees in 2010

For Immediate Release: November 29th, 2010

PORTLAND, Ore. - Responding to the ongoing decline of honey bees and wild pollinators, in 2010 American farmers enrolled in a USDA program to plant 41,231 acres of wildflowers.

This effort, a nationwide attempt to increase the availability of pollen and nectar for beleaguered pollinators, is made possible by new financial incentives established as part of the Conservation Reserve Program (CRP). Nearly 4,600 farmers signed up for the incentives, which were offered for the first time in the program's 25 year history.

CRP is the largest private landowner conservation program in the United States, with up to 32 million acres eligible for enrollment in long-term conservation easements. In exchange for annual rental payments, participating farmers agree to take highly erodible land out of crop production, and establish permanent vegetation to protect topsoil and provide wildlife cover. The program, which is administered by the USDA's Farm Service Agency (FSA), typically contracts with farmers to maintain these easements for 10 to 15 years.

"The new wildflower planting incentives represent a monumental shift in CRP," said Eric Mader, Assistant Pollinator Program Director at The Xerces Society for Invertebrate Conservation, a pollinator advocacy group based in Portland, Ore. "In the past, most CRP land was maintained in non-native grasses, which had limited value to wildlife. This change will help pollinators, provide shelter for pheasants, songbirds and endangered butterflies, and can provide global environmental benefits by encouraging deep-rooted prairie wildflowers that help sequester carbon."

Under the current CRP application process, landowners who want to participate are ranked against one another to prioritize enrollments that offer the most conservation benefits. By agreeing to plant at least 10% of the CRP acres in native wildflowers, farmers receive a higher score and are more likely to be selected as program participants.

As a result, nearly 20,000 acres of new CRP pollinator habitat is being established in Colorado alone, with total commitments in Idaho, Iowa, Kansas, Missouri, Montana, Nebraska, South Dakota and Washington ranging from 1,200 to 3,200 acres.

This added emphasis on pollinators makes CRP the largest bee conservation effort in North America. While diseases and pesticide use have been implicated in the decline of honey bees, native bumble bees and butterflies, experts also point to habitat loss as a major factor. Organizations like the Xerces Society and the California-based Partners for Sustainable Pollination (PFSP) hope that CRP can help reverse that trend.

To meet a similar anticipated demand for new pollinator habitat enrollments in 2011, the USDA is consulting with groups like the Xerces Society, PFSP and the University of Minnesota's Dr. Marla Spivak, a honey bee expert and 2010 MacArthur Fellow, to identify the best wildflowers and planting methods for each region of the country.

The annual value of bee pollinated crops in the U.S. is estimated at \$20 billion, and includes alfalfa, sunflower, canola, apples, almonds, citrus, berries, pumpkins and other economically important commodities.

ABOUT THE XERCES SOCIETY

The Xerces Society is a nonprofit organization that protects wildlife through the conservation of invertebrates and their habitat. Established in 1971, the Society is at the forefront of invertebrate protection worldwide, harnessing the knowledge of scientists and the enthusiasm of citizens to implement conservation programs. To learn more about our work or to donate to the Society, please visit www.xerces.org.

Flower sharing may be unsafe for bees

Wild pollinators are catching honeybee viruses, possibly from pollen

By Susan Milius

Friday, December 24, 2010



Groping around for pollen in a flower could expose a wild bumblebee such as *Bombus ternarius*, shown here, to infection by honeybee viruses.

Credit: Beatriz Moisset/Wikimedia Commons

Eleven species of wild pollinators in the United States have turned up carrying some of the viruses known to menace domestic honeybees, possibly picked up via flower pollen.

Most of these native pollinators haven't been recorded with honeybee viruses before, according to Diana Cox-Foster of Penn State University in University Park. The new analysis raises the specter of diseases swapping around readily among domestic and wild pollinators, Cox-Foster and her colleagues report online December 22 in *PLoS ONE*.

Gone are any hopes that viral diseases in honeybees will stay in honeybees, she says. "Movement of any managed pollinator may introduce viruses."

A pattern showed up in the survey that fits that unpleasant scenario. Researchers tested for five viruses in pollinating insects and in their pollen hauls near apiaries in Pennsylvania, New York

and Illinois. Israeli acute parasitic virus showed up in wild pollinators near honeybee installations carrying the disease but not near apiaries without the virus.

In domestic honeybees, such viruses rank as one of the possible contributors to the still-mysterious malady known as colony collapse disorder that abruptly wipes out a hive's workforce, Cox-Foster says.

Now she and others are looking at what the viruses do to wild pollinators. Preliminary results of ongoing lab tests show some disturbing effects, Cox-Foster says. "Is this part of the reason why we've seen the decline of native pollinator species in the U.S.?" she muses.

Surveys show that wild bumblebees, for example, are dwindling in numbers, and the new study raises further concerns. "We recognize that those viruses likely pose a major threat to wild bumblebees," says Sarina Jepsen of the Xerces Society, an invertebrate conservation group in Portland, Ore.

One of the most interesting results in the study is the detection of deformed-wing virus and sacbrood virus in pollen carried by foraging bees that weren't infected themselves, comments Michelle Flenniken of the University of California, San Francisco, who has studied bee viruses but was not involved in the new work.

Healthy foraging insects carrying virus-laden pollen are one of the pieces of evidence that Cox-Foster and her colleagues use to argue that pollen by itself can transmit viral infections. "Knowing that viruses are found in and can be transmitted from pollen is an important finding," says Flenniken.

This raises concerns about possible virus transmission through the 200 tons of honeybee-collected pollen used to feed bumblebees in bee-raising operations worldwide, Cox-Foster says.

Livingston farms set to attract essential insects

By CAROL REITER
Tuesday, Jan. 11, 2011



SUN-STAR PHOTO BY MARCI STENBERG

Chris Schlies, owner of land in Livingston, helps plant bee-friendly plants Monday, Jan. 10, 2011. The plants will help attract bees and butterflies to the land and help Schlies keep the cost of renting bees to a minimum.

On some sandy Livingston soil near an almond orchard, Jessa Guisse and Chris Schlies were trying to help some bees Monday afternoon.

And some butterflies, and some ladybugs.

It's all part of an extremely rare project that Livingston is hosting.

Guisse is a pollinator habitat restoration specialist with the Xerces Society, a nonprofit dedicated to wildlife conservation, invertebrates in particular. An invertebrate is an organism without a backbone.

Guisse was helping Schlies plant bee- and butterfly-friendly plants on Schlies' land. "All of my work is in the agriculture sector," Guisse said. "I work with farmers who want biodiversity."

Guisse deals with farmers who want to help pollinators, such as bees and butterflies. "When you help the pollinators, you also attract beneficial insects to fields," she said.

There are 1,500 native species of bees in California, Guisse said. Helping those species also helps the honeybees that are so essential to many crops, such as almonds. "We focus on plants that have a lot of pollen, that's what's important to the bees," Guisse said.

Some species of bees, such as bumblebees, are endangered, Guisse said. "Habitat loss and disease have hurt them," Guisse said. "If we help the bumblebees, we also help the honeybees."

Bumblebees are used in greenhouse production, Guisse said, and are essential to blueberry growers.

Guisse said her organization was funded by the Natural Resource Conservation Service and works with the East Merced Resource Conservation Service, which is part of the California Association of Resource Conservation Districts.

There are a dozen projects like the one in Livingston across the country, with seven of them in California.

The plants were being planted on about 6,500 square feet, and included about 150 plants and a couple of pounds of wildflower seed. Guisse said there are about 25 species of plants, including wild California rose, salvia, deer grass and redbud.

"Most of these are native to California," Guisse said. "They are all drought-tolerant and will only be lightly irrigated for the first couple of years, and then they won't need any supplemental water at all."

Schlies said the land next to where the plants were put in includes an almond orchard and a sweet potato field.

The farmer said he read how honeybees take highly predictable routes in their pollination, which doesn't do a good job of cross-pollination. "If native bees are present, it makes the honeybees better at pollinating, because they aren't flying in such straight lines," Schlies said.

Along with helping the habitat, Schlies said the plants should help with pollinating the almond orchard.

"Instead of using 2½ hives per acre, I can probably cut it down to 1½ hives per acre," Schlies said.

This project has been in the planning stages for a year, and Schlies has planted a couple of citrus trees in his almond orchard, because citrus trees have a lot of pollen in their blooms.

Guisse said the project on Schlies' land will be used as an example for other growers who want to know about the butterflies and the bees.

WILDLIFE: Steep drop in 4 bumble bee species is a 'wake-up call' (01/17/2011)

Amanda Peterka, E&E reporter

For a handful of scientists in the country, a study published earlier this month detailing the drastic decline of four North American bumble bee species was confirmation of a trend they have been observing for years.

The three-year study, published in the *Proceedings of the National Academy of Sciences*, found that the populations of four common species of bumble bees have declined by up to 96 percent in North America. And not only have the populations gone down in number, but their geographic ranges have also become smaller.

Bumble bee scientists have observed declines among individual species for about a decade now, but this is among the first long-term studies on a national scope and among the first to gain strong media attention.

The study's lead author, Sydney Cameron, said she hopes the results serve as a "wake-up call to be observant toward our wild bees and to pay attention to our wild bees."

For the most part, long-term research and funding has focused on commercially raised honey bees and their decline, termed "colony collapse disorder" for lack of a clear understanding of its cause. The honey bee industry has the backing of lobbyists, almond boards and much U.S. Department of Agriculture funding due to its multibillion-dollar economy, Cameron said.

Meanwhile, there are perhaps fewer than 20 scientific researchers working with the approximately 50 North American wild bumble bee species, according to David Inouye, one of those researchers and a professor of biology at the University of Maryland.

Interest, however, is growing. Scientists credit Robbin Thorp, a professor emeritus of entomology at the University of California, Davis.

In 1998, USDA was investigating whether a species known as Franklin's bumble bee should be listed as endangered, and Thorp began monitoring the species found only in Northern California and southern Oregon.

"I found it everywhere I looked," Thorp said.

In a couple of years, though, the numbers began to drop off precipitously, as did the population of the Western bumble bee, one of the study's declining species. Other species were doing well.

"It began to occur to me that this was a problem that was kind of unique to those two species, and they happened to be very closely related, and they're very closely related to the one in Europe that is being used commercially for greenhouse pollination," Thorp said.

Thorp's hypothesis is that U.S. queen bees caught a bug from European bees when USDA shipped bees to Europe to rear them there in the early 1990s because the United States did not have commercial rearing facilities.

Researchers now advocate for bans on overseas and cross-country shipments of bumble bees and support local commercial bumble bee production. USDA's Animal and Plant Health Protection Service has already prohibited the importation of foreign bumble bees, something that Inouye called "shutting the barn door after the horses are out."

Only one Franklin's bumble bee has been found in the past four years, according to Scott Hoffman Black, executive director of the Xerces Society, an invertebrate conservation organization. Xerces is petitioning the U.S Fish and Wildlife Service to list the species under the Endangered Species Act.

"Robbin Thorp has potentially watched and studied as Franklin's bumble bee has gone extinct," Black said. "Although we are hopeful there are some resilient populations we don't know about out there, at this point, this bumble bee is on the verge of extinction."

Thorp's work spurred interest in the U.S. bumble bee community, and researchers began observing declines in other species. But, "for the vast majority of our bumble bees, we have no knowledge of what their populations are doing at all because nobody's out there looking at them," Thorp said.

Meanwhile, declines in England have been well-documented, where there is much more readily available information about the distribution, diversity and abundance of bumble bees, Inouye said. He attributes that information to a wealth of historical data.

"I think there's a growing interest here in the United States in terms of that kind of natural history, but it's a relatively recent change here whereas in England there's just a long tradition of people being interested in that kind of thing," Inouye said.

'Potentially catastrophic' losses seen

The report released this month studied eight different species and compared more than 73,000 museum records to nationwide surveys of living bumble bees. Some of the species were chosen because researchers had previously observed declines, and others were chosen because they showed signs of expansion. Franklin's bumble bee was not included.

Some of the species found to be declining had very broad ranges. The species known as the American bumble bee is found in the eastern United States all the way to the Rocky Mountains. The study showed the bee absent from much of its historical northern and eastern territory.

The four species "were dominant where they were, they have wide ranges, some of them especially wide ranges," said Cameron, an entomologist at the University of Illinois, Urbana-Champaign. "And they occurred in high abundance where they were found."

Seventy percent of wild plants are pollinated by insects, mostly bees, Black said. He called the declines "potentially catastrophic."

Bumble bees are especially important because they are robust animals and able to withstand cold temperatures, meaning they are the primary bees in tundra regions, Cameron said. Bumble bees also have long tongues, allowing them to pollinate long-tubed flowers.

They also pollinate plants important to humans -- tomatoes, eggplants, peppers, blueberries and cranberries -- through a behavior called "buzz pollination." When a bumble bee buzzes at a specific frequency near the flowers of these plants, the plants' pores open in response.

The study cites the spread of *Nosema bombi*, the disease bumble bees may have gotten from Europe, as one possible cause of the decline. Reduced genetic diversity may be responsible, but the study is clear that the causes for the decline are still uncertain.

A study published in *PLoS ONE* in December found that disease from honey bees can spread to bumble bees through pollen.

Inouye also points to climate change as a possible cause. He found evidence that bumble bees are moving up in altitude in the Rocky Mountains as lowlands become warmer. There, they come into contact and possibly into competition with species already found at those altitudes.

Cameron and Thorp recently received funding from USDA to test the hypothesis that the European disease pathogen could be causing the decline. They will study museum specimens to see if they can find *Nosema bombi*'s signature, Thorp said.

In general, researchers say much more study is needed. The bumble bee community, while galvanized, lacks the manpower and funding needed to observe all of North America's species.

"We are heartened that our efforts and the efforts of other conservation organizations have highlighted the need for more funding for bumble bees and other native species, and we are seeing a move in that direction," Black said. "I don't think it's enough yet, I think we can do more, and I think we do need additional funding. But at least we've started to take a serious look at these species."

PortlandTribune

Low-key group champions butterfly Xerces Society aids conservation of invertebrate species

By Steve Law
Jan 20, 2011



Photo: COURTESY OF CAITLIN LABAR

Yamhill County is accused of failing to protect the Fender's blue butterfly, which manages to survive along some county roadsides.

Audubon Society speaks for the birds.

Defenders of Wildlife protects the wolves.

World Wildlife Fund champions the polar bears.

So who's left to fight for the butterflies, the bees, and the mussels?

It turns out, it's a little-known national group headquartered in Portland, the Xerces Society for Invertebrate Conservation.

Operating from an unmarked office building on bustling Southeast Hawthorne Boulevard, the Xerces Society (pronounced *Zer-seas*) is collaborating on projects in 36 states to protect the "neglected majority" — animals without backbones that constitute more than 95 percent of the world's critters.

"They're the basis of every food chain," says Scott Black, Xerces Society executive director. "Without them, we wouldn't have most flowering plants."

Other wildlife conservation groups catch the public eye championing what Black calls “charismatic mega fauna” — species like polar bears, pandas or salmon.

“The closest we get is the Monarch butterfly,” he says.

“We’ve worked on springs where 20 mini-snails may fit on your pinkie finger. Those just aren’t charismatic.”

But the Xerces Society has found a niche working with scientists, farmers, wildlife managers and landowners around the country and overseas. The nonprofit has grown swiftly even through the Great Recession, with 10 full-time staff at its Portland headquarters, plus five more in regional offices in California, Missouri, Minnesota and New Jersey. It has 5,000 dues-paying members.

In November, Xerces made headlines when it filed notice, along with allies, that it intended to sue Yamhill County to protect the endangered Fender’s blue butterfly. The tiny butterfly with a one-inch wingspan survives at only 32 locales in the mid-Willamette Valley, a total habitat of at most 400 acres.

Local roots

The society is named after the Xerces blue butterfly, which graced the San Francisco Bay Area until 1941, when it became the first known U.S. butterfly species to go extinct because of human activity. Robert Pyle, a former Portlander and butterfly guidebook author, came up with the idea in 1971 to form a nonprofit society to protect butterflies.

In the early days, the society was mostly a network of butterfly scientists carrying on correspondence from afar and convening at conferences. The group hired its first staff member in the mid-1980s and opened an office in Portland.

When Black was hired as executive director in 2000, the group had two other part-time staff, plus a quarter-time accountant.

During the years, the group’s research and advocacy work expanded beyond butterflies and moths to encompass bees, beetles, crustaceans, dragonflies, mollusks, flies, freshwater sponges, worms and other species.

Xerces publishes scientific articles, Wings magazine, species identification guides, fact sheets and plant lists. It collaborates with researchers and land managers at the U.S. Forest Service and Bureau of Land Management. Those groups are entrusted with assuring biological diversity and protecting at-risk species on their lands. But they often lack in-house expertise in invertebrates, Black says, and turn to Xerces for help doing surveys and evaluating ways to protect the species.

Butterflies remain a priority, but the group also is heavily involved in promoting the revival of native bee species. For many decades, honeybees have come to be the dominant species used to pollinate crops in the U.S. But the recent mysterious decline in honeybee populations, due to

what scientists call colony collapse disorder, has caused widespread alarm among farmers and others.

“We think, to have good food security, you might want to think beyond honey bees for pollination,” Black says. There are 4,000 native bee species in the U.S., and many can serve to pollinate crops, as they now do with other plants.

Xerces also is devoting more attention to freshwater mussels, which are found in urban waterways such as Johnson Creek in Southeast Portland and Gresham.

The mussels help filter out pollutants, and often are associated with cleaner waterways and higher salmon populations, Black says.

Not Portland-centric

Xerces is located several blocks east of the trendy part of Hawthorne, next to the Space Room and across the street from Mount Tabor Theater. Yet few know it’s there because it doesn’t post its name on the outside of the offices.

Black says the group has grown so fast it hasn’t gotten around to putting a sign up. But a sign also might prompt walk-in traffic, such as a passerby wanting scientists to identify a dead insect, that the staff don’t have time to handle.

Ironically, Xerces may be better known elsewhere than in its home town.

Though many of its projects are centered in the Northwest, it has found more funding opportunities in California and the Midwest, Black says.

It hasn’t been that easy to raise money for Portland-area community projects, such as in schools and garden groups, Black says. He speculates that’s partly because Northwest battles to protect iconic old-growth forests and salmon have dominated conservation efforts here, leaving less of an opening for Xerces Society efforts. That’s led it to seek opportunities across the globe.

In mid-2010, Black was named to lead a new international butterfly specialist group convened by the International Union for Conservation of Nature.

Defending the Fender’s

One opportunity closer to home came several months ago, when a conservationist working to preserve the Fender’s blue butterfly grew frustrated with Yamhill County’s inaction to protect the dwindling species, and came to Xerces for help.

For years, scientists thought the Fender’s blue butterfly was extinct, until it was rediscovered in 1989.

The butterfly congregates around imperiled Kincaid's lupine flowers and Willamette daisies. Fully 99 percent of its native prairie habitat has been replaced by farms or urban development, but the butterfly survives in isolated spots, such as Yamhill County roadsides.

"Our prairies in the Willamette Valley are much worse off than the old growth forests of the Northwest," Black says.

The U.S. Fish and Wildlife Service, which is charged with enforcing the Endangered Species Act, pressed Yamhill County for several years to protect the Fender's blue, which is listed as endangered under that act. The federal agency determined that Yamhill County was killing off the butterflies and flowers with its routine roadside grading, mowing and herbicide applications. The agency awarded Yamhill County a \$391,000 grant to help develop a Habitat Conservation Plan. But Yamhill County commissioners voted against receiving the grant, prompting the litigation threat.

"We felt time was of the essence for this butterfly," Black says.

Protecting species via lawsuits is not the normal course of action for the Xerces Society, which is largely made up of scientists who prefer to study animals and help others protect them.

But the society doesn't want to see another butterfly species go extinct.

Not on its watch, and not in its backyard.

A New Economics for the 21st Century

by Neva R. Goodwin
October 2010

The critical role for economic theory is no longer simply to explain how the existing system works, but also to explore how the economic system can be changed to become more adaptive and resilient in the face of the challenges of the 21st century, and how it can be more directly designed to support human well-being, in the present and the future. Simultaneous changes are needed, in both the actual economy (how it functions, by what rules, how it can be made responsive to constraints) and also in economic theory.

The economic theory that was accepted as standard in the non-communist world during the second half of the twentieth century erects serious impediments to meeting the challenges of the twenty-first century. These impediments include:

1. Inappropriate goals: standard economic theory prizes wealth creation above all, and most often defines this goal in terms of steadily growing GDP – instead of focusing on what economies should really produce, which is human well-being, in the present and the future.
2. A bias toward monetary values: application of cost/benefit analysis or a focus on narrow measures of economic success often lead to an effort to apply monetary measures to human values, such as dignity, health, or fairness. The focus on what can be submitted to the measure of money leads to an overemphasis on formal markets, and pays insufficient attention to essential unpaid economic activities.
3. Difficulty in dealing with the future: the standard use of discounting often leads to conclusions that make future concerns appear less significant than they are.
4. A de-contextualized view of the economy: economic systems are viewed as operating in a vacuum, without regard for the critical ways in which the economy affects, and is affected by, its ecological and social contexts.
5. Bias toward the status quo: a number of tools and concepts used in economic analysis accept the existing distribution of resources as “given” – not really up for discussion. These include the concepts of Pareto optimality, aspects of the Coase theorem, and a focus on aggregate growth indices at the expense of disaggregated inequality indicators. The strong assumptions of rationality at the root of the theory often are used to assert that the existing system is the best possible; if it could have been made better, it would have. (This is the basis for the joke about the economist who walks past a ten dollar bill lying on the sidewalk. When asked why, he says “it couldn’t have been real; if it were, someone would have already picked it up.”)

6. Bias against the public sector and in favor of markets: economists, business people and politicians have joined in a chorus of disparagement against government, buttressed by an increasingly blind, but fervent, belief that markets can solve all problems. In fact, while markets can be a part of the solution to many human needs, they rarely can be the whole solution. Markets need boundaries, rules, and safeguards against their internal tendency toward concentration of power and their lack of internal motivation to work for the wider good. In many situations markets are, in fact, the problem. Some attention to environmental concerns has led to the idea that, if there are market failures, they can be corrected by internalizing externalities. It needs to be emphasized that market actors have no inherent incentive to do this: that incentive has to come from outside the market system.
7. Methods of analysis that exclude non-economists: Students, policy makers, and other citizens frequently complain about economists' increasing reliance on highly mathematized modeling techniques. These require extreme simplifying assumptions – such as perfect competition, perfect information, and complete markets – and create a mindset reluctant to grapple with issues that are not amenable to such modeling. Meanwhile, the very sophistication of the mathematics used in these models means that fewer and fewer people can participate in an ever more obscure – and less relevant – discourse.

In order to redirect economics to be more useful, and more truly reflect the world we now face, a good starting point is to go back to the goals that are embedded in economic thinking. Here it is useful to make the distinction between intermediate and final goals. Final goals are ends that are worth achieving in themselves, while intermediate goals are pursued because they are expected to contribute to the final goals.

As final goals for any economy I would propose two overarching concepts. The first is *well-being and equity in the present*. A successful economy will maintain or increase human well-being especially among those who now lack the essentials for a healthy life. The second is *productive capital for the future*. The economic system must maintain and, where necessary, rehabilitate, the productive resources required to preserve or increase human well-being in the future. These must include not only the obvious things, like factories and roads and other infrastructure. Productive capital needed to maintain well-being also necessarily includes natural resources, as well as human health and education, and cohesive social systems.

Increasing production and consumption are important intermediate goals for humankind in some times and places. They are often important means to the ends of well-being, but are positive if, and only if, they do actually enhance well-being. But in cases where we find that the pursuit of increased production and consumption – that is, of growing GDP – creates negative externalities that reduce over-all well-being in the long run, then these goals should be recognized as subsidiary to end goal of general well-being.

With that said, it is critically true that at least two-fifths of the world's people suffer from nutritional, health and educational deficits that severely depress their well-being, and that could

be overcome with some of the things that money can buy. With respect to these individuals, increased production and consumption obviously remain very important intermediate goals.

Another critically important intermediate goal is the reduction of inequality. Some even argue that this should be placed in the category of final goals. Other obviously critical intermediate goals include climate mitigation, and promoting resilience and adaptation within both human society and ecological systems. Responding to global inequity as well as global climate change requires coordinated public policy to fundamentally redirect existing economic systems. Standard economics, with its various principles that create a status-quo bias, is often used as a justification for not addressing this task.

In addition to a much greater emphasis on equity, economic theory that is appropriate to the needs of the twenty-first century will need to be more concerned with the meta-externalities of the economic system. Meta-externalities are unwanted side-effects of the whole system affecting its physical and social contexts. In the cultural context, examples of negative meta-externalities emanating from the economic system we now have would include the way values like thrift have been replaced by conspicuous consumption, and concern for integrity has been replaced by obsession with winning. Climate change is perhaps the greatest negative meta-externality ever imposed by human economic systems on the natural world.

Positive meta-externalities should be looked for in the common assets upon which society at large depends. A sustainable system works, for example, to ensure an ethically and intellectually educated populace and a supportive physical environment.

To summarize the argument thus far, the major problems with mainstream economic theory begin with its assumption of final ends – most notably, maximizing GDP – that are not appropriate to a resource-constrained world. It views the economy as separate from its social and ecological contexts, understanding neither its dependence on these contexts nor the impacts of meta-externalities from the economic system upon them. It only counts things that go through the market, and it has a bias against the public sector and in favor of the status quo.

So what is the alternative? There are, of course, many: ecological, radical, feminist, social, humanistic, old and new Institutional, old and new Keynesian, and many other kinds of economics. Each of these emphasizes one part – sometimes a critically important part – of what is missing in the standard approach. But it doesn't work just to plug in something new: there's too much wrong with the whole approach. It is necessary, I believe, to start afresh, using as building blocks the best pieces from each of the various alternatives, as well as from standard theory, but fitting them all into a new design. This is what I set out to do nearly 20 years ago, when I began collecting what I judged to be the most useful alternatives within a system that I have called Contextual Economics.

There is no better way to force yourself to think through an entire theory than to write a textbook. I have now been the lead author on two textbooks for the college level: *Microeconomics in Context* and *Macroeconomics in Context*. In addition to the U.S. editions there are Italian, Russian and Vietnamese editions of these books. Roughly 40% of their content

is similar to what can be found in a standard, neoclassical textbook. Much of the new material came from existing alternative schools of economics.

The starting premise for Contextual Economics is that an economic system is embedded within a *social context* that includes ethics, norms and human motivations, and the culture that expresses them. It also includes politics – that is, the deployment of economic and other kinds of power – as well as institutions, and history. Equally important is the recognition that an economic system is embedded within a *physical context* that includes the built environment, as well as the natural world from which all the materials we use ultimately derive. The health of any economic system is absolutely dependent on the health of these embracing contexts.

Next, contextual economics understands that the economy itself contains at least three spheres. In addition to the *for-profit business sphere*—the focus of mainstream economics—there is also the *core sphere*, consisting of families and communities; this is the focus of a good deal of work in feminist and social economics. Third is the *public purpose sphere*, which includes governments as well as institutions that are both non-governmental and not-for-profit, such as not-for-profit hospitals and universities, environmental advocacy groups, foundations, etc.

The business sphere is currently creating meta-externalities of culture and politics that place great burdens on the core sphere, and that tie the hands of governments. This does not necessarily imply that the for-profit sphere is “bad” and the others “good”—rather that institutional changes must be made to bring the purposes and functions of all three spheres into better harmony.

Another foundational question addressed by contextual economics is: What, in fact, constitutes economic activity? The list found in all standard textbooks is “production, exchange, and consumption.” Beyond these it is critical to include *activities of resource maintenance* such as work directed toward maintaining environmental sustainability, infrastructure maintenance, and caring activities. Theoretical economics, which has been praised for its ability to improve efficiency in production, will gain in relevance if it also teaches how to sustain and build human, social, natural and built capital.

The preceding is a bird’s eye overview of the content of what I believe needs to be included in an alternative system of economic theory – which is, of course, what is included in contextual economics. As noted, contextual economics has been woven together with strands of everything I and my colleagues could lay our hands on that appeared useful.

There is not perfect harmony among the various schools of heterodox, or alternative, economics. Ecological economists emphasize environmental sustainability. Socio-economists and others emphasize individual well-being, often within a communitarian context. Radical economists emphasize social justice, and often align with Keynesians in assuming that the only way to achieve that is by growing the economy – as Paul Krugman keeps urging.

There are real conflicts among these visions of what constitutes a good society, and how to get there. As I look at these, I am struck by the realization that we may not actually have the choice as to which value should be uppermost. The natural world imposes absolute resource constraints

– e.g., on water, fish, wood, and land – that, if used in one way, are not available for another use. Not to mention the limits on the atmosphere’s ability to absorb climate changing pollutants.

If we start with nature as the binding constraint, the resource limits of a finite world mean that economic growth, as we currently understand the term, cannot continue indefinitely.

If we must accept the end of economic growth as we know it, this means that social justice cannot be achieved through the Keynes’s or Krugman’s prescriptions. In a non-growing global economy there is only one way for the poor to have more: that is for the rich to have less. Please note: this means less stuff, not necessarily less well-being.

There has recently been much good work directed to better understanding what really does contribute to well-being. Hedonic psychology and related studies suggest that there may be a reasonably good resolution to the dilemma of how to achieve environmental sustainability and equity and well-being: it lies in cultural and value change, to better understand what truly makes us feel happy and fulfilled.

Some of the unsustainable material pleasures and conveniences of the rich world may need to be given up: casual use of transportation; very large houses; water-skiing; the convenience of massive throw-away packaging, including in medical applications – and so on. But better urban design can offer compensating benefits, such as vastly reduced commuting time and more pleasant living environments.

If labor productivity continues to increase, as it has for the last two hundred years, in a post-growth world one result could be ever greater unemployment. But the obviously preferable alternative would be policies to promote an ever shorter work-week – hence more free time.

Keynes himself imagined this, in his paper on “Economic Possibilities for our Grandchildren.” He projected economic progress forward a hundred years – to the year 2030 – when there would be very little reason for anyone to scramble for life’s necessities, and we could mostly devote our lives to the arts of leisure. I would look for those arts of leisure to include active participation in arts, crafts, and other makings, such as gardening, as well as athletics, time with family and friends, and more time available to give every child a superb education.

2030 is only two decades away. We may not have achieved Keynes’ vision by then, but the barriers to doing so lie not so much in the physical constraints posed by nature and technology as in human culture, politics, and values. To change these we need to change much more than economic theory – but changing economic theory is a good start.

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