

Make your voice heard

Warren Buffett wrote in Fortune magazine a few years back, "I've worked in an economy that rewards someone who saves the lives of others on a battlefield with a medal, rewards a great teacher with thank-you notes from parents, but rewards those who can detect the mispricing of securities with sums reaching into the billions." Chief among those who can manipulate Wall Street are the people in Congress.

A "60 Minutes" piece airing last November raised the hackles of many Americans when they found out that there is no law prohibiting congressmen from profiting on the knowledge of upcoming legislation. The report picked on people from both sides of the aisle and everyone denied wrongdoing. A recent *Wall Street Journal* story found 56 percent of the registered voters polled favored replacing all members of Congress. The folks on the Hill must have gotten the message because there's a bill making the rounds this week that will prohibit members of Congress from using non-public information for their personal gain. An expanded bill would also ban Congress members from benefiting from land deals and other speculation.

While Congress is policing itself, perhaps some time can be spent opening doors for small and mid-size businesses — by changing our complicated tax policies. Congress should ensure that businesses who earn aren't burdened with incomprehensible legislation. Legislation shouldn't hobble capitalism.

So how can you push our legislators to do the right thing? Call, write and vote.

Online poll: You weigh in

Each week we will post a poll on our website www.the-leader.com. Every Wednesday, we will publish the results here.

Last week's question:

What film should win the Oscar for best picture?

- "The Artist" 2%
- "The Descendants" 2%
- "Extremely Loud & Incredibly Close" 14%
- "The Help" 28%
- "Midnight in Paris" 7%
- "Moneyball" 17%
- "The Tree of Life" 0%
- "War Horse" 25%
- "Hugo" 2%

Total votes: 85

This week's question:

Who will win the Super Bowl?

- The Giants
- The Patriots
- Who cares? I only watch it for the commercials.

LETTERS POLICY

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- Letters must be signed and include an address and phone number. No letters will be published unless verified with the author in person or by telephone.
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One year	\$308.88	One year	\$397.98

ARTIST'S VIEW



COMMENTARY | PETER MANTIUS

Hold drillers 'responsible'

For nearly a quarter century, New York state has managed a fund financed by the petroleum industry to clean up petroleum product spills large and small. The state's Oil Spill Fund provides for quick cleanups and prompt out-of-court reimbursements for victims. It also protects the state's taxpayers from the burden of covering the costs of petroleum industry accidents. It's worked smoothly since 1978.

Now the state comptroller and leaders of the New York Assembly want to apply the same logic and the same mechanism to the natural gas industry, which is poised for a major expansion in New York using hydraulic fracturing to crack open the Marcellus and Utica shales.

Under their bill, A. 8572, companies involved in natural gas production would be held strictly liable for their accidents. The state Department of Environmental Conservation would be required to compile a registry of damage incidents related to the gas industry. Like the Oil Spill Fund, the natural gas production damage fund would pay for quick cleanups and reimbursements while requiring payment from the gas industry rather than the taxpayer.

Gas drillers are dead set against the idea. There is simply no basis for such a fund at this time," Brad Gill, executive director of the Independent Oil and Gas Association of New York, said late last year.

The bill is a top legislative priority in 2012 for both Comptroller Tom DiNapoli and Assemblyman Robert Sweeney, chairman of the Assembly's Committee on Environmental Conservation. Assembly Speaker Sheldon Silver has signed on, but no leader in the Republican-controlled, gas industry-friendly state Senate has been willing to touch it. Sweeney knows what happens when responsibility for industrial accidents is left up in the air. Many of the polluters responsible for the state's 1,700 superfund industrial waste sites are today either unknown or broke. So taxpayers foot the bill to clean up hundreds of toxic sites.

"Hydrofracking is also an industrial activity," Sweeney said. "That means that no matter how well it's regulated there are going to be problems. There has to be a fund in place so the damage can be fixed quickly without the public picking up the tab." How big a tab? For the Oil Spill Fund, petroleum companies have paid in an average of about \$24 million a year in fees over the past decade. Companies found liable for spills have kicked in another \$12 million or so a year. That money has been used to process more than 50,000 cleanup vouchers since 2002. Those are expenses the natural gas industry, long coddled in New York state, would prefer not to incur. In fact, gas drillers are pushing for the DEC to award them permits to hydrofrack New York shale formations with the fewest possible restraints and conditions. For example, they oppose a severance tax on gas produced at the wellhead to pay for the hiring of environmental analysts at the woefully underfunded DEC (even though virtually every other state with gas drilling collects a severance tax). They oppose legislative efforts to remove the oil and gas industry's special exemption from the definition of hazardous waste. They are actively challenging a community's right to use zoning powers granted by the state constitution to ban hydrofracking locally. The list goes on and on. Meanwhile, the industry rarely misses a chance to pay lip service to the notion that it supports "responsible" development of natural gas

resources. When Gill of the IOGA of New York wrote DEC Commissioner Joe Martens in January, he used the term "responsible development" no less than seven times. And yet Gill, insisting on special treatment for his industry, pans an initiative to treat gas drilling mishaps like oil spills. The industry as a whole spends millions of dollars on soft image advertising to promote the economic benefits and safety of natural gas extraction from shale while glossing over its environmental and human health costs. During the National Football League's conference championship games Jan. 22, a television commercial sandwiched between beer and car ads informed NFL fans that Williamsport, Pa., has been unspooled by gas drilling.

As a narrator explains how drillers strive to keep water clean, a cute kindergartner hoists an old-fashioned metal watering can over golden chrysanthemums. Another shot of Williamsport's downtown boulevard shows cars and commerce — but no fracking wastewater trucks. These images, cooked up and paid for by the American Petroleum Institute, reek of professional calculation. The commercial ends with a catchy new sound bite: "Shale: The Energy to Do It Right."

If the industry were really serious about "doing it right," it would give taxpayers a break and put its money and energy behind the Sweeney bill. But lip service is cheaper. ■ Peter Mantius is a former reporter for the *Atlanta Journal-Constitution* and the former editor of two business weeklies in the Northeast. He lives in Burdett and is a freelance writer who has closely followed Marcellus shale gas drilling and related issues.

LETTER TO THE EDITOR

An EPIC mistake

TO THE EDITOR | Seniors already struggling to pay for their prescription medication know all too well how much more difficult things will be now that the governor and legislature made cuts to the EPIC program. Cutting this program only makes an already bad situation worse.

Politicians seem to be ignoring the fact that since EPIC was partnered with Medicare Part D about six years ago, the state has saved more than \$339 million. Ignoring such a significant savings and shifting more costs onto the state's poor elderly is not the way to save! Seniors who rely on this program to afford their medica-

tions will have to choose whether to take their medication, cut out food, or something else to meet their need. It is time for the governor and the New York Legislature to remedy this mistake and return the program to what it previously was.

Ron Rehner
Elmira

COMMENTARY | EMIL GUILLERMO

U.S. wishes to forget this war anniversary

Feb. 4 marks the anniversary of a war America won — but doesn't care to crow about. When the memory only produces shame and regret, you can understand why.

Such is the fate of the Philippine-American War, otherwise known as the Philippine Insurrection, which began on Feb. 4, 1899. It's a reminder of a time when America's dreams of imperial greatness got in the way of its democratic values.

Independent film director John Sayles made a movie about it last year called "Amigo." On a scant \$1.5 million budget, Sayles showed a humanistic vision of the war as seen through the eyes of Filipinos in one village and how they deal with the occupation by U.S. soldiers. How does one collaborate without betraying the nationalist rebels, many of whom are family? But "Amigo" faded fast. So, here's a little background:

The war started in a Manila suburb, when American soldiers shot at "the goos," one of the many offensive terms U.S. soldiers used for the Filipinos, and indicative of the racist tone in the war. The nationalists returned fire, and the sequel to the Spanish-American War was under way.

Insurance doesn't begin to describe the full-fledged war that lasted three years, with more than 100,000 Americans involved. Depending on the accounts you read, the Filipino civilian death toll ranged from 250,000 to as high as 1 million, counting those who died from disease or starvation.

The war was an American betrayal. Nationalists, under Emilio Aguinaldo, had broken off from Spain and, relying heavily on a promise of U.S. support during the Spanish-American War, started their own independent republic in 1898 — the first in Asia. That promise was broken when the McKinley administration sought the Philippines as a colony and tapped into a new patriotic fervor for American Imperialism.

Some historians believe McKinley instigated the Philippine-American War to gain support in Congress to ratify the Treaty of Paris. That's where the U.S. dealt with Spain directly, cutting out the new Philippine leadership. Instead of becoming the independent country it had hoped for, the Philippines was ceded by Spain to the United States for \$20 million. Aguinaldo went from president to insurrectionist, just like that.

The idea of winning "hearts and minds" and the use of waterboarding had their origins in this war.

We're still dealing with those legacies today.

■ Emil Guillermo is an American-Filipino journalist who writes for the *Asian American Legal Defense and Education Fund*. He wrote this for *Progressive Media Project*. Readers may write to him at: *Progressive Media Project*, 409 E. Main St., Madison, Wis. 53703; email: pmproj@progressive.org.