

June 13, 2013

Eliana Johnson of National Review says it is time to stop blaming the IRS scandals on "rogue" agents.

We can officially dispense with the notion that the targeting of tea-party groups began when a couple of rogue agents in the Internal Revenue Service's Cincinnati office set out to streamline their work.

The heart of the effort to target tea-party and other conservative groups, we are learning, occurred in Washington, and that is likely why five D.C.-based IRS officials who are connected to the targeting have retired, resigned, been replaced, or been put on administrative leave, since news of the scandal broke in mid May. They include Holly Paz, who last week, according to an IRS source, was replaced as director of Rulings and Agreements, the division that oversaw the targeting of conservative groups; Washington lawyer Carter Hull, who is accused of micromanaging the processing of tea-party cases, and who, according to IRS sources, requested his retirement package on March 12; the commissioner of the agency's Tax Exempt and Government Entities division, Joseph Grant, who retired on June 3; former IRS commissioner Steven Miller, who resigned days after news of the scandal broke; and the director of the IRS's Exempt Organizations division, Lois Lerner, who was placed on administrative leave only after refusing to tender her resignation, according to Iowa's Chuck Grassley. All five are or were based in the IRS's headquarters on Constitution Avenue in Washington, D.C.

The testimony of Cincinnati-based IRS employees released last week by the House Oversight Committee helps explain why so many employees in D.C. who are associated with the current scandal are quietly departing the scene. We have learned that the controversial and inappropriate "lookout" list created in the Cincinnati office was probably compiled as a response to requests from Washington for tea-party files. One Cincinnati employee, Gary Muthert, told the committee that he began singling out tea-party applications at the request of a supervisor who told him that "Washington, D.C., wanted some cases." Muthert, sources say, was a member of the group that screened all applications for tax exemptions and passed those identified as tea-party applications along to specialists for extra scrutiny. He sent seven tea-party applications to Washington in May 2010, according to interview transcripts, because his manager told him that "Washington, D.C., wanted seven."

Thus, it was IRS employees in Washington, according to Muthert, who ordered agents in the Cincinnati office to focus their attention on the applications of tea-party groups. ...

Johnson's IRS contacts want us to know Lois Lerner is still logging on to the IRS computer system.

Lois Lerner, the Internal Revenue Service's director of Exempt Organizations currently on paid leave, has not had any of her computer access restricted since she abdicated her responsibilities, according to an IRS source with knowledge of the situation.

Lerner was placed on administrative leave on May 21 after refusing to tender her resignation, and logged into the IRS's computer system using her agency computer as recently as June 4,

the source tells me. She has the ability to access the same information that was available to her before she was placed on leave. ...

Ann Coulter provides tips on following the IRS probe.

Instead of showing endless loops of IRS employees wasting taxpayer dollars line-dancing — Breaking news: Government employees waste millions of your dollars every single day! — I think it would be more useful for the public to hear a few crucial facts about the exploding scandal at the Internal Revenue Service.

At Tuesday's congressional hearings on the IRS, witnesses provided shocking details about the agency's abuse of conservative groups.

The IRS leaked the donor list of The National Organization for Marriage to their political opponents, the pro-gay-marriage Human Rights Campaign. This is not idle speculation: The documents had an internal IRS stamp on them. The list of names was then published on a number of liberal websites and NOW's donors were harassed.

The IRS demanded that all members of the Coalition for Life of Iowa swear under penalty of perjury that they wouldn't pray, picket or protest outside of Planned Parenthood. They were also asked to provide details of their prayer meetings. ...

Slate contributor says the real NSA scandal is how the randomly educated, poorly qualified, Snowden was given top-secret access.

Edward Snowden sounds like a thoughtful, patriotic young man, and I'm sure glad he blew the whistle on the NSA's surveillance programs. But the more I learned about him this afternoon, the angrier I became. Wait, him? The NSA trusted its most sensitive documents to this guy? And now, after it has just proven itself so inept at handling its own information, the agency still wants us to believe that it can securely hold on to all of our data? Oy vey!

According to the Guardian, Snowden is a 29-year-old high school dropout who trained for the Army Special Forces before an injury forced him to leave the military. His IT credentials are apparently limited to a few "computer" classes he took at a community college in order to get his high school equivalency degree—courses that he did not complete. His first job at the NSA was as a security guard. Then, amazingly, he moved up the ranks of the United States' national security infrastructure: ...

Just to remind us how corrupt our elected representatives are, **George Will** writes on sugar subsidies.

The steamboat conveying Andrew Jackson up the Ohio River toward his tumultuous 1829 inauguration had brooms lashed to its bow, symbolizing Old Hickory's vow to clean up Washington. But sweeping out Washington's Augean stables, like painting the Golden Gate Bridge, is steady work, so steady it never ends. Neither do the policies that cosset sugar producers.

These immortal measures just received the Senate's benediction because they illustrate the only law Washington can be counted on to respect. It is the law of dispersed costs but concentrated benefits.

The provisions by which Washington transfers wealth from 316 million American consumers to a few thousand sugar producers are part of a "temporary" commodity support program created during the Great Depression. Not even the New Deal could prolong the Depression forever. It ended. But sugar protectionism is forever. The Senate recently voted 54 to 45 against even mild reforms of the baroque architecture of protections for producers of sugar cane and sugar beets.

...

It is not a big thing, but [Volokh Conspiracy](#) has a post illustrating the same thing. I noticed two anecdotes about the late Sen. Frank Lautenberg, both of which were meant to be complimentary but in fact speak volumes about the petty corruption of our political class and how inured to it we've become. The first was told by a friend of his who was at a conference of Jewish philanthropists in Israel with Lautenberg on 9/11. Lautenberg "used his pull as a former senator" to get everyone an early flight back to the U.S. so they could rejoin their families. The second, told by Vice-President Biden at Lautenberg's funeral, related how Biden was once hustling to make an Amtrak train to Delaware, but was told by Amtrak staff, "don't worry we're holding the train for Sen. Lautenberg" (who was a big political supporter of Amtrak).

Now, as corruption goes, this is minor stuff. But I'm more disturbed that rather than the rich and powerful (Lautenberg's friends in Israel and Biden) being embarrassed that Lautenberg (mis)used his influence to inconvenience others on behalf of himself and his friends, they tout these stories in eulogizing them, as if we should all be glad that a (former!) Senator has the "clout" to help his friends at the expense of those less connected. Bleh!

UPDATE: How much more I would have admired Lautenberg if his friends could relate that "we begged him to use his clout as a former Senator to get us back to our families, but Frank was adamant that his friends and acquaintances were no more important than anyone else trying to get back home, and that he wouldn't abuse his status as former senator on our behalf."

There is some good news around. [Money](#) writes on the increase of known reserves of gas and oil. Or course, our governments will find a way to create problems there. The Department of Energy's [Energy Information Administration](#) has upgraded its estimates of global oil reserves by 11% after scouring 41 countries and finding a lot more "technically recoverable" shale oil and shale gas than it did the last time it filed a similar report, in 2011.

Since then, the EIA's shale gas estimates alone have jumped by 10% and its estimate of gas reserves has soared by 47%. The U.S., China and Argentina are all largely responsible for the upticks in shale oil and gas numbers, while Russia's shale oil stockpile and Algeria's shale gas resources also place them among the EIA's top four potential producers in each category. ...

A change of pace with a report in the NY Times about the expanded range of mountain lions.

The great migration began perhaps 40 years ago. From strongholds in the Rocky Mountains and Texas, young males headed east, seeking female companionship and new places to settle.

The emigrants were about seven feet long, nose to tail, and weighed up to 160 pounds. Given a dietary choice, they preferred deer, but would eat almost anything that moved: elk, bighorn sheep, wild horses, beaver, even porcupines. Left free for an evening, they were capable of killing a dozen domestic sheep before dawn, eating their fill and leaving the rest for the buzzards. They were also known to attack humans on occasion.

Long ago the Inca called them puma, but today — though they belong to only one species — they have many names. In Arizona they are known as mountain lions; in Florida they are panthers, and elsewhere in the South they are called painters. When they roamed New England, they were called catamounts. In much of the Midwest they are known as cougars, and that is the name everyone understands.

Until relatively recently, they were mainly a memory. All but exterminated east of the Rockies by 1900, they were treated as “varmints” in most Western states until the late ’60s and could be shot on sight. In Maine, the last catamount was killed in 1938.

But today Puma concolor is back on the prowl. That is one of the great success stories in wildlife conservation, but also a source of concern among biologists and other advocates, for their increasing numbers make them harder to manage — and harder for people to tolerate. No reliable estimate exists for the cougar population at its lowest point, before the 1970s, but there are now believed to be more than 30,000 in North America. They have recolonized the Black Hills of South Dakota, the North Dakota Badlands and the Pine Ridge country of northwestern Nebraska. ...

Andrew Malcolm tops off our week with his recap of late night humor.

Fallon: *Celebrity chef Paula Deen just released her own line of butter. When asked what you should put it on, Deen said, “Who said you have to put it on anything?”*

Leno: *Russian President Putin and his wife are divorcing. He gets the house in Moscow. She gets to live in Siberia.*

Fallon: *That Florida Powerball winner is 84 years old. Other people in Florida were like, “Figures it would go to some kid.”*

National Review

Stop Blaming the ‘Rogue Agents’

The myth is debunked, and key IRS officials in D.C. are quietly retiring just in time.

by Eliana Johnson

We can officially dispense with the notion that the targeting of tea-party groups began when a couple of rogue agents in the Internal Revenue Service’s Cincinnati office set out to streamline their work.

The heart of the effort to target tea-party and other conservative groups, we are learning, occurred in Washington, and that is likely why five D.C.-based IRS officials who are connected to the targeting have retired, resigned, been replaced, or been put on administrative leave, since news of the scandal broke in mid May. They include Holly Paz, who last week, according to an IRS source, was replaced as director of Rulings and Agreements, the division that oversaw the targeting of conservative groups; Washington lawyer Carter Hull, who is accused of micromanaging the processing of tea-party cases, and who, according to IRS sources, requested his retirement package on March 12; the commissioner of the agency’s Tax Exempt and Government Entities division, Joseph Grant, who [retired on June 3](#); former IRS commissioner Steven Miller, who resigned days after news of the scandal broke; and the director of the IRS’s Exempt Organizations division, Lois Lerner, who was placed on administrative leave only after refusing to tender her resignation, [according to](#) Iowa’s Chuck Grassley. All five are or were based in the IRS’s headquarters on Constitution Avenue in Washington, D.C.



Lois Lerner appears at a Congressional hearing on May 22

The testimony of Cincinnati-based IRS employees released last week by the House Oversight Committee helps explain why so many employees in D.C. who are associated with the current scandal are quietly departing the scene. We have learned that the controversial and inappropriate “lookout” list created in the Cincinnati office was probably compiled as a response

to requests from Washington for tea-party files. One Cincinnati employee, Gary Muthert, told the committee that he began singling out tea-party applications at the request of a supervisor who told him that “Washington, D.C., wanted some cases.” Muthert, sources say, was a member of the group that screened all applications for tax exemptions and passed those identified as tea-party applications along to specialists for extra scrutiny. He sent seven tea-party applications to Washington in May 2010, according to interview transcripts, because his manager told him that “Washington, D.C., wanted seven.”

Thus, it was IRS employees in Washington, according to Muthert, who ordered agents in the Cincinnati office to focus their attention on the applications of tea-party groups. That would explain why those Cincinnati employees devised a way to screen such applications, and why they added keywords to a “Be on the Lookout List,” for which Cincinnati employees have been pilloried by the inspector general, their bosses in D.C., and the Obama administration.

This, however, is not what we are hearing from officials in Washington, who continue to pin the blame for an organized effort to discriminate against tea-party groups on a couple of rogue agents in the Midwest. The recently retired Grant told the House Ways and Means Committee that “front-line career employees” in Cincinnati were to blame, while Lerner pointed to “our line people in Cincinnati” and “the way they did the centralization,” which was “not so fine.” Inspector general J. Russell George in his report faulted “insufficient oversight,” specifically by “first-line management in Cincinnati, Ohio,” who “approved references to the Tea Party in the Be On The Lookout listing criteria.”

Democratic politicians have had their say, too, from the White House on down. The president’s press secretary, Jay Carney, told reporters on May 20 that “there were line employees at the IRS who improperly targeted conservative groups.” Washington representative Jim McDermott explained: “This small group of people in the Cincinnati office screwed up.” Ohio representative Marcy Kaptur went so far as to charge that the real victims in all of this are not the tea-party groups, but the agents in Cincinnati, who have been wrongly accused. “There might have been some smart people working who were concerned that there were a lot of new 501(c)(4) filings in this country,” she said in a hearing of the House Appropriations Committee. “Maybe somebody over there at IRS was actually doing their job.”

Muthert’s account corroborates the timeline appended to the Treasury Department inspector general’s report, which indicates that in May 2010 — when Muthert sent tea-party applications to Washington — tax lawyers in the “Technical Unit,” including the recently retired Carter Hull, “began reviewing additional information-request letters prepared by the Determinations Unit” in Cincinnati. Washington lawyers closely monitored the processing of tea-party applications for tax exemptions and, as National Review Online has [reported](#), not only approved the letters containing the intrusive questionnaires sent to tea-party groups but also wrote many of the questions in them. It was the oversight by these lawyers that contributed to the backlog in the processing of tea-party applications. At one point, the inspector general’s report notes, a Cincinnati employee “did not work on the [tea-party] cases while waiting for guidance from the Technical Unit.”

Around the same time that Muthert sent applications to Washington, Liz Hofacre began managing a group of specialists who were handling tea-party cases. “I was taking all my direction from EO Technical,” she told the Oversight Committee, “I had no autonomy or no authority to act on [applications] without Carter Hull’s influence or input.” So upset did she become with Washington’s micromanagement that she began looking for another job in July

2010. "It was something that I didn't want to be associated with," Hofacre told the Oversight Committee. "I didn't want my name in the paper for being this rogue agent for a project I had no control over."

Hull was not the only D.C. lawyer charged with overseeing tea-party cases. Though sources say he was the first lawyer in Washington's Technical Unit to begin handling the applications of tea-party groups, others also took part. And they had managers: When Hull first began work on tea-party applications, he was operating under the acting manager of the Exempt Organizations' Technical Unit in Washington, Steve Grodnitzky, who, according to sources, served in that capacity from March 2010 to October 2010; Grodnitzky was succeeded by Holly Paz, who served as the manager of the Technical Unit from October 2010 to January 2011, and then by Michael Seto, who remains in the position today. Paz was later promoted and served as the director of the Rulings and Agreements office until last week. Until Lois Lerner's inauspicious departure, Paz reported directly to Lerner.

The focus of congressional inquiry into this scandal has been on the list that directed Cincinnati employees to target conservative groups with names that contained the terms "9/12 Project," "Tea Party," "Patriots," and "make America a better place to live." Given the testimony offered by Muthert and Hofacre, the attention of investigators should now turn to why such a list was necessary in the first place. If we believe Muthert, Cincinnati agents only needed to "centralize" and "streamline" their work on the applications of tea-party groups because a lot of people in Washington, D.C. wanted to take a look at them. Perhaps the next person to announce his retirement will be the Washington employee who asked Cincinnati for those tea-party applications in the first place.

National Review

Computer Access Not Restricted, Lerner Continues to Log In to IRS System

by Eliana Johnson

Lois Lerner, the Internal Revenue Service's director of Exempt Organizations currently on paid leave, has not had any of her computer access restricted since she abdicated her responsibilities, according to an IRS source with knowledge of the situation.

Lerner was placed on administrative leave on May 21 after refusing to tender her resignation, and logged into the IRS's computer system using her agency computer as recently as June 4, the source tells me. She has the ability to access the same information that was available to her before she was placed on leave. The sources tells NATIONAL REVIEW ONLINE:

[Lerner] can still access taxpayer data. If your duties do not include dealing with taxpayers, you are forbidden from seeing the information. That is a violation of IRS policy, and if she actually accesses any file that contains any Personal Identifiable Information, it is a felony violation. That would include emails that she has in her files discussing any taxpayer case that contains the name, address, phone numbers or tax data from a case. Actual Unauthorized Access (IRS uses the term UNAX) would be a really good reason for the new boss to can her in a hurry. I am sure a simple examination of her email files and hard drive would discover she still has taxpayer data.

Since Lerner is not currently dealing with taxpayers while on leave, she is forbidden from accessing any taxpayer data, though her computer permissions allow her to do so.

Based in Washington, D.C., Lerner oversaw the division that actively discriminated against conservative groups applying for tax exemption. As National Review Online has [reported](#), Lerner also stymied the House Oversight Committee's efforts to investigate the IRS's targeting of conservative groups, telling the committee last year that the criteria for evaluation applications for tax exemption had not changed – though the criteria had in fact been amended in order to identify the applications of tea-party groups. In a 90-page letter to the committee, she also defended the intrusive letters sent to many tea-party groups, calling them routine and a matter of course.

Lerner's hard drive was copied weeks ago by the IRS and uploaded to a secure server accessible to investigators looking into the IRS's discrimination against conservative groups.

Human Events

[Tips for Right-Wingers on the IRS Scandal](#)

by Ann Coulter

Instead of showing endless loops of IRS employees wasting taxpayer dollars line-dancing — Breaking news: Government employees waste millions of your dollars every single day! — I think it would be more useful for the public to hear a few crucial facts about the exploding scandal at the Internal Revenue Service.

At Tuesday's congressional hearings on the IRS, witnesses provided shocking details about the agency's abuse of conservative groups.

The IRS leaked the donor list of The National Organization for Marriage to their political opponents, the pro-gay-marriage Human Rights Campaign. This is not idle speculation: The documents had an internal IRS stamp on them. The list of names was then published on a number of liberal websites and NOW's donors were harassed.

The IRS demanded that all members of the Coalition for Life of Iowa swear under penalty of perjury that they wouldn't pray, picket or protest outside of Planned Parenthood. They were also asked to provide details of their prayer meetings.

Rep. Jim McDermott, D-Wash. — who was ordered by the D.C. Circuit Court to pay more than \$1 million to John Boehner in 2008 for the sleazy maneuver of publishing an illegally taped private conversation — blamed the conservative groups themselves. "Each of your groups was highly political," he lectured them, noting that they wouldn't have been asked any questions if they hadn't requested tax-exempt status.

Even a fair-minded person — not to be confused with Jim McDermott — might hear about the IRS' harassment of groups with "tea party," "patriot" or "liberty" in their names and think: "How do we know the IRS wasn't equally hard on left-wing groups?"

What might be more helpful than clips of IRS staff line-dancing would be for reporters, say at Fox News, to mention a few examples of the wildly partisan left-wing groups that the IRS has certified as tax-exempt.

Among the many left-wing groups with tax-exempt status are:

- ACORN (now renamed as other organizations, but all still tax-exempt), “community organizers” who engage in profanity-laced protests at private homes, dump garbage in front of public buildings and disrupt bankers’ dinners in order to get more people on welfare in order to destroy the capitalist system and incite revolution;
- Occupy Wall Street, which — in its first month alone — was responsible for more than a dozen sexual assaults; at least half a dozen deaths by overdose, suicide or murder; and millions of dollars in property damage;
- Media Matters for America, a media “watchdog” group that has never noticed one iota of pro-Obama bias in the media;
- Moveon.org, which ran ads comparing Bush to Hitler under its 501(c)(4) arm;
- The Center for American Progress, an auxiliary of the Democratic National Committee funded by George Soros and staffed by former Clinton and Obama aides to promote the Democratic agenda;
- The Tides Foundation, which funnels money to communist and terrorist-supporting organizations;
- The Ford Foundation, which has never found a criminal law that isn’t “racist.”

These groups are regarded by the IRS as nonpartisan community groups, merely educational, while dozens of patriotic, constitutional, Christian or tea party groups are still waiting for their tax exemptions.

That’s to say nothing of Planned Parenthood, PBS and innumerable other Democratic front-groups that not only have tax exemptions, but get direct funding from the government.

By contrast, the conservative groups being raked over the coals by the IRS actually were nonpartisan. The tea party forced sitting Republican senators off the ticket in Alaska and Indiana, and toppled “establishment” Republicans in Utah, Delaware, Nevada, Florida and Texas. Far from being a secretly pro-Republican group, the tea party has been a nightmare for Republicans.

Show me one instance where the Center for American Progress was more of a problem for Democrats than Republicans.

It is obviously in the interest of the left to show us liberal groups also harassed by the IRS, so it’s striking that they haven’t been able to produce one yet.

Instead, they hearken back to the Bush years to claim that the IRS once audited the NAACP, which is treated as ipso facto political harassment.

First of all, the NAACP doesn't exactly have a sterling record of rectitude when it comes to organization funds. In the 1990s, the NAACP used tax-exempt contributions to pay hundreds of thousands of dollars of hush money to the mistress of then-executive director Benjamin F. Chavis Jr. — as detailed in enraged columns by Carl Rowan at the time.

Find a tea party organization that's done that, and we'll understand the IRS conducting a three-year proctology exam on the group.

Second, the Bush-era audit of the NAACP was prompted by a blindingly partisan speech given by NAACP chairman Julian Bond at an organization meeting in Philadelphia in July 2004. Bond attacked a slew of elected Republicans by name, denouncing the entire party as one whose "idea of equal rights is the American flag and Confederate swastika flying side by side."

That's what we call "black-letter law" on improper activity for a tax-exempt organization. As a 501(c)(3) group, the NAACP is prohibited from supporting or opposing any candidate for elective office.

The NAACP responded to the IRS' letter by screaming from the rooftops that it was political payback. Consequently, Bush's IRS commissioner requested that Treasury's inspector general investigate the IRS' tax-exempt unit for political bias. The IG's report found no politics in the NAACP audit and — to the contrary — that more "pro-Republican" groups (18) than "pro-Democratic" groups (12) had been audited.

Nonetheless, the NAACP simply refused to cooperate with the IRS. There was nothing the Bush administration could do. No Republican was going to allow the NAACP's tax-exempt status to be revoked on its watch. Two years later, the IRS simply issued a letter clearing the group.

Today, the NAACP openly engages in partisan activity, such as a current weeks-long protest of Republican legislators in North Carolina.

Finally, a tip to the Democrats trying to defend the IRS: As a devoted true-crime TV viewer, I can tell you that when you're caught red-handed, it's never a good defense to say, "Why would I be so stupid to kill my wife right after taking out a huge life insurance policy on her?"

You were that stupid and you got caught.

Slate

[If the NSA Trusted Edward Snowden With Our Data, Why Should We Trust the NSA?](#)

by Farhad Manjoo



National Security Agency Director Gen. Keith Alexander

[Edward Snowden](#) sounds like a thoughtful, patriotic young man, and I'm sure glad he [blew the whistle on the NSA's surveillance programs](#). But the more I learned about him this afternoon, the angrier I became. *Wait, him?* The NSA trusted its most sensitive documents to *this guy*? And now, after it has just proven itself so inept at handling its own information, the agency still wants us to believe that it can securely hold on to all of *our* data? Oy vey!

According to the [Guardian](#), Snowden is a 29-year-old high school dropout who trained for the Army Special Forces before an injury forced him to leave the military. His IT credentials are apparently limited to a few "computer" classes he took at a community college in order to get his high school equivalency degree—courses that he did not complete. His first job at the NSA was as a security guard. Then, amazingly, he moved up the ranks of the United States' national security infrastructure: The CIA gave him a job in IT security. He was given diplomatic cover in Geneva. He was hired by Booz Allen Hamilton, the government contractor, which paid him \$200,000 a year to work on the NSA's computer systems.

Let's note what Snowden is not: He isn't a seasoned FBI or CIA investigator. He isn't a State Department analyst. He's not an attorney with a specialty in national security or privacy law.

Instead, he's the IT guy, and not a very accomplished, experienced one at that. If Snowden had sent his résumé to any of the tech companies that are [providing data to the NSA's PRISM program](#), I doubt he'd have even gotten an interview. Yes, he could be a computing savant anyway—many well-known techies dropped out of school. But he was given access way beyond what even a supergeek should have gotten. As he tells the *Guardian*, the NSA let him see

“everything.” He was accorded the NSA’s top security clearance, which allowed him to see and to download the agency’s most sensitive documents. But he didn’t just know about the NSA’s surveillance systems—he says he had the ability to use them. “I, sitting at my desk, certainly had the authorities [sic] to wiretap anyone from you or your accountant to a federal judge to even the president if I had a personal email,” he says in a [video interview with the paper](#).

Because Snowden is now in Hong Kong, it’s unclear what the United States can do to him. But watch for officials to tar Snowden—he’ll be called unpatriotic, unprofessional, treasonous, a liar, grandiose, and worse. As in the Bradley Manning case, though, the more badly Snowden is depicted, the more rickety the government’s case for surveillance becomes. After all, *they* hired him. *They* gave him unrestricted access to their systems, from court orders to PowerPoint presentations depicting the crown jewels of their surveillance infrastructure. (Also of note: They *made* a [hideous PowerPoint presentation](#) depicting the crown jewels of their surveillance infrastructure—who does that? I’ve been reading a lot of Le Carré lately, and when I saw the PRISM presentation, I remembered how [Le Carré’s veteran spy George Smiley](#) endeavored to never write down his big secrets. Now our spies aren’t just writing things down—they’re trying to make their secrets easily presentable to large audiences.)

The worst part about the NSA’s surveillance is not its massive reach. It’s that it operates entirely in secret, so that we have no way of assessing the sophistication of its operation. All we have is the word of our politicians, who tell us that they’ve vetted these systems and that we should blindly trust that the data are being competently safeguarded and aren’t vulnerable to abuse.

Snowden’s leak is thus doubly damaging. The scandal isn’t just that the government is spying on us. It’s also that it’s giving guys like Snowden keys to the spying program. It suggests the worst combination of overreach and amateurishness, of power leveraged by incompetence. The Keystone Cops are listening to us all.

Washington Post

[Congress needs to stop subsidies to sugar farmers](#)

by George F. Will

The steamboat conveying Andrew Jackson up the Ohio River toward his tumultuous 1829 inauguration had brooms lashed to its bow, symbolizing Old Hickory’s vow to clean up Washington. But sweeping out Washington’s Augean stables, like painting the Golden Gate Bridge, is steady work, so steady it never ends. Neither do the policies that cosset sugar producers.

These immortal measures just received the Senate’s benediction because they illustrate the only law Washington can be counted on to respect. It is the law of dispersed costs but concentrated benefits.

The provisions by which Washington transfers wealth from 316 million American consumers to a few thousand sugar producers are part of a “temporary” [commodity support program created during the Great Depression](#). Not even the New Deal could prolong the Depression forever. It

ended. But sugar protectionism is forever. [The Senate recently voted 54 to 45 against](#) even mild reforms of the baroque architecture of protections for producers of sugar cane and sugar beets.

The [government guarantees up to 85 percent of the U.S. sugar market](#) for U.S.-produced sugar. The remaining portion is allocated for imports from particular countries at a preferential tariff rate. Minimum prices are guaranteed for sugar from cane and beets. Surplus sugar — meaning that which U.S. producers cannot profitably sell — is bought by the government and sold at a loss to producers of ethanol, another program whose irrationalities are ubiquitous.

All this probably means [\\$3.7 billion in higher sugar costs](#). It also means [scores of thousands of lost jobs](#) as manufacturers of candy and products with significant sugar content move jobs to countries where they can pay the much-lower world price for sugar. The big companies like Mars and Hershey can locate plants around the world. The hundreds of family-owned American candy companies cannot. In the last four years, the U.S. sugar price has [averaged between 64 percent to 92 percent higher](#) than the world price. The costs are dispersed to hundreds of millions. The benefits accrue primarily to 4,700 sugar beet and sugar cane farms.

What begins in Washington as simple garden-variety grasping becomes an entitlement, the argument being that the longer the benefit has lived, the more its beneficiaries have built their lives around it, so ending it would be disruptive. Again, the Senate voted not on ending sugar protectionism but on making it slightly less irrational.

Sugar protectionism is government planning. It is industrial policy — government picking winners and losers — applied to agriculture. It is politics supplanting the market in allocating wealth and opportunity. And it is perfectly all right with [20 of the 45 Republican senators](#).

That many voted against modest reforms, thereby rendering themselves forever ineligible to speak the language of limited government. One of them is known as tea-party-favorite (this compound word is his first name, judging by the way he is constantly identified by the media) Marco Rubio. He is fluent in that language but he represents Florida. Actually, he represents the state's sugar cane growers better than he does its 19.3 million sugar consumers, or his own tea party expostulations. Texas, too, has cane growers, but Sen. Ted Cruz, elected by espousing tea party principles, voted for those principles by voting for reform.

President Lincoln's biggest blunder was — no, not Gen. George McClellan — [creating the Agriculture Department](#). Since 1995, [75 percent of all agriculture subsidies](#) have gone to the largest and wealthiest 10 percent of farms. Largely because of [steadily loosened eligibility criteria](#) — loosened at the collaborative behest of agriculture interests and the “caring class” (i.e., welfare workers) — [food stamps are now used by 48 million Americans](#). The stamps buy less than they would were sugar quotas not raising the price of every edible thing, from ketchup to bread to yogurt, that contains sugar. But, then, big government always is most caring about the strong, the articulate and the organized.

About 6,700 generations (200,000 years of 30-year generations) ago, the human race arrived. About 400 generations ago, agriculture began. Seven generations ago (1800), it took five American farmers to feed one non-farmer. Until four generations ago, a majority of American workers were in agriculture. Today, less than 2 percent of the workforce are farmers, and one farmworker feeds 300 people. But 6,700 generations from now, there will still be today's web of policies — not a safety net but a hammock — woven for the comfort of sugar producers.

Volokh Conspiracy

[We've Apparently Come to Admire the Petty Corruption of the Political Class](#)

by David Bernstein

I noticed two anecdotes about the late Sen. Frank Lautenberg, both of which were meant to be complimentary but in fact speak volumes about the petty corruption of our political class and how inured to it we've become. The first was told by a friend of his who was at a conference of Jewish philanthropists in Israel with Lautenberg on 9/11. [Lautenberg "used his pull as a former senator"](#) to get everyone an early flight back to the U.S. so they could rejoin their families. The second, told by Vice-President Biden at Lautenberg's funeral, related how Biden was once hustling to make an Amtrak train to Delaware, but was told by Amtrak staff, "don't worry we're holding the train for Sen. Lautenberg" (who was a big political supporter of Amtrak).

Now, as corruption goes, this is minor stuff. But I'm more disturbed that rather than the rich and powerful (Lautenberg's friends in Israel and Biden) being embarrassed that Lautenberg (mis)used his influence to inconvenience others on behalf of himself and his friends, they tout these stories in eulogizing them, as if we should all be glad that a (former!) Senator has the "clout" to help his friends at the expense of those less connected. Bleh!

UPDATE: How much more I would have admired Lautenberg if his friends could relate that "we begged him to use his clout as a former Senator to get us back to our families, but Frank was adamant that his friends and acquaintances were no more important than anyone else trying to get back home, and that he wouldn't abuse his status as former senator on our behalf."

Money

[Earth may have more oil than anyone thought](#)

The Energy Information Administration raises its estimates of shale oil and gas, which are both costly to extract.

by Jason Nottle



There could be a lot more oil and gas out there than we thought. But it's going to cost a whole lot to extract it.

The Department of Energy's [Energy Information Administration](#) has upgraded its estimates of global oil reserves by 11% after scouring 41 countries and finding a lot more "technically recoverable" shale oil and shale gas than it did the last time it filed a similar report, in 2011.

Since then, the EIA's shale gas estimates alone have jumped by 10% and its estimate of gas reserves has soared by 47%. The U.S., China and Argentina are all largely responsible for the upticks in shale oil and gas numbers, while Russia's shale oil stockpile and Algeria's shale gas resources also place them among the EIA's top four potential producers in each category.

Note the use of "potential" there. As [we noted in November](#) -- just after Superstorm Sandy slammed into the East Coast, wrecked refineries and caused a supply shortage that led to gasoline rationing and military assistance -- the idea of peak oil remains far more frightening than it appears.

While the EIA's numbers are promising, they'll ward off peak oil only if extraction technology catches up to the potential of that latent supply. M. King Hubbert created the first peak oil model in 1956 and predicted U.S. oil production would peak between 1965 and 1971. Globally, he believed oil production would peak in 1995, which clearly didn't happen.

Even if oil hasn't peaked, it's starting to feel as if it has. **Exxon Mobil** ([XOM -0.72%](#)) said in 2005 that "all the easy oil and gas in the world has pretty much been found." Meanwhile, former Shell chairman Lord Ron Oxburgh warned in 2008 that "any new or unconventional oil is going to be expensive."

The [Bakken shale formation](#) sitting beneath North Dakota, Montana and Canada's Saskatchewan and Manitoba provinces, for example, has been estimated to contain anywhere from 4 billion to 150 billion barrels of oil, though current extraction methods provide access to less than 10% of it. Oil sands just beneath Edmonton in Canada's Alberta province hold an estimated [175 billion barrels](#), making it the third-largest oil reserve in the world. But it's going to spend much of the near future untapped.

The problem is that even extraction methods like fracking are in their crudest stages and don't come close to being adequate for most oil sand extraction. The oil in those shales isn't easy to separate from the sand and water surrounding it and leaves huge waste pools in its wake. That mess costs money, and it's only going to get messier as those oil numbers surge.

NY Times

[A Glamorous Killer Returns](#)

by Guy Gugliotta

The great migration began perhaps 40 years ago. From strongholds in the Rocky Mountains and Texas, young males headed east, seeking female companionship and new places to settle.

The emigrants were about seven feet long, nose to tail, and weighed up to 160 pounds. Given a dietary choice, they preferred deer, but would eat almost anything that moved: elk, bighorn sheep, wild horses, beaver, even porcupines. Left free for an evening, they were capable of

killing a dozen domestic sheep before dawn, eating their fill and leaving the rest for the buzzards. They were also known to attack humans on occasion.

Long ago the Inca called them puma, but today — though they belong to only one species — they have many names. In Arizona they are known as mountain lions; in Florida they are panthers, and elsewhere in the South they are called painters. When they roamed New England, they were called catamounts. In much of the Midwest they are known as cougars, and that is the name everyone understands.



Until relatively recently, they were mainly a memory. All but exterminated east of the Rockies by 1900, they were treated as “varmint” in most Western states until the late '60s and could be shot on sight. In Maine, the last catamount was killed in 1938.

But today *Puma concolor* is back on the prowl. That is one of the great [success stories](#) in wildlife conservation, but also a source of concern among biologists and other advocates, for their increasing numbers make them harder to manage — and harder for people to tolerate. No reliable estimate exists for the cougar population at its lowest point, before the 1970s, but there are now believed to be more than 30,000 in North America. They have recolonized the Black Hills of South Dakota, the North Dakota Badlands and the Pine Ridge country of northwestern Nebraska.

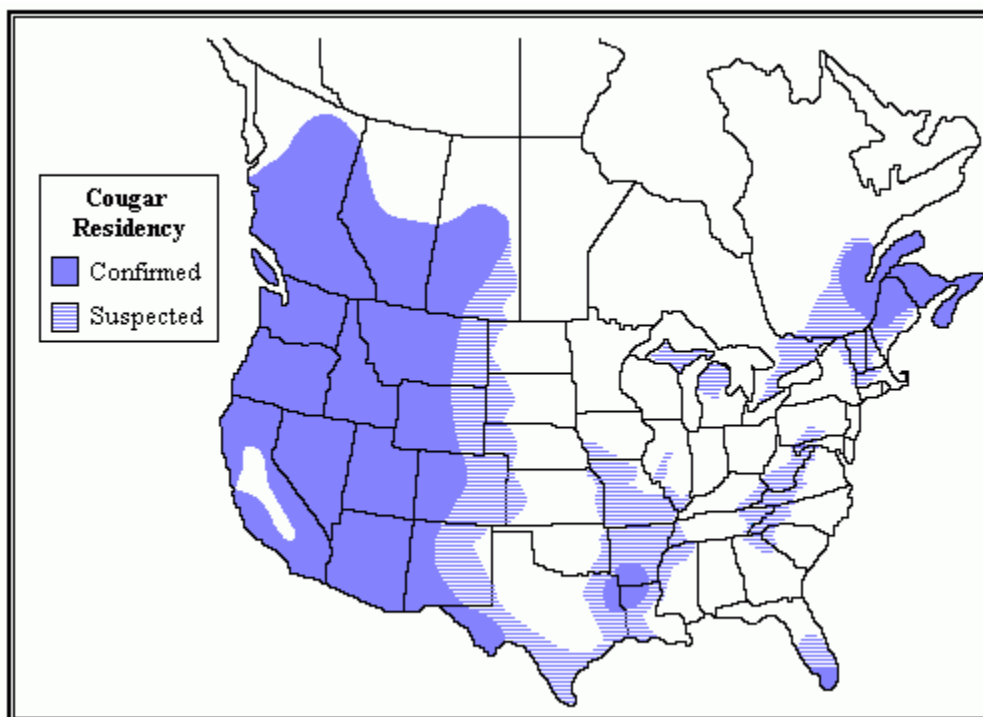
There are increasing reports of sightings in 11 Midwestern states, as well as in Arkansas and Louisiana. A young male tripped a trail camera in the Missouri Ozarks on Feb. 2, and dogs treed one in Minnesota in March.

“Every year we see more of them,” said Mark Dowling, a founder of the [Cougar Network](#), a nonprofit research group and a leading source of online information about cougars. “It used to be a rarity when a mountain lion showed up in Missouri. It’s almost routine now.”

And as cougars migrate eastward, they are likely to wear out their welcome. People in states unaccustomed to these outsize prowlers will have to answer unpleasant questions: How many livestock and game animals are people willing to lose? How dangerous are cougars to pets and children? How much disruption is a small community willing to endure?

“A lot of state conservation agencies are looking into how to prepare for recolonization,” said Clay Nielsen, a wildlife biologist at Southern Illinois University and the director of scientific research for the Cougar Network. Surveys he conducted in Illinois, North Dakota and Kentucky found “the public more supportive than I would have guessed.” But as the big cats become more plentiful, he added, “attitudes are probably going to change.”

The center of cougar genetic diversity is in Brazil, but the Western Hemisphere has six robust subspecies in all. The Florida panther was listed as endangered in 1995, when eight Texas female cougars were released in South Florida in a last effort to save them from extinction. It worked. The Florida panther, it turned out, is a North American cougar whose kinked tails, heart defects, small litters and short lives were consequences of prolonged inbreeding. From fewer than 30 in 1995, the panther population in southwestern Florida has grown to more than 150.



Melanie Culver, a wildlife geneticist at the University of Arizona, says the cougar appears to have evolved about 300,000 years ago from a cheetahlike cat that is now extinct. When Europeans arrived in the Americas, cougars were everywhere, but human predation and the loss of habitat to agriculture took a heavy toll.

Dr. Nielsen said, “By 1900, we had basically killed them all off in the East and Midwest.”

Cougars are solitary predators whose hunting ground can vary widely in size, depending on available prey, water supply and cover. They like woodland and high country, but can handle almost any habitat that offers concealment, including desert (Arizona), swamp (Florida), prairie (Nebraska), temperate rain forest (Washington State) and the Pacific Coast. National Park Service biologists tagged a pair of cougar kittens last year near Malibu, Calif.

Cougar offspring stay with their mothers up to two years. After that the young males tend to disperse, partly to avoid other males in their home territory and partly to lower the odds of inbreeding. After cougars filled up the mountain states and West Texas, the young males began to travel east. (Females also move, but tend to stay closer to home.)

Cougars are not cuddly. Jw Nuckolls, a rancher in northeastern Wyoming, lost 15 sheep one night to a single cougar, and 32 to cougar predation in two months in 2011.

During an aerial survey at the [Kofa National Wildlife Refuge](#) in southwestern Arizona in 2000, “what looked like three golden retrievers” were spotted on a stone outcrop, recalled Susanna Henry, the refuge manager. They were cougars — probably mother and children.

“In the following years the population of bighorn sheep at the refuge began to decline precipitously, from 800 at the turn of the century to 620 in 2003 and 390 in 2006,” Ms. Henry said. Since then, the sheep count appears to have stabilized at a bit over 400.

Despite their propensity to wreak havoc on other wildlife and livestock (they will take on animals up to seven times their own size, including full-grown elk, horses and steers), cougars are regarded as a manageable nuisance by ranchers and offered a respect that wolves, the West’s other legendary marauders, can only dream about.



There is no easy explanation for this. Dr. Nielsen noted that Europeans had no experience with big cats when they arrived in the New World, but had long vilified the “big bad wolf.” Wolves, he said, “had a bad rap.”

Ogden Driskill, a northeast Wyoming cattle rancher, offered a simpler explanation.

“Cougar are easier to hunt” than wolves “and easier to control,” he said. Cougars run from wolves and will run from barking dogs. Hunters use hounds to tree them. They are predictable, while wolves are not.

But if cougars are easier to control now, “things will change,” said Harley G. Shaw, a retired wildlife biologist for the Arizona Game and Fish Department and an author of a [cougar field guide](#) now in its fourth printing. “That time may even be here now.”

Arizona and New Mexico deliberately cull cougars to protect their bighorn sheep, he said, and added: “Most desert bighorn ranges are small and isolated under the best conditions. One or two lions can have a big impact.”

Investors.com

Late Night Humor

by Andrew Malcolm

Conan: The founder of IKEA has stepped down. He said he plans on spending some time putting his life back together.

Fallon: There’s apparently a 66-year-old man in China who just found out that he is actually a woman. Yeah, he went his whole life thinking he had a yin, when it turns out he had a yang.

Leno: Obama’s been spying on all our phones. How about he spies on the IRS next time it has a \$4 million party with our money?

Fallon: Russia has enacted a new law that bans smoking in public places. Smokers there weren’t happy at all. They were like, “What is this, Russia?”

Fallon: Google says it’s buying a wind farm in Sweden. Not to be outdone, Bing is buying an oscillating fan off Craigslist.

Fallon: Disney World hikes ticket prices so it will cost a family of four almost \$400 for a day in the park. Which explains the new vacation plan: Buy a Mickey Mouse costume and take the kids to Six Flags.

Conan: An 84-year-old Florida woman finally claimed her \$590 million Powerball prize. For the last two weeks she’s been driving home from buying the ticket.

Conan: That Taco Bell employee photographed licking a stack of taco shells has been fired. He’s been replaced by Michael Douglas.

Conan: Michelle Obama got into a heated face-to-face confrontation with a heckler who turned out to be a lesbian. After hearing this, Bill Clinton said, "This story just keeps getting hotter and hotter."

Leno: That elderly Florida lottery winner is happy about the \$590 million. But the IRS can't calculate her taxes until agents determine if she's a Republican or Democrat.

Fallon: Obama's National Security Agency has collected Verizon phone records for weeks. That explains Verizon's new ad, "They can hear you now."

Conan: Florida Sen. Marco Rubio says he'll vote against his own immigration bill. In fact, he's introducing a bill to deport himself.

Conan: Toyota recalls over 200,000 Priuses. Apparently, there was a problem with the engine that prevented the drivers from acting smug.

Conan: The government has been secretly collecting phone records of millions of Verizon customers. Verizon calls it the 'Friends, Family and Obama Plan'.

Leno: A Los Angeles judge has finalized Kim Kardashian's divorce from Chris Humphries. That clears the way for her to become an unwed mother.

Leno: Attorney General Eric Holder says he has "no intention of stepping down." Hey, Eric. I didn't either! Sometimes, it just happens. Welcome to show biz.

Fallon: Action star Steven Seagal is close to signing a deal to promote Russia's arms industry. Or in simpler terms, Steven Seagal has become a villain from a Steven Seagal movie.

Fallon: A new study says quitting a book halfway through can actually trigger guilt. I didn't get to read the rest of the study, because I'm a terrible person.

Conan: Sofia Vergara says one of her favorite things about the newly-unveiled wax figure of herself is the feet. She said, "Before today, I didn't even know I had feet."

Fallon: That Florida Powerball winner is 84 years old. Other people in Florida were like, "Figures it would go to some kid."

Fallon: During a middle school visit President Obama said every U.S. school should have high-speed Internet. Then one kid said, "What, so you can read our e-mails faster?"

Fallon: For a senior prank, Washington high school students spray-painted their school, but they actually misspelled the word "senior" twice. Or as the principal put it, "Who the hell is Señor Raul? Oh, Seniors Rule." Those misspellings probably explain why they didn't get into collage.

Fallon: Russian President Vladimir Putin and his wife announced they're getting a divorce after almost 30 years of marriage. When asked why, Putin was like, "We tried to make it work, but you know what they say: Men are from Malgobek, women are from Kadnikov."

Fallon: Putin and his wife made their divorce announcement after attending the ballet. Which is weird, because most guys would want to break up before they had to go to a ballet.

Fallon: Spirit Airlines is planning to sell passengers wine in a can for \$7. I know \$7 seems like a lot, but it's all worth it to forget you're flying Spirit Airlines while drinking wine out of a can.

Fallon: Celebrity chef Paula Deen just released her own line of butter. When asked what you should put it on, Deen said, "Who said you have to put it on anything?"

Leno: Justin Bieber signs to visit space on Virgin Airlines. You know who's paying for it? His neighbors, that's who.

Leno: Russian President Putin and his wife are divorcing. He gets the house in Moscow. She gets to live in Siberia.

Conan: It's been reported that Kanye West will not be in the delivery room when Kim Kardashian has her baby. Before anyone gets mad, this was at the request of the baby.

Conan: In Los Angeles, a porn star was jailed for pretending to fellow actors that he didn't have an STD. He was also banned from the porn industry for being a convincing actor.



