

POTOMAC WATCH
By KIMBERLEY STRASSEL

Green Goodies

First came Big Labor. Then the tort lawyers. What special interest lobby remains for the Democratic majority to reward for services rendered this past election?

The answer rests in the ecstatic press releases tumbling out of the nation's largest environmental groups, as they oversee the House's pending energy legislation. That is, if "energy" is the right word for West Virginia Rep. Nick Rahall's green-payoff of a bill. Ostensibly the legislation is a rollback of any energy production advances of recent years. But also tucked deep in its heart is an extraordinary new tool to allow environmentalists to lock up private property across the country. Bill presented; bill paid.

Like union and trial-bar groups, the extreme environmental community forked over a hefty wad of cash last year to help put Democrats in the majority, as well as to keep key environmental allies in their seats. But they also went the extra mile, singling out Republicans viewed as most ideologically hostile to liberal green goals and targeting them in campaigns. Most Wanted was former House Resources Committee Chair Richard Pombo.

The Californian was an environmental innovator, one reason he leapfrogged past far more senior members of the Resources Committee to take its helm in 2003. His subsequent successes lay in getting rural-state Democrats to come along with pioneering overhauls of outdated, 1970s-style environmental policy -- from the Healthy Forests Act to reform of the Endangered Species Act and public-lands drilling. Those victories, and Mr. Pombo's commitment to property rights, enraged coast-state Democrats and environmental groups, who viewed him as slightly less progressive than Attila the Hun.

Their fury was unleashed in last year's campaign. By some estimates, a half-dozen environmental groups spent north of \$3 million to get Mr. Pombo sacked. Defenders of Wildlife opened an office in his Stockton district, staffed with a dozen people, for that purpose. Since most of Mr. Pombo's constituents admired him for his environmental work, their tactic was character assassination. The Defenders of Wildlife Action Fund (a 527) sent out mailings with the jaw-dropping suggestion that since Mr. Pombo didn't hold a hearing about supposed abuses in the Marianas Islands (a U.S. territory) that he supported "forced abortion," "child prostitution" and "sweatshop labor." Nowhere was the word "environment" even mentioned.

The smear campaign worked. Mr. Pombo was ousted, along with other key environmentalist targets, including Arizona's J.D. Hayworth, Indiana's Chris Chocola, John Hostettler and Mike Sodrel, Kentucky's Anne Northup and North Carolina's Charles Taylor. The broader Democratic victory slipped the Resources chairmanship to Mr. Rahall, who may hail from rural West Virginia, but votes like a resurrected Rachel Carson. (Last year he earned a 92% voting score from the League of Conservation Voters, which takes effort.) With his most worthy ideological opponents banished, he's been largely free to pursue a pure green agenda, handing out goodies to the environmental crew that helped get him his job.

But first, housekeeping. In a little semantic poke to their opponents, Democrats quickly changed the title of Mr. Rahall's group to the *Natural* Resources Committee. This was accompanied by the heave-ho of moderate Democrats who had signed on to Mr. Pombo's reform agenda. California's Dennis Cardoza, who co-authored the species reform, was dropped, as was Louisiana's Charlie Melancon, who'd worked with Mr. Pombo on offshore drilling.

They were replaced with better spawn of Mother Earth, including Lois Capps (California), Patrick Kennedy (Rhode Island) and John Sarbanes (Maryland). Mr. Rahall also sprinkled staff jobs on greens, including from groups active in the 2006 campaign. Two of three senior policy advisers hail from Defenders of Wildlife and the Forest Service Employees for Environmental Ethics; others come from the Wilderness Society and the Sierra Club.

These are the folks who helped write the "energy" bill that passed committee this week. Broadly, the bill fulfills one big ambition of environmental groups in recent years: a rollback of any smarter use of public (or even private) lands for energy use. Gone are previous gains for more drilling, more refineries, more transmission lines. But the big prize was an unprecedented new power allowing green groups to micromanage U.S. lands. That section creates "a new national policy on wildlife and global warming." It would require the Secretary of the Interior to "assist" species in adapting to global warming, as well as "protect, acquire and restore habitat" that is "vulnerable" to climate change. This is the Endangered Species Act on steroids. At least under today's (albeit dysfunctional) species act, outside groups must provide evidence a species is dwindling in order for the government to step in. This law would have no such requirements. Since green groups will argue that *every* species is vulnerable to climate change, the government will be *obliged* to manage every acre containing a bird, bee or flower.

It's a green dream come true, carte blanche to promulgate endless regulations barring tree-cutting, house-building, water-damming, snowmobile-riding, waterskiing, garden-planting, or any other human activity. The section is vague ("protect," "assist," "restore") precisely so as to leave the door open to practically anything. In theory, your friendly Fish & Wildlife representative could even command you to start applying sunblock to your resident chipmunks' noses.

The draft of Mr. Rahall's bill was greeted by a glowing letter from 13 environmental outfits -- EarthJustice, Environmental Defense, American Rivers, the usual crew -- voicing their "strong support" for the legislation. As they might, since it appears they wrote it. A May 29 letter from Defenders of the Wildlife Executive Vice President Jamie Rappaport Clark -- President Clinton's onetime wilderness guru -- crowed that her group "worked with committee and congressional staff as they developed" the new global warming wildlife program. She also extols the big bucks that will flow to federal and state wildlife agencies as a result of that global warming initiative.

Mr. Rahall's bill still has a long way to go. Other sections of an energy policy are still mired in the House, the Senate has yet to weigh in and President Bush, with any luck, will veto any legislation that grants a freeze of every dirt clod in America -- publicly or privately owned. Still, when it comes to rewarding their friends in the green community, don't blame House Democrats for not trying.