

# THE NATIONAL CENTER



## FOR PUBLIC POLICY RESEARCH

Summer 2014

### Message from David and Amy Ridenour

“Get out of our way!”

That’s what Sir Richard Branson, CEO of the Virgin Group, demanded of us after we conducted an effective campaign against one of his fellow CEOs for advocating a radical green agenda.

We have that effect on statisticians. They’d really prefer that we’d just go away.

But that’s never going to happen. We’re just having too much fun setting their agenda back and advancing the cause of liberty.

In just the last few months, we’ve accumulated a significant number of victories, including...

- We uncovered a secret political agenda behind ObamaCare’s contraception mandate having nothing to do with birth control;
- We prompted leading investment publications to question the wisdom of buying Apple, Inc. stock due to its support of radical environmental policies;
- We decimated President Obama’s claim that ObamaCare met enrollment targets, showing that the number of young adults he claimed are newly insured was greatly overstated;
- We forced GE to pledge to abstain from carbon dioxide reduction programs that don’t also advance long-term shareholder interests;
- We exposed a secret Obama Administration plan to use the federal dietary guidelines to support its policies on



*David Ridenour explains why NOAA should get out of the hurricane forecasting business in an interview with 15-station Cox Television.*

environment and immigration — policies unrelated to healthy eating;

- We prevented the left from using the 50th Anniversary of the “War on Poverty” to promote expansion of government programs by showing how it harmed those it was supposed to help;
- We forced the food company Mondelez to alter its advocacy policies to make it more difficult for the company to pick taxpayers’ pockets.

Details on these and other National Center successes – all made possible by your generous support – are included in the following pages.

And we’re just warming up. As Ronald Reagan once said, “We can say to the world and pledge to our children, America’s best days lie ahead, and you ain’t seen nothin’ yet.”

Sincerely,

David and Amy Ridenour



## Free Enterprise Project Takes a Bite Out of Apple

*"...[T]he glory days of appreciating Apple shares [may] have passed," warned The Street, the investment news website created by CNBC's "Mad Money" Host Jim Cramer.*

*"[Apple's Cook implied]...profit is overrated...sending a strong signal to investors about the company's future performance," cautioned Investor's Business Daily.*

Apple CEO Tim Cook is being skewered by the investment community.

The reason?

He suggested that the company's environmental activism is a higher priority than profit in response to a question by our Free Enterprise Project Director, Justin Danhof, during Apple's annual shareholder meeting earlier this year.

Justin asked Cook to pledge to refrain from sponsoring environmental programs that hurt the company's bottom line.

Visibly angry, Cook refused, saying, "I don't consider bloody ROI [return on investment]!"

Then he told Justin that if he didn't like it, he "should get out of this stock!"

The national and international press interpreted Cook's words as a call for ALL shareholders who disagree with his environmental agenda to divest of their Apple shares.

Thousands of newspapers ran with this storyline. The Los Angeles Times, the London Guardian, Time, Fortune,



*Free Enterprise Director Justin Danhof tells Fox's Neil Cavuto why our activism at Apple's annual meeting was important and why it made its CEO so mad.*



*Executive Director David Almasi explains the political gamesmanship of the budget sequester in an interview with Polish television.*

Investor's Business Daily and the Drudge Report were among them.

And the Fox News Channel made the encounter a "headline" story, running segments on our activism for a full day, including on "Fox & Friends," "Your World With

*Continued on next page...*

### THE NATIONAL CENTER

### FOR PUBLIC POLICY RESEARCH

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*Free Enterprise Project Director Justin Danhof discusses our activism at the Apple shareholder meeting with radio host Dana Loesch, ranked among the top "100 Heavy Hitters" by Talkers Magazine.*

Neil Cavuto," "Hannity's Great American Panel" and "The Real Story with Gretchen Carlson."

Some media reported that Cook wanted skeptics to stop buying Apple products. And there was even talk about a possible Apple boycott on the Rush Limbaugh Show.

Encouraging investors to sell Apple stock, suggesting profit isn't Apple's top priority, and turning customers against Apple products couldn't have been what Cook hoped to achieve through his exchange with Justin.

But that's exactly what he did.

Cook should have followed the lead of General Electric's Jeff Immelt.

When asked to make the very same pledge, he made it without argument, having learned from past experience that giving in to us is the path of least resistance.

Our Free Enterprise Project has amassed a considerable number of victories already this year.

With your continued support, we'll have many more.

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## Risk Analysis Division Gives Left Indigestion Over Dietary Guidelines

Two federal departments are experiencing a lot of heartburn thanks to Risk Analysis Division (RAD) Director Jeff Stier.

The U.S. Department of Agriculture and the U.S.

Department of Health and Human Services are currently working on revisions to federal dietary guidelines.

Required by Congress, the revisions are supposed to ensure that guidelines will continue to "promote health and reduce risk for major chronic diseases...based on the most sound scientific information."

But Jeff learned that the agencies have instead been trying to use the guidelines to advance an ideological agenda that has nothing to do with healthy eating.

Members of the Dietary Guidelines Committee, the committee overseeing the revisions, are pushing to make "sustainable development," "global climate change," and even "immigration" part of the dietary guidelines.

Jeff blew the whistle on the committee in a column in the Washington Examiner. He noted that far from promoting healthy eating habits, the revisions they were seeking could threaten public health by making healthy foods less affordable.

"The new guidelines will increase the prices you pay for what you eat," he wrote.

The USDA is apparently feeling the heat. After Jeff's column appeared, the USDA tried to backtrack on its political activism.

"The committee is still in the early stages of its work, so it is...premature to speculate what will be included in the final dietary guidelines," a USDA spokesman said. "Some of the topics discussed by the committee are not intended to have policy implications."

The left is also feeling heartburn over RAD's work in defense of consumer choice on e-cigarettes.



*RAD Director Jeff Stier is interviewed by KABC in Los Angeles before testifying before the Los Angeles City Council on a proposed ban of e-cigarettes in public places.*

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E-cigarettes are electronic devices that deliver the same flavor and sensation as conventional cigarettes, but with significantly less carcinogens.



*RAD Director Jeff Stier outlines a strategy grounded in freedom for reducing smoking in a speech before Ireland's Royal College of Physicians.*

For some reason, the big-government left doesn't like them and has argued for taxation, stringent regulation and even an outright ban of the devices. Michael Bloomberg, for example, signed a bill banning indoor e-cigarette use as one of his final acts as New York mayor.

The reason? E-cigarettes might encourage cigarette smoking by "normalizing" it.

As Jeff pointed out in a New York Post column, such bans "do harm, not good."

That's because the devices are primarily used as a smoking cessation aid and pose significantly less health risks to both users and bystanders to boot.

Not only do they deliver only a fraction of the carcinogens of regular cigarettes, they don't produce the lingering smoke that can be inhaled secondhand.

Jeff has been in high demand on the issue: He's testified against e-cigarette taxes and stringent regulation before the New York City Council, the Los Angeles City Council and the Los Angeles Arts, Parks, Aging and River Commission, the San Diego Public Safety Commission, the Oklahoma legislature and the Rhode Island legislature.

He's been in high demand as a speaker both domestically and internationally, too, addressing Ireland's Royal College

of Physicians, the American Association for Cancer Research in San Diego, the Wells Fargo Forum in New York, and the Global Tobacco Networking Forum in South Africa, to mention only a few.

With your continued support, RAD will continue to use sound science and common sense to stop the Big Government left's assault on consumer freedom.



## Health Care Reform Project Renders ObamaCare Birth Control and Enrollment Claims Impotent

Within minutes of President Obama's announcement that ObamaCare had met its enrollment target of seven million – made appropriately enough on April Fool's Day – our Health Care Task Force was out with a study proving it was all bogus.

The study, written by health policy analyst David Hogberg, took issue with President Obama's contention that "more than 3 million young adults... have gained insurance under this law by staying on their family's plan."

The president's reference was to ObamaCare's so-called "slacker mandate," which allows young people to stay on their parents' health care plans until age 26.

David found that the President's claim was suspect for several reasons.

For one thing, it was based on Health and Human Services data from 2010 rather than of the most current data.



*Policy analyst David Hogberg demolishes the Obama Administration's contention that few Americans under 65 risk losing their health plans under ObamaCare in an interview with the Fox News Channel.*

*Continued on Page 8...*



# HHS Contraception Mandate Should be Withdrawn Prophylactically

By AMY RIDENOUR, CHAIRMAN

Should the federal government force the charity "Priests for Life" to pay for early abortion drugs?



Amy Ridenour

Supporters of ObamaCare's HHS abortion drug and contraception mandate, which requires covered employers to provide contraception and early abortion coverage to their employees, say "yes."

They claim a charity of pro-life priests isn't religious, nor is a religious school, nor is a non-profit publisher that prints Bibles.

Mandate supporters claim that when most religious people go to work, they stop being religious.

They also claim employers who don't offer contraception or early abortion coverage are "meddling" in their employees' lives.

But, quite the opposite is true. By paying employees in money, not in benefits the employee can't even choose, employers are staying out of their employees' private lives.

Supporters also claim that if you prevent the development of a fertilized egg that has not yet implanted, it is not abortion, but if you prevent the development of one that has implanted, it is abortion.

But this argument hinges completely on the definition of the word "abor-

tion"; either way, a fertilized human egg's development is stopped, and no human is born. People who believe it is wrong to stop the development of a fertilized egg object to this regardless of what it is called.

Supporters also argue that employers don't have the right to deny employees access to contraceptives.

That's true, but it also is irrelevant, because employers who do not pay for employees' abortion drugs and contraception are not denying access to those items any more than they are denying access to food by not buying their employees groceries.

Employees like cash compensation, and for good reason: They can decide for themselves what to buy. It might be contraception; it might be gas for the car.

This is called freedom, and the government will be taking some of yours away if it succeeds in forcing your employer to convert some of your pay to specific health care services you might not even want.

Some people mistakenly think the mandate gives employees free contraception and abortion drugs. It doesn't: Employers pay their employees based on the market value of their work. If the government forces employers to pay some of that compensation in contraception and abortion coverage, employers will deduct that amount from the cash payments.

Employees who get health insurance at work aren't getting it free. They're taking some of their pay in health insurance. And that's OK if they want to.

It's when the federal government tries to force certain benefit packages on employees that problems arise.

In 1993, Democrats, Republicans and then-President Clinton overwhelmingly passed the Religious Freedom Restoration Act (RFRA).

Under RFRA, the federal government can only force people, including

business owners, to violate their religious beliefs if the government has a "compelling interest" in doing so.

The government also has to prove the mandate is the "least restrictive" way it can accomplish its goal of making certain employed people have access to contraception and early abortion drugs.

That will be hard for the government to prove, because the public already has access to abortion drugs and contraception.

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***"By paying employees in money, not in benefits the employee can't even choose, employers are staying out of their employees' private lives."***

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They're legal, widely available and inexpensive. The abortion drugs covered by the mandate sell for \$39-\$49. Birth control can be had for \$15 or less a month.

The HHS mandate is unfair, unconstitutional and unnecessary.

It's also unpopular. A November Rasmussen poll found the public opposed 51-38 percent. Substantial numbers of the Catholic, Protestant, Jewish, Mormon, Buddhist, Hindu, Muslim, Sikh, Baha'i, and Zoroastrian faiths oppose it.

I predict the Supreme Court will toss the mandate out.

The Obama Administration should withdraw it now, prophylactically.

*A version of this article appeared in 46 newspapers, including in the Honolulu Star-Advertiser, the Syracuse Post Standard, Providence Journal, Lexington Herald-Leader, and the Boston Herald, before the Supreme Court ruled as we predicted in a decision handed down June 30.*





## What Kind of People Support Our Work? People Like...

*Rawleigh Warner, Jr.*

"I think it's wrong for business to hunker down and wait for the storm to blow over."

Memorable words spoken by one of our nation's most distinguished businessmen and champions of free enterprise, Rawleigh Warner, Jr.

We're proud to have counted Rawleigh as a friend and supporter.

Rawleigh sent his first gift to The National Center in April 2001 and continued supporting our work right up until his death last year. He especially liked our work on global warming.

President David Ridenour visited with him in his New York office, located on the top floor of the Trump Tower.

"Rawleigh spent his career in the oil industry and was incredibly well-versed on global warming," said David. "He not only supported our fight against greenhouse gas regulations, but shared our frustration that many oil company executives seemed to be surrendering without a fight."

Born in 1921 and raised in the Chicago suburbs, Rawleigh learned the importance of hard work, service to country, and customer service from his father, Rawleigh Warner, Sr. Rawleigh Sr. served as chairman of the Pure Oil Company, which later became Union 76, and as a member of the Hoover Commission, a federal advisory committee created to find ways to reduce the number of government departments and increase government efficiency following the Second World War.

Rawleigh's keen appreciation of these values helped propel him to the top job at one of the country's most profitable oil companies, the Mobil Oil Corporation.

Rawleigh Warner's style of management, leadership, and tenacity in fighting the left's assaults on energy companies continues to be a model for the entire industry – so much so, David Ridenour discussed some of Rawleigh's successful



*Rawleigh Warner, Jr.*

strategies for educating the public about energy issues with Exxon Mobil CEO Rex Tillerson in May in Dallas.

Rawleigh served as president, then as chairman and CEO, of the Mobil Oil Corporation from 1965 until 1986, having a hand in every facet of Mobil's operations from the company's international oil production to its public relations campaigns.

Under Rawleigh's leadership, Mobil became a leading recipient of crude oil from Saudi Arabia while also becoming a leading producer of oil in the United States through the company's purchase of domestic reserves. Rawleigh's emphasis on sound asset management and financial stewardship helped transform Mobil from an unprofitable company to the second largest company in America, with sales just behind Exxon prior to the company's merger with Exxon in 1999.

Rawleigh's family would later say that he considered his greatest legacy while serving as Mobil's chief executive to have been his development of young executives into corporate leaders within the organization.

Along with his efforts to mentor and train aspiring company leaders, Rawleigh used his position as Mobil's chairman and CEO to improve its public image.

He initiated Mobil's sponsorship of the PBS series "Masterpiece Theater" in 1973 to help build public good

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# Don't Leave Future Generations Hanging... ...Bequeath the Gift of Liberty

Your generous support of The National Center for Public Policy Research says something very important about you: It says you're committed to defending American liberty now and for future generations.

Ronald Reagan once said, "Freedom is never more than one generation away from extinction. We didn't pass it to our children in our bloodstream. It must be fought for, protected and handed on for them to do the same..."

But how can we continue to fight for and protect freedom after we're gone?

One of the best ways to do so is by providing for The National Center for Public Policy Research's future needs in your estate plans.

A simple bequest is the easiest way to leave a lasting legacy of liberty.

You can bequeath a set percentage of your estate or a specific dollar amount. To include us in your estate plan, you might use language along these lines: *"I give and bequeath to The National Center for Public Policy Research of Washington, D.C. <\$X or Y% of my estate> to be used for its educational purposes."* If you're uncertain about how much you can bequeath to The National Center after providing for family members and

paying final expenses, you can make a residuary bequest, using language along these lines: *"I give and bequeath to The National Center for Public Policy Research of Washington, D.C. the remainder of my estate for its educational purposes."*

There are many other ways to include The National Center in your estate plans, including making The National Center a beneficiary of an insurance policy, charitable remainder trust, or establishing a Charitable Gift Annuity through The National Center.

All planned gifts will qualify you to be a member of The National Center's Legacy Society, an elite group of supporters who receive special recognition. You can learn more about the benefits of the Legacy Society, and also about various planned giving options, by e-mailing David Ridenour at [dridenour@nationalcenter.org](mailto:dridenour@nationalcenter.org) or by calling him at (202) 543-4110, ext. 16.

Don't leave future generations hanging. Include your National Center in your estate plans today.



will for the company in response to growing hostility against U.S. oil companies. That relationship lasted until 2004.

Rawleigh also worked to improve Mobil's public image by investing heavily in advocacy advertising in magazines and newspapers. This allowed him to effectively counter attacks by leftist journalists and groups on Mobil's environmental record.

During his tenure, Rawleigh also changed the company logo from a winged Pegasus to the word "Mobil" (with the distinctive red "O") to project a more contemporary image.

After his retirement in 1986, Rawleigh continued serving the public and the business community, serving on the boards of American Express, Bristol-Myers Squibb, Caterpillar, AT&T, Chemical Bank, Honeywell, and Time, Inc. He also served on the President's Committee on the Arts, as chairman of the American Petroleum Institute, and

he was an original trustee of the Kennedy Center for the Performing Arts.

Rawleigh also served with extreme distinction in the U.S. Armed Forces. He was awarded the Silver Star, the Bronze Star, and a Purple Heart for his service in a field artillery unit in the U.S. Army's 10th Mountain Division in Italy in World War II. Rawleigh had joined the army following his graduation from Princeton University in 1943, and left the army with the rank of Captain in 1946.

Rawleigh Warner, Jr. was a military hero and one of the nation's most distinguished business leaders, philanthropists, and conservative, free-market advocates. We're honored by the faith he placed in us to protect and fight for American liberty.

*By Scott Reagan*

*Continued from page 4...*



*Media Director Judy Kent chats with nationally-syndicated talk show host Mark Levin (aka “The Great One”) on “Radio Row” at the Conservative Political Action Conference (CPAC).*

According to the most current data, only 2.2 million 19-25 year olds have health insurance coverage through their parents’ plans. This means that the president overstated the number of young adults gaining coverage by about 900,000 – or 29%.

But even this number may be high.

According to the Census Bureau, the number of young people age 19-24 without health insurance has declined by just 976,000 since the mandate went into effect. Of this number, 271,000 acquired health insurance through Medicaid and another 447,000 through their employers.

This means that the net increase in young people with coverage could be as little as 258,000.

David’s finding received significant coverage: He appeared on Fox Business Channel’s Neil Cavuto and his study was covered by Rush Limbaugh, the Drudge Report, the Washington Examiner, the Washington Free Beacon, Forbes, the New Republic and dozens of radio stations.

Our Health Care Reform Task Force also exposed a secret agenda of the Department of Health and Human Services’ contraception mandate: Gender equality.

Chairman Amy Ridenour read page after page of the Federal Register pertaining to the mandate and found that the Administration’s objective in imposing the mandate is not to provide birth control coverage, but to advance “gender equality interests,” “address... gender disparity,” and empower women “compared to their male co-workers.”

To our knowledge, she was the first to make this discovery.

The goals of the mandate outlined by HHS officials in the Federal Register aren’t mere rhetoric either.

“[The HHS mandate] only covers birth control methods for women...Birth control, at least to anyone not so blinded by ideology that they cannot perceive basic biology, is the ultimate it-takes-two-to-tango issue,” Amy writes. “Its actual, overriding purpose is to improve the economic and social position of women relative to the economic and social position of men.”

Within days of Amy going public with her discovery, dozens of radio stations requested on-air interviews.

Amy has written extensively on the HHS mandate and her op-eds on the topic have been published by 46 newspapers this year, including in the Denver Post, the Boston Herald, and the Orange County Register, among others.



*Policy analyst David Hogberg explains why European-style health care won’t work here in testimony before a U.S. Senate subcommittee.*

Your support ensures our Health Care Reform Task Force can continue uncovering facts that are available nowhere else that are devastating to ObamaCare.

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## **Project 21 Calls for End of “War on Poverty” Quagmire**

Arguing that the “War on Poverty” has done more harm than good, six of Project 21’s black leader-spokesmen issued statements calling for a truce.

The statements were issued on the 50th Anniversary of

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*Project 21 Co-Chairman Horace Cooper discusses the “knockout game” and the Justice Department’s decision to prosecute only a white person—and none of the of black people—engaging in the “game,” with Bill O’Reilly.*

President Lyndon Baines Johnson’s address before a joint session of Congress announcing an “unconditional war on poverty in America.”

Some highlights from the statements...

Co-Chairman Horace Cooper: *“Having spent trillions with little to show for [the War on Poverty], it’s clearly time to declare a cease fire.”*

Co-Chairman Cherylyn Harley LeBon: *“Even Franklin Roosevelt warned that the welfare state ‘must not become a narcotic and a subtle destroyer of the spirit.’”*

Derryck Green: *“[The War on Poverty] effectively subsidized the dissolution of the black family... The result has been several generations of blacks born into broken homes and broken communities...”*

Charles Butler: *“[It has] created a deficit between white and black in key areas such as education, income and net worth. Yet we keep doing the same thing repeatedly hoping for a*



*Project 21 Co-Chairman Cherylyn Harley LeBon dispels myths about the HHS contraception mandate on RT TV, also called Russia Today.*



*Jennifer Gratz (left), lead plaintiff in the Gratz v. Bollinger case in which the Supreme Court invalidated the University of Michigan’s race-based admissions policy, speaks at a luncheon hosted by Project 21 Co-Chairman Cherylyn Harley LeBon (center) about Schuette v. Coalition to Defend Affirmative Action, another affirmative action case in which she is involved.*

*different result.”*

Response from the media was overwhelming: In just the few days following the release of the statements, some 70 media outlets had either interviewed or quoted Project 21 members about the “War on Poverty,” including the Philadelphia Inquirer, the St. Louis Post-Dispatch, the Orlando Sun, and the Albuquerque Sunday Journal, to name only a few.

Your support ensures that Project 21 can continue showing how big-government programs hurt those they were intended to help.



*Project 21 spokesman and Episcopal Missionary Church Bishop Council Nedd II discussed religious liberty in an interview with the Tea Party News Network at CPAC.*



## Book Review: *The Deliberate Corruption of Climate Science* by Tim Ball, PhD

*Why do 'official' climate scientists need spin-doctors? Answer: because they practice politics, not science.*

So says Dr. Tim Ball, climatologist, thorn-in-the-side of dishonest scientists everywhere and supporter of your National Center for Public Policy Research, writing in *The Deliberate Corruption of Climate Science*, his new, bestselling book for Stairway Press.

Dr. Ball understands the science behind the catastrophic global warming theory; he's just not impressed by it.

"[The United Nations' Intergovernmental Panel on Climate Change, or IPCC] created unreal explanations, ignored contradictory evidence, used computer model generated data as real data in other computer models and used theoretical ideas as real. They made it up as they went along," Dr. Ball says.

He doesn't mince words: "The world has never before suffered from deception on such a scale."

How did it all happen? *The Deliberate Corruption of Climate Science* explains how a small group of committed left-wingers led by Canadian anti-capitalism activist Maurice Strong seized upon "climate change" as their issue and the United Nations as their vehicle to trick governments and populations into believing "the only hope for the planet [is] that industrialized civilizations collapse."

Of course, Maurice Strong and his allies would have faced widespread public rejection had they sold their agenda exactly that way. So they seized

the moral high ground of "protecting the planet." For scientific justification, they created the IPCC, a U.N. body tasked with proving that humans are causing catastrophic global warming.

Says Dr. Ball, "Science works by creating theories based on assumptions, which other scientists, performing as skeptics, test. The structure and mandate of the IPCC was in direct contradiction to this scientific method. They set out to prove the theory rather than disprove it. Maurice Strong and his U.N. committees made sure the focus was on human-caused change and CO2 as the particular culprit."

With the IPCC issuing reports "proving" the global warming theory and left-wing activists blaming capitalism and energy use for the "crisis," it wasn't long before gullible and complicit journalists and politicians alike had joined the global warming bandwagon. Even so-called conservative politicians supported billions in taxpayer dollars for research into the theory, "just in case."

This, in turn, led to more corruption. As Dr. Ball writes, "An entire industry had developed round massive funding from government. A large number of academic, political, and bureaucratic careers had evolved and depended on expansion of the evidence. Environmentalists were increasing pressure on the public and thereby politicians." In short, scientists were finding "evidence" for global warming to keep grant money flowing, and the many ways they did so, from the corruption of peer-review processes to outright chicanery, fill several chapters of Dr. Ball's often shocking book.

"The entire exercise of global warming



and climate change is a deception," Dr. Ball says. "However, there are deceptions within the deceptions."

*The Deliberate Corruption of Climate Science* reads almost like a James Bond novel filled with international criminal masterminds obsessed with control of the Earth. But with world temperatures flat now for nearly 18 years, is the game up for the global warming theory? Dr. Ball wonders.

"How much longer can the IPCC maintain the charade?," he asks. "How long before the IPCC and its machinations are understood by enough leaders to elicit some backbone? It is incredible that the IPCC and their manipulation of climate science continue to drive world energy and economic policies. How many more people must starve and economies collapse before this most egregious exploitation driven by environmentalists is stopped?"

*By Amy Ridenour*



# *Justice Department's IRS Probe Doesn't Have a Smidgen of Credibility*

By DAVID A. RIDENOUR, PRESIDENT

Richard Nixon insisted, "I'm not a crook," and now so has Barack Obama.



David A. Ridenour

When the president told Fox's Bill O'Reilly that there's "not even a smidgen of corruption" in the IRS political targeting scandal, he destroyed any credibility his administration had to investigate itself.

Unlike Watergate, there's no special prosecutor investigating the dirty tricks campaign against hundreds of conservative groups. Because there isn't, Obama's words have more serious implications than Nixon's.

The IRS investigation supposedly hasn't been completed yet.

Days before the president's interview, U.S. Attorney General Eric Holder tried to reassure the Senate Judiciary Committee that his department is conducting a serious, unbiased investigation.

He dismissed press accounts that the DOJ had already decided there'd been no criminal violations.

Then President Obama pulled the rug out from under Holder by suggesting the press was right.

It reminds one of a line heard in Westerns: "We'll make sure you get a proper hangin', son, right after your trial"...only in reverse.

The president's statement was bad on many levels.

For one thing, there were already good reasons to question the investigation's validity.

Justice selected an Obama donor and campaign volunteer as a key investigator. This is at odds with DOJ guidelines requiring impartial investigators.

And after eight months of "investigating," none of the IRS victims had been contacted. When asked about this in the Senate, Eric Holder responded, "I don't want to get into that."

And there's the fact that the IRS continued to slow-walk applications for tax-exempt status, make unreasonable document requests, and audit conservative groups months after the scandal broke.

But perhaps the most serious indictment of the president's words is that they could be seen as obstruction of justice.

There is, at least in theory, an ongoing investigation that could eventually lead to the president himself.

There's a reason people under investigation typically don't comment to the press. It's because this can be interpreted as an attempt to coordinate stories and impede investigations.

By claiming no laws were broken and that IRS officials were merely confused, the President transmitted what he wanted those officials to tell investigators.

Any DOJ investigation that clears the IRS of violations of law now will rightly be called illegitimate.

Let's be clear here: The IRS was pursuing a political agenda.

We know this because emails between IRS officials reveal they were obsessed about curbing political speech to circumvent the Supreme Court decision in Citizens United.

And we know this because of what

IRS agents told victims.

My organization was hit with an IRS audit in 2012 that lasted 15 months and the agent assigned to conduct it indicated it was political.

It was prompted by one of our publications critical of administration policy.

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***"By claiming no laws were broken and that IRS officials were merely confused, the President transmitted what he wanted those officials to tell investigators."***

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The agent said he saw nothing wrong with the publication and lamented, "I don't know what they expect me to find."

There's nothing wrong with what we wrote, but our opinion was nonetheless the basis of a full field audit. That's harassment; that's intimidation.

The only way the investigation is going to be credible now is if Eric Holder uses the United States Code's general delegation provision to seek a special prosecutor. As any one he'd select would be suspect, he should ask for a court appointment of the prosecutor.

If Holder refuses, Congress should reauthorize the Independent Counsel Act to allow it to do so.

President Nixon knew what had to be done to ensure a credible investigation. President Obama should follow his example. Reaching Nixon's ethical bar shouldn't be that difficult.

*A version of this article was published by at least 42 newspapers, including the Las Vegas Sunday Review Journal, Rochester Democrat and Chronicle, Fresno Bee, Arizona Daily Star and Knoxville News Sentinel.*

# THE NATIONAL CENTER



## FOR PUBLIC POLICY RESEARCH

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SUSTAINABLE *Business.com*

“Because of...[The National Center], even conglomerates like GE feel hamstrung on taking positions and strong action on climate change.”

**TIME**

“There is no doubt that ObamaCare is going to cost more for small businesses...”

– *Health care policy analyst David Hogberg*

**The Washington Post**

“[Food Policy Action’s scorecard] represents the narrow views of a select group of some of the nation’s most ideologically divisive activists.”

– *Jeff Stier, explaining why a congressional scorecard on food policy backed by celebrity chef Tom Colicchio should be ignored.*

THE *Rush Limbaugh* SHOW

“...a very respected group...”

– *Rush Limbaugh, commenting on The National Center*

**GreenBiz.com**

“[The National Center] is turning the shareholder resolution process into a tool for shaming companies for taking on climate change. It’s a turnabout of the tactic long used by environmental activists...think of it as Greenpeace standing on its head.”

**NEW REPUBLIC**

“[ObamaCare’s] critics on the right, including generally thoughtful, well-informed observers like [The National Center’s] David Hogberg [say]...that insurers are going to discover they are not getting as many healthy people as they anticipated.”